

Constitution  
&  
By Laws  
of  
The  
San Diego, California  
Area Local

American Postal Workers Union  
AFL-CIO

As Amended January, 2004

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# **PREAMBLE**

We, the Postal Workers of the San Diego California Area Local, in order to form a more perfect union, establish this Constitution.

We, who come from diverse divisions, believe that in unity there is strength. We believe that all Postal Workers and all members of labor have a right to economic, political and social justices.

That all Postal Workers have the right to have decent shelter, food, and clothing. That they have the right to see that their children have the best education. The investment of the workers' lifeblood in giving service gives him that right.

We further believe that all Postal Workers have the right, regardless of race, color, creed, sex, or National origin, to hold their heads high with dignity, and to have the respect for themselves as individuals.

We believe, therefore, that in the spirit of the Declaration of Independence and the U.S. Constitution, all men are free and have the right to come together and promote the common cause of all.

We also believe that all members have certain basic rights within our Union and shall be secure in those rights. In order to give life to the Preamble to this Constitution and to the Constitution itself, the member's Bill of Rights has been established.

In view of the above, therefore, let it be understood that all words in this Constitution indicating masculine gender shall also refer to the feminine gender.

This Constitution and By Laws shall annul and supersede the 1973 Constitution and By-Laws of the San Diego County Area Local and all amendments there to.

Revised January 2004

## **MEMBERS BILL OF RIGHTS**

1. Every member has the right to be respected as a human being.
2. Every member has the right to be respected as a brother or sister of this union.
3. Every member has the right to freedom of speech and the right to be heard.
4. Every member has the right to listen.
5. Every member has the right to freedom of press within the bounds of common decency and the laws of libel. No officer, committee or committee member or combination of such shall deprive any member of expressing his honest opinion within these bounds in the official organ of this Local. There will at no time be exercised any censorship regarding the content and the intent of an article submitted by a member in good standing as long as such article has merit union wise.
6. Every member has the right to participate in the activities of this Union.
7. No member shall be denied the right to seek any office or the right to vote in this union because of race, color, creed, sex, age, or religion.
8. Every member has the right to support the candidate of his choice and to participate in that right with others.
9. Every member has the right to a fair trial, to be represented by an individual of his choice and to proper appeal procedures.
10. Every member has the right to be secure in his basic rights without political, economic, physical, or psychological intimidation.

# NAME

## ARTICLE 1.

**Section 1.** This organization of Postal Employees by virtue of the July 1, 1971 National merger and the September 7, 1971 Local merger of:

The National Association of Post Office and General Service Maintenance Employees

National Association of Special Delivery Messengers

National Federation of Post Office Motor Vehicle Employees

United Federation of Postal Clerks

all AFL-CIO and by virtue of a new charter issued this Local on August 1, 1973, shall be know as ***THE SAN DIEGO CALIFORNIA AREA LOCAL***, American Postal Workers Union, AFL-CIO.

Section 2. Autonomous Unions within the San Diego Sectional Center electing to join the Area Local will become members of the Area Local and shall be identified as "The San Diego California Area Local". By adoption of this section and article of the Constitution, the Area Local goes on record as having already voted to accept eligible locals wishing to join the Area Local in the future.

Section 3. Division identity will be retained within the Area Local.

# OBJECT

## ARTICLE 2

- Section 1.** The objectives of the Area Local shall be to unite the postal employees in one brotherhood, regardless of race, color, creed, sex, or national origin, for their social and economic advancement, to aid in the perfection of the Postal Service. It has been demonstrated in the past that in unity there is strength; therefore, we desire to seek, with all methods at our command, affiliation with those other Postal unions whose aims and aspirations are ostensibly the same as ours. The ultimate goal being the unification of all employees of the Postal Service into one Union and we believe that the best method of achieving this is through membership in the American Postal Workers Union.
- Section 2.** In keeping with the objectives set forth in Section 1 of this Article, this Area Local shall be affiliated with all autonomous units or organizations recognized as such in the National Constitution of the APWU, AFL-CIO. In addition, full and fair cooperation with other organizations which best adhere to the high principles of organized labor is recognized as essential to the well being and advancement of the Area Local, and is encouraged.
- Section 3.** It will be the intent of this Local to engage in legislative, political, education, civic, welfare, and other activities which further, directly or indirectly, the joint membership's interest.
- Section 4.** It will be the intent of this Local to work as an autonomous union affiliated with the AFL-CIO, together with other unions, for the solidification of the entire labor movement.
- Section 5.** This Local will conform with the National Constitution and By-Laws of the APWU, AFL-CIO and that instrument shall apply in all matters not expressly covered by this Constitution and By-Laws of the Area Local.
- Section 6.** It is the intent that this organization shall prosper, grow, and never be dissolved.

# MEMBERSHIP

## ARTICLE 3

Membership in the San Diego California Area Local, APWU, shall be open without regard to race, creed, color, sex, national origin, age, religion, handicap, or marital status. Membership shall be established as follows:

**Section 1. Full Membership-Active Postal Worker in a Division**

Any non-management employee, regardless of level or grade, within the jurisdictional claim of the Area Local is eligible for full membership.

**Section 2. Associate Membership-Active Postal Manager**

Those members promoted to management, or who are in management positions must sign a PS Form 1187 or its equivalent, to become associate members of this Area Local. They shall have no voice or vote, nor attend meetings. Such members shall pay full dues withholding but shall not have to pay local assessments. All supervisory personnel must maintain associate membership in the Area Local to be eligible for APWU Hospital Plan benefits. This provision to become effective upon ratification of this constitution.

**Section 3. Honorary Members**

Any individual may be elected to honorary membership by action of the membership at a general membership meeting. Honorary members shall pay no dues, shall be ineligible to hold elective office. They may attend Local general membership meetings and open general executive board meetings.

**Section 4. Postal Retiree and OWCP Departee Membership**

Retirees from the Postal Service who were regular members of the APWU when they retired and members leaving the Service with coverage under the Office of Workmans Compensation Programs (OWCP) shall be eligible for continued membership in the Area Local. They shall pay dues which shall be set by the Executive Board. The dues will be \$15.00 per year of which \$9.00 will go to the Local and \$6.00 will go to National. The Local will pay all funds for their National Associate membership and a subscription to the National organ. They shall be eligible to attend all meetings and shall have voice at said meetings. They shall be permitted to vote in the election of local officers and shall be eligible to hold elective office. Candidates for elective office must be a full dues paying member at least six months prior to nominations.

**Section 5.** All candidates for membership in the Area Local shall be encouraged to execute a PS form 1187 or its equivalent and submit it as application for membership. Members presently not on dues withholding shall be encouraged to do so.

**Section 6.** All members of this Area Local shall be in their respective craft divisions.

- Section 7.** Any non-management employee within the San Diego Sectional Center, provided that there is no organized, chartered local within their employing facility, shall be eligible for membership in the area local.
- Section 8.** This area local shall, at the discretion of the Executive Board, have a social affair in honor of our retired members in good standing once a year. All members wishing to attend will buy tickets at the price determined at the time of the affair. Only those members and their spouses being honored on their retirement will not be required to pay.
- Section 9.** With the approval of the Executive Board, any member in good standing who is prevented by prolonged illness, injury, lay off, disciplinary suspension, or removal from earning any wages in a calendar month, shall be excused from paying any dues for such calendar month. Such non-payment will not affect the member's good standing in this area local. Such members national per capita tax shall be paid by the Local in order to keep him fully qualified for APWU Health Plan benefits. Such payments shall be made from the general operating fund. This provision shall apply so long as any disciplinary action is under appeal in the grievance/arbitration procedure.

# MEMBERSHIP MEETINGS

## ARTICLE 4.

- Section 1.** This Area Local shall meet monthly as directed by the President.
- Section 2.** Fifteen (15) members to include five (5) officers constitute a quorum. Notices shall be sent at least five (5) days prior to all meetings, for posting on bulletin boards at all offices.
- Section 3.** The order of business at all regular meetings shall be as follows:
1. Meeting called to order
  2. Roll call of officers
  3. Reading of minutes
  4. Officers reports
  5. Committee reports
  6. Communications
  7. Unfinished business
  8. New business
  9. Good of the Union
  10. Adjournment
- Section 4.** No criticism, reflection, argument or debate touching any members creed, color, sex, nationality, handicap or political affiliation shall be allowed at any meetings of this area local.
- Section 5.** Special meetings may be convened by the President whenever he may deem necessary to the best interest of the Area Local, or at the written request of thirty (30) members in good standing, or by a two-thirds (2/3) vote at a general membership meeting. Notices of such meetings shall be posted at least three (3) days prior to such meetings.
- Section 6.** No business shall be transacted at a special meeting other than that for which it was called. Thirty (30) members to include five (5) elected officers shall constitute a quorum.
- Section 7.** Division Directors may hold division meetings. Such meetings shall not interfere with any membership meeting.
- Section 8.** *Roberts Rules of Order, Newly Revised* shall be the Parliamentary authority to decide all questions not herein provided for.

# ELECTIONS

## Article 5

**Section 1.** **Nominations** - Nominations for officers in the Local shall be made at the regular monthly meeting in February of the election year. The February meeting shall be held in two sessions; the first at 1:30 PM and the second at 7:00 PM. All candidates for election of office to be eligible, shall submit their willingness in writing within a reasonable period of time. No member may run for, or hold more than one elective.

**Section 2.** **Candidate Eligibility**

- A. No candidate will be eligible for nomination to office unless his/her name appears on the preceding January National APWU membership printout for the Area Local. Associate and Honorary members are not eligible to run for any elected office.
  
- B. The secretary-treasurer shall, not later than January 31 of the election year, furnish the election committee with a list of all members eligible to run for office under the terms of this constitution and existing laws. As nominations are made from the floor at the February meeting, the election committee will inform the presiding election chairman immediately as to the eligibility of the nominee. Questions concerning eligibility will be settled immediately by the Election Committee who shall decide the issue by referring to the record. All other business of the nominations will be suspended until the issue is settled.

**Section 3.** **Voter Eligibility**

- A. All members shall be entitled to one (1) vote for each office to be filled within their craft.
  
- B. The secretary-treasurer shall furnish to the election committee not later than February 15 of the election year, a complete list of all members eligible to vote in the upcoming elections. The list shall show the preceding January National APWU membership print-out for the Area Local plus a list of cash paying members, retirees, and OWCP departees on the Local's rolls as of the last day of the preceding November.

**Section 4.** **Election Committee**

- A. All applicable election procedures as set forth herein will be handled exclusively by the chairman of the election committee which will be appointed by the President with consent of the Executive Board at the December Executive Board meeting immediately preceding the election year. All members of the election committee shall be volunteers and shall be voted on and approved by the Executive Board. No member contemplating running for elective office shall be

eligible to serve on the election committee. A member of the election

committee who subsequently announces his intention to run for office shall immediately resign from the election committee and shall be replaced by a selection made by the election committee chairman. An outside firm may be retained by the Chairman of the election committee to receive all return ballots at the balloting deadline.

- B. The election committee shall prepare a separate ballot on white paper for the General Offices, and ballots of the following colors for the division elections: Clerk Division, BLUE; Motor Vehicle Division, PINK; Maintenance Division, YELLOW. The ballots shall be handled, mailed, received, tabulated, and verified by the election committee. Ballots shall be accompanied by a copy of the printed voting instructions and two (2) envelopes. The large envelope shall be stamped and have printed upon it for the purpose of identification the words, Ballot of: \_\_\_\_\_. (Voters name must be in blank space), and shall be addressed to the Election Committee, San Diego Area Local, APWU and the address provided by the Election Committee expressly for the ballots only. The second envelope will have no markings upon it except "Secret Ballot". The ballots will be placed in this envelope and this envelope in turn will be sealed in the envelope addressed to the election committee. In the event of a tie vote, the candidates receiving a like number of votes shall be decided by a run off vote of the membership.
- C. Members not receiving a ballot in the mail should immediately contact the chairman of the election committee and will certify in writing that they did not receive their ballot. After checking the voter eligibility list, the chairman shall issue a new ballot with envelope markings the same as the original. The chairman shall maintain a list of all substitute ballots issued and will check to make certain that more than one ballot is not cast under the same name. Should it be discovered that more than one ballot has been cast in one name, all ballots under that name will be voided without opening the envelope.

**Section 5. Counting and Certification**

The actual counting and certifying of the election results may be handled by an outside firm retained by the Chairman of the Election Committee. The election committee, under the supervision of the Chairman, shall assist in and/or observe the actual counting and certification of the results. No less than two (2) members of the election committee shall be present at the counting of the ballots and certification of the election.

**Section 6. Election Appeals**

Any member who feels aggrieved in connection with the conduct of this Area Local's election shall file his/her grievance or complaint in writing with this Local's Election Committee chairman within 72 hours after his/her grievance

or complaint arises. All appeals must be in accordance with applicable provisions of the National Constitution, and Labor Law.

## AMENDMENTS

### Article 6

- Section 1.** Any amendment shall be submitted in writing to the Executive Board for approval or disapproval. At least 15 days prior to a membership meeting the amendment shall be posted on all bulletin boards and printed in the local paper. The Recording Secretary shall then read the proposed amendment at the next two regularly scheduled membership meetings. Changes to the proposed amendments may be passed at either of these meetings after the readings. At the third meeting the finalized proposed amendment shall be read and voted upon by the membership.
- Section 2.** It shall require a 2/3 vote of the membership in attendance at the third meeting to secure adoption of any proposed amendment.
- Section 3.** Proposed amendments containing the same subject matter as previously defeated amendments shall not be presented again for a six (6) month period from the date of the defeat of the originally proposed amendment.
- Section 4.** The Executive Board shall have authority to amend this constitution and by-laws as necessary to remove any conflicting provisions and those of any applicable Federal or State laws. The Executive Board is also empowered to modify any provisions as necessary to conform to amendments as adopted by National Convention.

# ELECTED AND APPOINTED OFFICERS

## Article 7

### Section 1. Elected Officers

#### A. General Officers

1. President
2. Executive Vice President
3. Secretary-Treasurer
4. Recording Secretary
5. Trustees (4)

#### B. Craft Directors:

1. Clerk Division
2. Maintenance Division
3. Motor Vehicle Division

#### C. Assistant Directors:

1. Assistant Director, Clerk Division
2. Assistant Director, Maintenance Division
3. Assistant Director, Motor Vehicle Division

- D. All of the above named officers in section 1, B, and C shall serve for a term of three (3) years.

### Section 2. Appointed Officers

- A. Chief Shop Steward
- B. Assistant Chief Shop Steward
- C. Shop Stewards
- D. Editor
- E. Hospital Plan Representative
- F. Sergeant at Arms
- G. Director of Organization
- H. Director of Human Relations
- I. Legislative Director and Legislative Aide
- J. Parliamentarian
- K. Historian

### Section 3. Effective Date

Current Executive Board positions shall continue under the provisions of the 1973 Constitution and By-Laws except that the Vice President shall become full-time upon ratification of this Constitution and By-Laws.

# DUTIES OF OFFICERS

## Article 8

### Section 1. President

- A. It shall be the duty of the President to preside at all regular membership, executive board, and other special meetings of this Area Local. He shall preserve order, enforce and interpret the Local's constitution and by-laws. He shall be a member (ad hoc) of all committees and appoint all committees not otherwise provided for. He shall be responsible for all work of the Area Local, and all Officers, Stewards, and Committees shall work under his supervision. He shall see that all Local Officers, Stewards, and Committees perform their duties. In case of non-performance of duties or incompetence on the part of any elected officer, the President shall have the authority to suspend said officer for just cause until appropriate action may be taken as outlined in this constitution.
- B. The President shall fill all vacancies that occur from any cause whatsoever, in accordance with this constitution with approval of the Executive Board.
- C. He shall be the official spokesman for the Area Local.
- D. He shall sign all orders drawn by the Secretary Treasurer, and shall countersign all checks and drafts drawn by the Secretary Treasurer.
- E. He may, with the approval of the majority vote of the Executive Board, be empowered to employ such persons as may be required to effectuate the programs of the Area Local.
- F. He shall be an automatic delegate to all conventions and seminars and affiliated labor organizations.
- G. He shall, upon approval of the Executive Board, be reimbursed for receipted expenses incurred during the performance of his duties.
- H. He shall be a full time officer, salaried by the Area Local APWU. He shall be paid Level 10, Red Circle plus 10%.
- I. The Area Local shall pay the necessary monies towards the President's fringe benefits. Annual leave shall not exceed 440 hours at the end of the leave year. At the end of each term, the incumbent President shall be paid a maximum of 320 hours of accrued annual leave. Any leave over and above will not be used after the term of office expires.

- J. He shall be fully compensated with the same rights with respect to all fringe benefits of Postal Employees with the equivalent of fifteen (15) years of service.
- K. All lawfully required employer contributions into the social security system shall be paid by the Area Local.
- L. All LWOP authorized by the President for official union business shall be paid as necessary, subject to approval of the Executive Board.
- M. At the end of his term of office, the President shall turn over to his successor all books, papers, documents, and property of the Area Local which he may have in his possession.

**Section 2. Executive Vice President**

- A. It shall be the duty of the Vice President to assume and perform the duties of the President in the President's absence.
- B. The Vice President shall perform all other duties as directed by the President.
- C. He shall be a full time officer salaried by the Area Local APWU. He shall be paid at level 9 Red Circle plus 10%.
- D. He shall upon approval of the President, be reimbursed for receipted expenses incurred during the performance of his duties.
- E. The Area Local shall pay the necessary monies towards the Vice President's benefits. Annual leave shall not exceed 440 hours at the end of the leave year. At the end of each term, the incumbent Vice President shall be paid a maximum of 320 hours of accrued annual leave. Any leave over and above will not be used after the term of office expires.
- F. He shall be fully compensated with the same rights with respect to all fringe benefits of Postal employees with the equivalent of fifteen (15) years of service.
- G. All lawfully required employer contributions into the Social Security system shall be paid by the Area Local.
- H. At the end of the term of office, the Vice President shall turn over to his successor all books, papers, documents and property of the Area Local which he may have in his possession.

**Section 3. Recording Secretary**

- A. It shall be the duty of the Recording Secretary to keep all official records and documents of the Area Local.
- B. He shall be compensated six (6) hours of Level 2, Red Circle, monthly.
- C. He shall keep a correct and impartial account of the proceedings and minutes of all Executive Board, Special, and Membership meetings of the Area Local.
- D. He shall perform all other duties as directed by the President, and the constitution.
- E. He shall upon approval of the President, be reimbursed for receipted expenses as incurred during the performance of his duties.
- F. All lawfully required employer contributions into the Social Security System shall be paid by the Area Local.
- G. At the end of the term of office, the Recording Secretary shall turn over to his successor all books, papers, documents and property of the Area Local which he may have in his possession.

**Section 4. Secretary Treasurer**

- A. The Secretary Treasurer, under the supervision of the President, shall be the official custodian of all monies of this union.
- B. He shall, as directed by this constitution, pay all monthly bills as directed by the President and render a monthly report at the regular membership meeting.
- C. He shall be compensated 16 hours of Level 2, Red Circle, monthly.
- D. He shall upon approval of the President, be reimbursed for receipted expenses incurred during the performance of his duties.
- E. All lawfully required employer contributions into the Social Security System shall be paid by the Area Local.
- F. At the end of the term of office, the Secretary Treasurer shall turn over to his successor all books, papers, documents and property of the Area Local which he may have in his possession.

- G. The Secretary Treasurer shall collect and receipt for all dues.
- H. He shall keep an individual ledger account of each cash pay member who pays locally, and notify each member when his dues are in arrears.
- I. He shall have charge of all official documents, records, seal, and other properties of the Union.

**Section 5. Trustees (4)**

- A. The Board of trustees shall have the general supervision over all properties of the Area Local and shall keep an up to date inventory of all properties of the Area Local. Each January they shall take an inventory of all the Local's properties and assets, submit a report to the Executive Board making recommendations as to the retention, disposal, replacement, and purchase of new equipment.
- B. A chairman of the Board of Trustees shall be appointed by the President.
- C. They shall upon approval of the President, be reimbursed for receipted expenses incurred during the performance of their duties.
- D. The Board of Trustees will review the monthly reports from the bookkeeping firm, review all expenditures, and make a report to the Board with their recommendations on a quarterly basis.
- E. The Board of Trustees shall perform any other duties as assigned to them by the President.
- F. At the end of their term of office, the Trustees shall turn over to their successors, all books, documents, papers, and property of the Area Local.
- G. They shall be compensated three (3) hours of Level 2, Red Circle, monthly.

**Section 6. Division Directors**

- A. The Division Director shall be responsible for all matters pertaining to their respective craft, plus all other duties assigned to them by the President. The Craft Director must be a member of the craft to which elected and shall be elected only by the members of his craft.
- B. The division directors shall be paid as follows:
  - 1. **CLERK DIVISION** - 8 Hours of Level 2, Red circle,

monthly.

2. **MAINTENANCE DIVISION** - 6 Hours of Level 2, Red circle, monthly.
3. **MOTOR VEHICLE DIVISION** - 6 Hours of Level 2, Red circle, monthly.

C. Division Directors shall, upon approval of the President, be reimbursed for receipted expenses incurred during the performance of their duties.

**Section 7. Assistant Division Directors**

- A. The Assistant Division Director shall be responsible for all matters pertaining to their respective craft, plus all other duties assigned to them by the President. The assistant craft director must be a member of the craft to which elected and shall be elected only by the members of his respective craft.
- B. All assistant division directors shall upon approval of the president, be reimbursed for receipted expenses incurred during the performance of their duties.
- C. The Assistant Directors shall be compensated as follows:
  1. Clerk Assistant Director: 5 hours of Level 2, Red Circle, monthly.
  2. Maintenance Assistant Director: 4 hours of Level 2, Red circle, monthly.
  3. Motor Vehicle Assistant Director: 4 hours of Level 2, Red circle, monthly.

# APPOINTED OFFICERS & DUTIES

## Article 9

### Section 1. Chief Shop Steward

The Chief Shop Steward(s) shall be responsible for all grievances filed within their area of responsibility. They shall be responsible for the training of shop stewards and will provide guidance as necessary. Chief Shop Stewards shall be compensated eight hours of Level 2, Red Circle, monthly.

### Section 2. Stewards

Stewards shall be appointed by the President upon completion of an appropriate training course. Stewards who are not paid officers of the Area Local shall be paid by the Area Local at the monthly dues rate. Stewards must attend stewards meetings and regular membership meetings at least once quarterly.

### Section 3. Editor

The editor shall publish the official organ of the Area Local. He shall be responsible for the printing and mailing of the POTPOURRI to all members. He shall be responsible to and work under the direction of the President. He shall be compensated 6 hours of Level 2, Red circle, monthly.

### Section 4. Hospital Plan Representative

The Hospital Plan Representatives shall assist members with their APWU Hospital Plan problems, and shall maintain a sufficient supply of Health Plan forms to fill the Area Local's needs. A compensation check from the Hospital Plan must be utilized for the benefit of the Hospital Plan Representatives to defray postage and other expenses as well as time spent servicing the membership. Compensation shall be on an equitable basis.

### Section 5. Sergeant of Arms

The Sergeant of Arms shall take a roll of members present at all special and regular meetings of the area local and submit same to the Secretary-Treasurer at the end of said meetings. He shall preserve order and exact respectful deference to all Ladies and Gentlemen. He shall perform all other duties as the Area Local may require.

### Section 6. Director of Organization

The Director of Organization shall be responsible for the organization of the non-member. He shall keep in constant contact with the counterpart from the National APWU. He shall make presentations during new-hire orientation.

### Section 7. Director of Human Relations

The Director of Human Relations shall prepare for the Area Local programs

in the Area of equal opportunity, civic programs, community services, and

retirement programs. He shall work in conjunction with the Department of Human Relations, National, State, APWU, AFL-CIO.

**Section 8. Legislative Director**

The Legislative Director shall maintain a liaison through correspondence and personal contact with Senators and Congressmen. He will work in close cooperation with the Area Local's Auxiliary. He shall be responsible to the President. He shall work in cooperation with the State and National APWU and any other AFL-CIO Local, National and International Unions, with regard to legislation in this Area Local's behalf.

**Section 9. Parliamentarian**

The parliamentarian shall upon the request of the President, rule on the parliamentary procedures for the Area Local. ROBERTS RULES OF ORDER NEWLY REVISED shall be the parliamentary authority of the Area Local.

**Section 10. Historian**

The historian shall keep and transcribe all changes in Officers, all important events, and any other events, of happening which would be of interest to the members of the Area Local.

# EXECUTIVE BOARD

## Article 10.

**Section 1.** The Executive Board shall supervise all of this Area Local's business not otherwise provided for, and shall have authority to conduct all business of the Area Local between regular membership meetings. The President and/or Executive Board may authorize necessary official union expenditures up to two hundred fifty dollars (\$250) per expenditure. Expenditures of over two hundred fifty dollars shall be approved by a majority vote of the membership at a membership meeting. Actions of the Executive Board shall be subject to approval at a regular membership meeting.

**Section 2.** The President shall, whenever the circumstances require, be empowered to call special meetings of the Executive Board. Only business as stated in the meeting notification can be discussed.

**Section 3.** The Executive Board shall meet monthly. The president shall set the time and dates of the monthly meetings.

**Section 4.** Executive Board meetings shall require a quorum of 50% plus one (1) of the total Executive Board complement.

**Section 5.** This constitution and all actions of the Executive Board shall be in compliance with the applicable Federal and State laws and the National APWU constitution. The National APWU constitution shall prevail on all matters not covered by this Area Local's constitution.

**Section 6.** The Executive Board shall consist of the following officers:

President  
Executive Vice President  
Recording Secretary  
Secretary Treasurer  
Trustees  
Clerk Director  
Asst. Dir. Clerk  
Maintenance Director  
Asst. Dir . Maintenance  
Motor Vehicle Service Director  
Asst. Dir. Motor Vehicle Service

A. The Director of any other Division incorporated shall have a seat on the Board.

B. Each member of the Executive Board shall have one (1) vote.

**Section 7.** By virtue of their elected office, all members of the Executive Board will be automatic delegates to the APWU State and National conventions if funding permits. If funding is not sufficient to send all Executive Board members to the APWU State and National conventions, delegates will be selected by the President giving the Vice President and each Division Director preference over other members of the Executive Board. In the event that additional delegates can be funded for the APWU State and/or National conventions, members in good standing shall be nominated at the General Membership Meeting and an election will be scheduled to elect the additional delegates.

# COMMITTEES

## Article 11

### Section 1. Standing Committees

Standing Committees shall be appointed by the President and serve on a two year basis. The following committees shall be appointed at the first regular membership meeting after the installation of officers in the Area Local:

Safety Committee  
Scheme Committee  
Grievance/Arbitration Committee  
Blood Fund Committee

# DUES

## Article 12

**Section 1.** The monthly dues for all members of this Area Local shall be a base of \$11.00 plus National, State and Local per capita taxes. When that rate of pay increases due to a contractual wage or COLA increase, the dues will increase by 1 1/2%, 1% to be retained by the Local and 1/2% returned to National subject to change by an amendment at the National convention.

# FUNDS AND ASSESSMENTS

## Article 13

### Section 1. Funds

All funds shall be deposited with a bank or banks, or in the San Diego Postal Credit Union, as determined by the Area Local Executive Board. Funds shall only be withdrawn by vote of the Union membership at a special or regular membership meeting. Emergency withdrawals shall require a 2/3 vote of the Executive Board.

**A. Fixed Assets Fund**

The San Diego Area Local shall set aside fifty (50) cents per member per month of dues collected to be deposited in the fixed assets fund. These monies to be used toward the purchase of a building or other property for the Area Local.

**B. Legal Fund**

The Area Local shall set aside forty (40) cents per member per month of dues collected to be deposited in the legal fund. These monies to be used for the purpose of obtaining legal counsel for possible court action involving this Area Local and its' officers, as Plaintiff or defendant, in the course of union

business. This fund shall have a ceiling of \$10,000. Any overage shall be diverted equally between the convention and general operating funds.

**C. Convention Fund**

The Area Local shall set aside forty (40) cents per member per month of dues collected to be deposited in the convention fund. These monies are to be used for the purpose of State, Regional, and National conventions.

**D. Leave Fund**

The Area Local shall set aside thirty (30) cents per member per month of dues collected to be deposited in the leave fund. These monies to be used for leave lost while under the employee of this area local for full and part time officers and employees.

**E. Stewards Fund**

The Area Local shall set aside fifteen (15) cents per member per month of dues collected to be deposited in the stewards fund. These monies to be used for the purpose of the annual payment of shop stewards.

**F. Entertainment Fund**

The Area Local shall set aside fifteen (15) cents per member per month of dues collected to be deposited in the entertainment fund. These monies to be used for the entertainment of the members of the Area Local.

**Section 2**

**Assessments**

Assessments may be levied when it becomes absolutely necessary to carry on the work of this Area Local. The Executive Board shall send out a referendum ballot to the membership asking for approval of the assessment. A majority vote shall be required for approval.

## **CHARGES**

**Article 14**

**Section 1.** All charges brought against any member or officer, elected or appointed, shall be heard before a trial board comprised of three (3) local officers appointed by the President.

**Section 2.** The trial board shall appoint one of its members, who shall be impartial, to act for it as a hearing officer for the purpose of holding hearings and to insure that hearing procedures comply with the National and Local constitution.

## **PROHIBITED**

**Article 15**

No officer or appointed shop steward shall voluntarily fill a supervisory position, temporary or permanently, during his term of office. Failure to comply would mean immediate removal by the President.

# LOCAL EMPLOYEE BENEFITS

## Article 16

- Section A.** All employees of the San Diego CA Area Local are eligible to participate in the National APWU sponsored 401(k) Retirement Plan.
- B.** The Local will only contribute to the 401(k) what the USPS contributes under FERS. The employee may contribute only what is allowable by law under FERS.
- C.** APWU contributions will only be made to participating members in the 401(k) Retirement Plan.
- D.** The Local's Executive Board will determine whether to fund the employer's share of all employee 401 (k) retirement accounts. Based on the Local's revenue, the employer's share could be reduced or not funded by a majority vote of the Executive Board members present.