

CONSTITUTION
FOR
WASHINGTON STATE EMPLOYEES, OLYMPIA
LOCAL 443

ARTICLE I
NAME AND HEADQUARTERS

Section 1. The name of this organization shall be Washington State Employees, Olympia, Local 443 of the American Federation of State, County and Municipal Employees, AFL-CIO.

Section 2. The headquarters of this local shall be Olympia, Washington, or its vicinity.

ARTICLE II
AFFILIATIONS

This local union shall be affiliated with Washington Federation of State Employees Council No. 28 of the American Federation of State, County and Municipal Employees; the Washington State Labor Council, AFL-CIO; and the Central Labor Councils of the AFL-CIO having jurisdiction wherein Local No. 443 members are employed.

ARTICLE III
OBJECTIVES AND METHODS

Section 1. The objectives of this local union shall be to carry out on a local basis the objectives of the American Federation of State, County and Municipal Employees.

Section 2. The methods of obtaining the objectives of this local union shall be by giving a full measure of support to the A.F.S.C.M.E., by petitioning, by creating and fostering sentiment favorable to proposed reforms, by cooperating with state officials, by promoting legislation, by collective bargaining resulting in working agreements and contracts, and by other lawful means.

ARTICLE IV
MEMBERSHIP AND DUES

Section 1. All employees of the State of Washington in the Olympia area and Mason excluding those employees within the jurisdiction of Locals 881, 1466, 2753 and 2964 are eligible for membership in this local union subject to the requirements of the Constitution of the International Union.

Section 2. Application for membership shall be made on a standard application form. Unless such form includes a valid authorization for payroll deduction of dues, the application shall be accompanied by the current month's dues.

Section 3. The monthly membership dues shall be 1.50% of each member's actual salary, each pay period, computed on each individual's salary range and step, exclusive of overtime, including callback and penalty pay, shift differential, standby pay, equipment premium pay, holiday premium pay, terminal leave pay or sick leave cash-out pay up to a maximum of seventy-five dollars (\$75.00) per month effective January 1, 2009; provided the maximum dues payable shall be increased in direct proportion to the average percentage of general salary increases of state employees, effective the month of implementation of said increase.

Section 4. Membership dues shall be payable monthly in advance to the local treasurer and in any event shall be paid not later than the 15th day of the month in which they become *due*. Any member who fails to pay dues by the 15th of the month in which they become due shall be considered delinquent, and upon failure to pay dues for two successive months shall stand suspended. Provided, however, that any person who is paying his dues through a system of regular payroll deduction shall for so long as he continues to pay through such deduction method, be considered in good standing.

Section 5. A member suspended under the above section may be reinstated to membership in the local on payment of the current month's dues.

ARTICLE V MEETINGS

Section 1. Regular meetings of this local shall be held once each month. Adequate and proper notice shall be given the membership in writing and/or via the local's website prior to each meeting.

Section 2. Special meetings may be called by the local president, the local executive board, or by petition filed with the president and signed by twenty-five (25) members of the local. Special meetings may also be called by the International President or authorized representatives of the International President.

Section 3. The quorum for meetings of the local union shall be twenty-five (25) members in good standing.

ARTICLE VI OFFICERS, NOMINATIONS, AND ELECTIONS

Section 1. The officers of this local shall be a president, a first vice-president, a second vice-president, a secretary, a treasurer, a sergeant-at-arms, an organization chair and

three executive board members-at-large. These officers shall constitute the executive board of the local except as provided in the following paragraph:

There shall also be elected three members who shall serve as trustees. The trustees shall be elected for overlapping three-year terms.

If any regularly constituted state office, department or agency, have five (5) or more members in good standing in this local is not represented on the regularly constituted executive board as set forth above, except in the case of the office of the president, the organized employees in such state jurisdictions or agencies shall elect one of their members to represent them on the local's executive board.

The newsletter editor, media webmaster, communications committee chair, and political action chair shall not be members of the executive board.

Section 2. Nominations for the biennial term of office for all officers shall be made from the floor at the regular meeting of Local 443 in May of the odd-numbered years.

Nominations for a trustee will occur annually from the floor at the regular meeting of Local 443 in May of each year.

Section 3. To be eligible for office, a member must be in good standing for one year immediately preceding the election.

Section 4. The president, 1st vice-president, 2nd vice-president, secretary, treasurer, sergeant-at-arms, organizational chair, trustees, and-the three executive board members at-large shall be elected by secret ballot vote, and the balloting shall be so conducted as to afford to all members a reasonable opportunity to vote.

The newsletter editor, communication committee chair, media webmaster, and political action chair shall be elected by the membership of the local.

Section 5. The biennial election of officers shall be conducted in accordance with the instructions set forth in the election code attached hereto and made a part thereof in Appendix A.

Section 6. Vacancies in office shall be filled for the remainder of the unexpired term by vote of the executive board.

Section 7. Every officer shall, upon assuming office, subscribe to the Obligation of an Officer contained in Appendix B of the International Union Constitution.

ARTICLE VII

DUTIES OF OFFICERS AND COMMITTEES

Section 1. The president shall:

- a. preside at all meetings of the Local union and of the executive board;
- b. be a member of all committees except election committees for local offices;
- c. countersign all checks drawn against the funds of the local;
- d. appoint all standing committees and all special committees of the local, subject to the approval of the executive board;
- e. report monthly to the membership and the local executive board regarding the progress and standing of the local and regarding any official acts;
- f. be a delegate to the AFSCME International convention, the Council 28 biennial convention and annual Washington State Labor Council convention; chair any delegation to conventions.

Section 2. The first vice-president shall:

- a. assist the president in the work of the president's office;
- b. In the absence or inability of the president to serve, preside at all meetings and perform all duties otherwise performed by the president;
- c. be authorized to act as co-signer of checks drawn on the local's funds in place of the president

Section 3. The second vice-president shall:

- a. assist the president in the work of the president's office;
- b. in the absence or inability of the president and the 1st vice-president to serve, preside at all meetings and perform the duties otherwise performed by the president.

Section 4. The secretary shall:

- a. keep a record of the proceedings of all membership meetings and of all executive board meetings;
- b. record a roll call of all officers at all meetings of the executive board and all meetings of the local;
- c. carry on the local's official correspondence, except as the executive board otherwise directs him/her.
- d. make travel and/or lodging arrangements for the membership as authorized by the executive board and/or general membership;
- e. in the event the president and both vice-presidents are not present at a regular duly called meeting of the local, open the meeting and call for the elections of a presiding officer pro-tem;

- f. perform such other duties as may be required by the executive board,

Section 5. The treasurer shall:

- a. follow the AFSCME Financial Standards Code;
- b. receive all membership dues, fines, if any, and all moneys required to be paid in by the members or moneys from any other source; and provide receipt(s) for the above;
- c. deposit all money so received in the name of the local union in a financial institution selected by the executive board, and money so deposited shall be withdrawn only by check signed by the president or the 1 vice-president, and the treasurer.
- d. issue withdrawal cards and receipts as necessary;
- e. prepare or cause to prepare the monthly membership and financial report to the International, see that a payment of the local's per capita tax s made each month and sent to the International Secretary-Treasurer;
- f. forward any necessary per capita payments to the proper affiliated organizations not later than the 15th of the month following the month for which the report is made.
- g. act as custodian of all property of the local union;
- h. prepare or cause to prepare a monthly report outlining actual versus budgeted expenditures for each budget item;
- i. chair the financial committee;
- j. give a surety bond for an amount to be fixed by the executive board of the local union at the expense of the local union and through the International Union;
- k. see that any financial reports required by the International Union Constitution are submitted to the International Union in accordance with the International Union Constitution;
- l. prepare any and all necessary federal tax and International reporting forms.

Section 6. The sergeant-at-arms shall:

- a. arrange for the setting of chairs and tables at meetings
- b. open windows or doors as necessary;
- c. greet guests and seat same.
- d. be at the disposal of the presiding officer to assist in maintaining the orderly conduct of meetings.

Section 7. The organizing chair shall:

- a. chair the local organizing committee;
- b. Invite new employees and non-member employees into membership in Local 443;
- c. explain the purpose of the organizations;
- d. promote organizational activities in bargaining units, agencies, and offices of the local;
- e. confer monthly with members of the organizing committee and report to the local at its regular meetings on organizational work throughout the various state agencies;
- f. keep the president advised of any organizational problems encountered.

Section 8. The executive board shall be:

- a. be the governing body of the local union except when meetings of the local union are in session. All matters affecting the policies, aims, and means of accomplishing the purposes of the local not specifically provided for in this constitution or by the action of the membership at a regular or special meeting shall be decided by the executive board;
- b. meet at the call of the president or of a majority of the members of the board. Adequate and proper notice shall be given to all members of the board prior to each meeting.
- c. report on all actions taken by the executive board shall be made to the membership at the next following meeting;
- d. require an independent audit of the books of the local at least once each fiscal year and a report thereon shall be rendered to the June meeting of the local. The audit shall be made by an independent auditing firm.
- e. require a majority of the members of the executive board for a quorum.
- f. open all meetings of the executive board to members of the local, and any member who wishes to present any matter of importance to the local or to the well being of the organization shall have the right to be heard.
- g. upon application of any member who shall have been dismissed from the local, investigate the facts in such case and take such action on behalf of the local, as it deems advisable.

Section 9. The newsletter editor shall:

- a. produce a high quality newsletter on a monthly basis.
- b. be a member of the communications committee.

Section 10. The trustees shall:

- a. be elected officers but shall not be members of the executive board. They shall have neither voice nor vote on matters before the executive board;
- b. audit or see that an audit is performed monthly. An arms-length relationship between the trustees and the executive board must be preserved to ensure the most objective possible audit;
- c. be responsible for conducting the annual or more frequent audits of the local's financial record required by the local constitution or for seeing that outside experts are employed to conduct such audits;
- d. make or cause to be made a monthly audit of the finances of the local including finances concerning any health and Welfare, pension, insurance or other benefit programs covering members of the local, and shall report to the membership on the results of such audit.
- e. include an examination of the records required to be maintained by the Financial Standards Code and a written report must be made to the executive board and to the membership;
- f. determine that all governmental and International Union reports are filed on a timely basis;
- g. upon completion of the engagement obtain copies of the CPA's engagement letter and the management letter (letter in which any internal control problems or other issues that may require remedial action to be taken are noted by the auditors);
- h. see that findings be reported- to the executive board and to the general membership;
- i. follow the procedures outlined in the Trustees Audit Guide while conducting an audit;
- j. make a written-report of any material deviation from the Financial Standards Code found in the course of their audit. The local officers must report to the executive board and to the membership the action taken to correct any discrepancies noted in the audit;
- k. make sure the audit report is attached to the minutes of the meeting at which it was presented and maintained as a permanent record in the affiliate's files.

Section 11. The media webmaster shall:

- a. create and maintain a website for the local;
- b. act as a member of the communications committee;
- c. update the website (at least monthly) with the most current newsletter, and

announcements of meetings, elections, and upcoming events.

Section 12. The political action chair shall:

- a. chair the local political action committee;
- b. provide recommendations to the general membership on endorsements of local candidates and statewide ballot measures;
- c. act as a liaison to WFSE Council 28, the Thurston-Lewis Mason Labor Council, and the Washington State Labor Council;
- d. act as the local's PEOPLE coordinator.

Section 13. The communication chair shall:

- a. chair the communications committee;
- b. coordinate work between media webmaster and newsletter editor;
- c. develop and implement communication plan for Local 443;
- d. act as a liaison to WFSE Council 28, the Thurston-Lewis-Mason Labor Council and the Washington State Labor Council.

ARTICLE VIII FINANCES, EXPENSES, AND DISBURSEMENTS

Section 1. All money received shall be deposited to the credit of the local in financial institutions selected by the executive board.

Section 2. All disbursements shall be made by check. All checks must be signed by the treasurer and countersigned by the president or 1st vice-president. Disbursements shall be made only for approved items. Written documentation must accompany request for reimbursement.

Section 3. Expenses incurred by committees or delegates of this local must be authorized and/or approved by the local at its regular meetings. Regular, recurring expenses, including, but not limited to, rent, storage rental, communications, and office supplies may be approved by the executive board.

Section 4. At the expense of the local and through AFSCME, all officers shall be bonded to meet bonding requirements of the International.

- a. All expenditures must be approved by an authorizing entity. Standing by itself, a budget does not authorize any particular expenditure. No payments should be made or costs incurred until the proper approvals for the expenditure have been made.

- b. Authorizing entity shall include specified committee, executive board, or general membership.

ARTICLE IX MISCELLANEOUS PROVISIONS

Section 1. This local union shall at all times be subject to the provisions of the constitution of the American Federation of State, County and Municipal Employees.

Section 2. Authorization necessary to represent the local: Except to the extent specified in this constitution, no officer of the local union shall have the power to act as agent for or otherwise bind the local union in any way whatsoever. No member or group of members or other person or persons shall have the power to act on behalf of or otherwise bind the local union except to the extent specifically authorized in writing by the president of the local union or by the executive board of the local union.

Section 3. Robert's Rules of Order, Newly Revised, shall be the guide in all cases to which they are applicable and in which they are not inconsistent with this Constitution and special rules of this local union or of the American Federation of State, County and Municipal Employees.

ARTICLE X AMENDMENTS

This constitution may be amended, revised, or otherwise changed only by a vote of two-thirds of the members voting on such proposed change and such change shall take effect only upon written approval of the International President. Any proposed amendments to this constitution shall be published in the Local 443 newsletter. Proposed amendments to this constitution must be read at a regular or special meeting of the local union and read and voted on at a subsequent meeting of the local union, adequate and proper notice having been given to the membership prior to the date on which the vote is taken. A written copy of the proposed amendments shall be furnished to every eligible voter at the meeting at which the voter is taken.

APPENDIX A ELECTION CODE OF LOCAL 443

Section 1. General Provisions:

- a. An election committee, composed of not less than three (3) members shall be established and shall have general responsibility for the conduct of elections in accordance with the AFSCME Constitution and the Constitution of Local 443.
- b. The election committee shall also report, as expeditiously as possible, the results

of the balloting, together with recommendations regarding any protests which have been lodged concerning the conduct of the election as provided for in Sections 4 and 5 of Appendix D of the AFSCME International Constitution.

- c. No funds or publication of Local 443 shall be used to support or endorse the candidacy of any member for any elective office within the AFSCME or Council 28 or Local 443.
- d. No candidate for office may be a member of the election committee.
- e. Any areas not specifically covered by this Code shall be governed by the provisions of Appendix D of the AFSCME International Constitution.
- f. All challenges and protests of an election shall be made to the election committee, and shall be governed by the provisions of Sections 4 and 5 of Appendix D of the International Constitution.
- g. All election records, including ballots, shall be sealed and retained by the secretary of the local for at least a year after certification by the election committee.

Section 2. Election of Officers:

- a. To be eligible for election, a nominee must be a member in good standing of Local 443 for one year prior to his election, as certified by the treasurer.
- b. The term of office for officers of Local 443, except trustees, shall be for two years as set forth in Article VI, Section 2 of the constitution of this local. Each trustee shall serve an overlapping three (3) year term per Article VI, Section 2.
- c. A notice of the nomination or election shall be mailed to each member at his/her last known address not less than 15 days prior to the nomination or election for Local 443 officers.
- d. Nominations for officers shall be made from the floor at the regular meeting of Local 443 in May of odd-numbered yearn. Those nominated must be members in good standing, eligible per Section A, and willing to serve. They shall be afforded the opportunity to decline, and the name of any nominee who declines shall not appear on the ballot. Write-in votes shall not be valid for any purpose.
- e. In any case where there is only one nominee for office, such nominee shall be declared elected, in all other cases, election shall be by secret ballot.
- f. In May of odd-numbered years, nominations for the election of local officers shall be conducted. Elections shall be held by secret ballot at the June general meeting. In addition, annual elections shall be conducted to elect a trustee.
- g. Upon completion of the voting, the ballots shall be tabulated and the candidate for each office receiving a majority of the votes cast for that office shall be declared elected.

- h. A run-off election shall be conducted if no single candidate for any office receives majority of the votes cast. There shall be a ballot bearing two names for each office to be filled, such names being those nominees who received the greatest number of votes in the first, balloting, and the candidates receiving the highest number of votes shall be declared elected.
- i. Those elected shall be installed in office immediately upon Local 443's acceptance of the election committee's report, which report shall be given at the June meeting. The pre-election incumbents shall remain in office until new officers are installed.
- j. Any Candidate whose name is to appear on the ballot shall have the right to have present an official observer chosen by the candidate, who must also be a member of the Federation, in all places where ballots bearing the candidate's name are to be cast or counted.

Section 3. Election of Delegates and Alternates:

- a. Local 443 shall elect delegates and alternates to conventions of the International Union, Council 28, and the Washington State Labor Council, according to:
 - 1. Appendix D of the international Constitution;
 - 2. the local's constitution
 - 3. the provisions of paragraph B and C below and
 - 4. the constitution of the individual policy committees.
 - 5. the constitution of the individual policy committees.
- b. The election of delegates and alternates shall be determined by the highest number of votes cast per nominee and shall not require a majority of the votes cast.
- c. the nomination and election of delegates and alternates may be held at one and the same meeting of Local 443.

Section 4. Elections within bargaining units and agencies. Policy committee delegates:

- a. Schedule of elections:
 - 1. election of policy committee delegates will take place within each bargaining unit, agency, division, or office.
 - 2. all Local 443 policy committee delegates shall serve a two-year term. Policy committee delegates must be re-elected each term.
 - 3. policy committee delegate elections shall be held in odd-numbered years and the certified results shall be sent to WFSE Council 28 within ten days after the elections.

4. any modification or exceptions from the adopted policy committee delegate structure can be appealed to the local executive board or the Local 443 president.
 5. an election committee consisting of three local members who are not on the ballot shall carry out the nomination and election process.
 6. the election committee shall notify the local president of the election details in accordance with Appendix A.
 7. before the election, the election committee must ask the local treasurer to determine if sufficient election funds are available.
- b. Election process:
1. fifteen days prior to nominations, the membership will receive a notice asking for nominations of policy committee members, and calling for elections of same.
 2. the notification will include:
 - a. the number of policy committee delegates apportioned to each bargaining unit;
 - b. the name of the policy committee to which they are assigned;
 - c. the term of office (two years);
 - d. the date the nominations are closed;
 - e. the method of election (mail-in ballot, ballot box, etc.), and
 - f. the date of the election.
 3. A written list of the confirmed nominees will be published and made available to all pertinent bargaining units agencies, divisions, or members with instructions for the time, place, and/or method of voting. The election committee will assure adequate opportunity for all members to vote.
 4. The election of delegates and alternates shall be conducted in a reasonable time and shall be based on the highest number of votes cast per nominee, and shall not require a majority of the votes cast.
- c. Election Certification:
1. the elections committee shall send the election results to the Local 443 president or secretary for certification. The election results should include the names of those elected (as indicated on their union card) and their term of office;
 2. the local president or secretary will forward the certified election results to Council 28 staff.

- d. Election of chief and lead shop stewards:
 - 1. the shop steward in each bargaining unit, agency, division, or office are encouraged to elect a chief steward and notify the local president. The election may be done at a steward meeting at the bargaining unit, agency, division or offices or by the bargaining unit as whole.
 - 2. the chief steward must be a certified steward and the bargaining unit, agency, division, or office.
 - 3. upon receiving notification as to who is the chief steward, the local president will ensure that a membership list for the applicable bargaining unit, agency, division, or office will be sent to the chief steward.
- e. Shop steward vacancies between elections:
 - 1. the local president will make all recommendations for appointment of shop stewards to the Council 28 president between elections.
 - 2. the chief steward may recommend a member to a shop steward position, in the absence of a chief steward, the shop stewards of the bargaining unit, agency, division, or office may recommend a member.
- f. Stewards must attend the basic steward training course, sponsored by WFSE before handling any grievance.

APPROVED BY:

International President

Approval Date: 03/24/2009