

Phoenix Metro Area Local

CONSTITUTION AND BYLAWS

APWU, AFL-CIO

As Amended October, 22nd 2015

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PREAMBLE

We, the postal workers of America, in order to form a more perfect union establish this Constitution.

We, who come from the diverse crafts, believe that in unity there is strength.

We believe that all postal workers and all members of labor have the right to economic, political, and social justice.

That all persons have the inherent right to earn a living and to be justly paid for the services they perform.

That all postal workers have the right to expect 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 them that right.

We further believe that all persons are created equal with the right to determine their own destiny and to participate in forces and events that affect them.

We believe that all postal workers have the right, regardless of race, color, creed, sex, sexual orientation, nationality, handicap, political affiliation, age or religion to hold their heads high and to have respect for themselves as individuals.

We believe, therefore, that in the spirit of the Declaration of Independence and the U.S. Constitution, all persons are free and have the right to come together to 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 itself, the Members' Bill of Rights has been established.

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 the freedom to listen.
- 5) Every member has the right to freedom of the press.
- 6) Every member has the right to participate in the activities of the Union.
- 7) No member shall be denied the right to seek office or the right to vote in this Union because of race, creed, sex, sexual orientation, nationality, handicap, political affiliation, age or religion.
- 8) Every member has the right to support the candidate of his/her 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/her choice and to proper appeal procedures.
- 10) Every member has the right to be secure in his or her basic rights without political, economic, physical or psychological intimidation.

CONSTITUTION:

ARTICLE I: TITLE

This organization shall be known as the Phoenix Metro Area Local, American Postal Workers' Union, and AFL-CIO

ARTICLE II: OBJECTIVES

Section 1:

It shall be the objective of the APWU to secure through collective bargaining and legislative effort a safe and healthy work environment, better working conditions, and a better standard of living for the members of the APWU and their families.

Section 2:

To engage in legislative, political education, civic, welfare and other activities which further, directly or indirectly, the joint interests of the membership of this Union in the improvement of general economic and social conditions in the United States of America.

Section 3:

We favor amalgamation of all postal employees having common interests and affiliation with the American Federation of Labor-Congress of Industrial Organizations.

Section 4:

We favor the consolidation of all locals into an area local.

ARTICLE III: MEMBERSHIP

Section 1:

Any employee in the service of the U.S. Postal Service in any post office comprising the Phoenix Metro Area Local, who is designated as a non-supervisory employee, shall be eligible for membership in the Area Local Union.

Section 2:

A. Any member of the Phoenix Metro Area Local having served at least 4 months in a position which would allow him/her to issue discipline shall be ineligible from being considered for any elected position, appointed position, or a delegate to any convention for one year.

B. Phoenix Metro Area Local has the right to allow members of this organization who have resigned from the postal service or who may have been promoted to positions exercising supervisory authority, the right to maintain their membership without voice or vote.

Section 3:

Applications will be considered approved by simple majority by those members present and voting at a regular scheduled general meeting.

Section 4:

A rejected applicant may renew his/her application for membership with the Executive Board who will review same and recommend action at the next regular meeting. If rejected, applicant may apply again three months after that meeting.

Section 5:

Dues will start the first month in which the candidate's membership is approved.

Section 6:

Active members of the Phoenix Metro Area Local, having fifteen years membership in the Union or its predecessors, affiliate local unions, and every five years thereafter, shall be awarded recognition.

Section 7:

Honorary membership may be awarded by a two-thirds majority vote of those members present and voting at a regular meeting. Honorary members shall have no vote in the proceedings of the Area Local Union, nor shall they be eligible to hold office. They may be accorded a voice in the regular meeting.

Section 8:

Any member whose dues are two months in arrears, except those members who have been suspended or terminated by the USPS are carried on the rolls and awaiting final adjudication of their cases, shall be notified by the Secretary-Treasurer and if, after one month from the date of such notice, the member having failed to be re-instated, by payment of all dues in arrears, shall be suspended from the rolls of the Phoenix Metro Area Local.

Section 9:

Any member who has been determined to be suspended from the APWU shall be considered not in good standing and shall not be accorded the right to voice or vote.

Section 10:

Any member dropped from the rolls for non-payment of dues may be reinstated by payment of three months back dues and the current month to the Secretary-Treasurer.

Section 11:

Written applications for reinstatement of suspended members must be presented and voted on the same as a new member.

ARTICLE IV: MEETINGS

Section 1:

Phoenix Metro Area Local shall hold regular monthly meetings (except for July and December). The time and date will be determined by the executive board prior to the beginning of the new-year. A Quorum will consist of 20 members.

Section 2:

Upon written request of twenty members in good standing or by a majority vote of those present and voting at a regular meeting, the President will call a special meeting. No business shall be transacted at a special meeting other than for the purpose for which it is called.

Section 3:

Notice of all meetings will be posted and a copy of same sent to all stations, branches and associated offices where members are assigned to duty, at least seventy-two hours prior to said meeting stating time, purpose and place of meeting

ARTICLE V: OFFICERS

Section 1: **see page 35/36 for amendment to take effect upon the 2019 election.*

The officers of this Area Local shall consist of a General President, Executive Vice President, Business Agent, Secretary-Treasurer, Director of Industrial Relations, a Director from each craft affiliated with this Area Local Union, and a Representative at large. They shall serve for three years or until their successors have been elected and installed. Said officers will constitute the Executive Board of this Union and five will constitute a quorum. No officer shall be appointed to a vacant position on the Executive Board unless the individual meets all of the requirements necessary to be elected. All Officers shall participate in Local Negotiations. All Officers shall be an automatic delegate for the National APWU Convention.

Section 2:

A member of the Area Local shall be entitled to hold only one elective office.

Section 3:

Any officer designated under section 1 elected or appointed to the Executive Board shall be accorded voice and vote at all Executive Board Meetings.

Section 4:

Upon vacancy on the Executive Board the General President will post an official notice soliciting letters of interest for such vacancy to the general membership. All vacant Executive Board positions will be filled in the following manner:

- Letter of interest to be submitted to the General President
- The General President submits a nomination to the Executive Board.
- Nomination to be subject to majority approval by the Executive Board.
- The General President will vote only in the event of a tie.
- Submission of the Executive Board approved nomination will then be presented at the next General Meeting for a majority vote of members present.

Section 5:

All officers, at the close of their term of office, shall turn over to successor all books, papers, and documents belonging to the Union which is in their possession.

Section 6:

- A. Effective with the new term of 2010 there shall be no accruing of sick leave for the full-time officers. All Full-time Officers shall earn twenty six (26) days annual leave with sick leave as may be necessary.
- B. The Phoenix Metro Area Local shall be responsible for paying the complete cost of health insurance if it is APWU. If the Full-time Officer chooses a different plan then the Phoenix Metro Area Local shall only pay the Employers share of the cost.
- C. The full-time officers shall receive the same contracted/negotiated % and/or dollar increase according to their current salary
- D. Effective with the new term of 2016 Full-Time Officers will be allotted 208 hours of annual leave a year. There is no yearly annual leave balance carry over. There will be no cashing out of unused annual leave.

ARTICLE VI: DUTIES OF OFFICERS & STEWARDS

Section 1: GENERAL PRESIDENT

The General President shall preside at all meetings of the Phoenix Metro Area Local. The General President will appoint all committees not herein provided for and shall perform such duties as pertains to his/her office or such duties as the members, in the meeting assembled, may assign. The General President or Executive Vice President and the Secretary-Treasurer will countersign all checks drawn by the Secretary-Treasurer. The General President shall be an automated delegate to all APWU National Conventions, and Arizona State and Denver Regional Conferences. The General President shall perform no labors in the Postal Service and shall be employed by the Phoenix Metro Area Local on a full time basis. The General President shall be responsible for all work of the Union, and all Officers and Stewards shall work under the direction of the President.

The General President shall receive from the Phoenix Metro Area Local a yearly salary of \$ 72,226. Upon approval of the Executive Board, he/she shall be reimbursed for expenses incurred during the performance of his/her duties as an officer.

Section 2: EXECUTIVE VICE PRESIDENT **see pages 36-38 for amendment to take effect upon the 2019 election.*

The Executive Vice President, in the absence of the General President, will be vested with the same authority and privileges as the General President and will perform all duties as outlined in Section 1. The Executive Vice President shall perform no labors in the Postal Service and shall be employed by the Phoenix Metro Area Local on a full time basis. The Executive Vice President shall receive from the Phoenix Metro Area Local a yearly salary of \$ 68,252. The Executive Vice President will also be the chairperson of the Audit Committee and will supervise an audit of the Area Local's books, accounts and funds once every six months. Said audit will be reported at the General Meeting following the completion of the audit.

The Executive Vice President shall coordinate arbitration activities within the Local.

The Executive Vice President will assist the Business Agent in representation at the associated offices.

The Executive Vice President shall perform any duties as assigned by the General President, membership, and/or Executive Board. Upon approval of the Executive Board, the Executive Vice President shall be reimbursed for expenses incurred during the performance of his/her duties as an officer.

Section 3: BUSINESS AGENT

The Business Agent will be responsible for all grievances for the associated offices under the direction of the General President. The Business Agent shall coordinate the grievance and arbitration activities of this Local. Including, but not limited to, the responsibility of recommending appeal of grievances for the associated offices beyond the local level. The Business Agent will be responsible for designating stewards and chief stewards in the associated offices with concurrence of the General President. Any dispute involving steward selection shall be referred to the Executive Board for final resolution.

The Business Agent shall perform no labors in the Postal Service and shall be employed by the Phoenix Metro Area Local on a full time basis. The Business Agent

shall receive from the Phoenix Metro Area Local a yearly salary of \$64, 686. The Business Agent shall perform any duties as assigned by the General President, the membership and/or Executive Board. Upon approval of the Executive Board the Business Agent shall be reimbursed for Expenses incurred during the performance of his/her duties as an officer.

Section 4: SECRETARY-TREASURER

The Secretary-Treasurer will keep a correct and impartial accounting of the proceedings of this Union, said minutes to be distributed to detached units within 5 days of a meeting. He/she will perform such duties as pertains to the office, e.g. reading minutes, assuring all members are notified of special meetings and notifying candidates, in writing, of their election to office. The Secretary-Treasurer shall be responsible for maintaining a current list of all members in the Phoenix Metro Area Local Union. The Secretary-Treasurer will call the meeting to order in the absence of the General President, the Executive Vice President, and Business Agent and will perform any duties as assigned by the General President, membership and/or Executive Board. The Secretary-Treasurer will receive all monies payable to the Union and shall keep an accurate and just account thereof. He/She will pay all bills for which the Union is liable. He/She will present a detailed report of receipts and disbursements at each regular meeting of this Union. The Secretary-Treasurer will prepare a special financial accounting, if so required. The Secretary-Treasurer will pay all per capita taxes for which this Union is liable; within thirty days from the date said tax will become due. The Secretary-Treasurer will notify the members in writing when they are suspended for non-payment of dues. He/she shall assist the Business Agent in Representation at the Associate Offices.

The Secretary-Treasurer shall perform no labors in the Postal Service and shall be employed by the Phoenix Metro Area Local on a full time basis. The Secretary-Treasurer shall receive from the Phoenix Metro Area Local a yearly salary of \$64,686. The Secretary-Treasurer, upon approval of the Executive Board shall be reimbursed for expenses incurred during the performance of duties as an officer. (See also Article IX Section 4; and Article XV, Section 3)

Section 5: DIRECTOR OF INDUSTRIAL RELATIONS

The Director of Industrial Relations shall assist the Chief Stewards in the preparation, presentation and in all facets of the grievance procedure, as directed by the General President. The Director of Industrial Relations shall be responsible for steward

training, and in conjunction with the Craft Directors shall conduct at least one local steward seminar annually. The Director of Industrial Relations shall receive a salary of \$350.00 per month. The Director of Industrial Relations will perform any duties assigned by the General President, membership and/or executive board.

Section 6: REPRESENTATIVE-AT-LARGE

The Representative-at-Large shall assist the Officers and Craft Directors in matters of the Collective Bargaining Agreement at the direction of the General President, the membership and/or Executive Board.

The Representative-at-Large shall be elected from all crafts of the Phoenix Metro Area Local including the associated offices.

The Representative-at-Large shall receive a salary of \$300.00 per month.

Section 7: CRAFT DIRECTORS

Each craft shall be represented on the Executive Board of the Phoenix Metro Area Local Union. He/She will be elected by the membership of said craft. He/She shall represent his/her craft and shall attempt to solve the craft's problems to the best of his/her ability.

All Craft Directors shall be reimbursed for expenses incurred during their performance of duties as officers, subject to approval by the Executive Board.

Craft Directors will be responsible for designating stewards and chief stewards in the Phoenix Installation within their respective crafts, with concurrence of the General President. Any dispute involving steward selection shall be referred to the Executive Board for final resolution.

Each Craft Director shall perform all duties as assigned by the General President, membership and/or executive Board.

1. The Clerk Craft Director shall receive a salary of \$400.00 per month.
2. The Director of Motor Vehicle Service shall receive a salary of \$400.00 a month
3. The Director of Maintenance shall receive a salary of \$400.00 per month.

Section 8: ASSOCIATE OFFICE STEWARDS

Associate office Stewards will handle all Union matters and perform such duties as the General President or membership may require in their respective stations in conjunction with the Business Agent.

Section 9: CRAFT STEWARDS

Stewards in each craft shall be appointed from said craft with the recommendation of applicable Craft Director, Business Agent and General President. All portions of the National Agreement shall apply when stewards are designated for a given area. Each craft may have at least one Chief Steward or designee on each tour. Stewards representing their various crafts shall process the grievances within the craft, except in emergency situations. Should an emergency arise and the steward of a particular craft is unavailable to process the grievances, then a steward for another craft may represent the grievant as directed by the Chief Steward.

No member of this local will be eligible to be a steward for a period of one year if said member had served for at least four months in a position which would allow him/her to issue discipline.

Any expenses incurred by stewards in the pursuit of their duties subject to approval by the Executive Board and, if warranted, will be paid if funds are available.

Section 10: APPOINTEES

The Editor of the Local Union paper shall be selected through application to the President. Appointment or removal will be made by the President. He/She is responsible for the publication of the Local Union paper.

The Editor shall receive a salary of \$220.00 per month. Any expenses incurred by the Editor in the pursuit of his/her duties shall be subject to approval by the Executive Board and, if warranted, will be paid if funds are available.

The appointees in the positions of Health Plan Director, Human Relations Director and Retirees Director each shall be paid a salary of \$200.00 per month.

The Communications and Media appointee will be paid a salary of \$200.00 per month.

ARTICLE VII: STEWARDS' COUNCIL

Section 1:

A stewards Council will be established within this Local for the purpose of training, by coordinating with the DIR and discussing Labor/Management problems arising on different tours at stations and/or associate offices, along with other pertinent matters. The Stewards' Council will be comprised of stewards, alternate stewards, and officers of the Phoenix Metro Area Local. Officers of this Local will have a voice in the Stewards Council, but no vote.

Section 2:

Each April, the members of the Stewards' Council will elect a Chairperson. Nominations will be made from members of the body, and will be voted upon by those present via secret ballot. The candidate with the highest number of votes shall be considered elected. Officers of this Local shall not be eligible to serve as Chairperson of the Stewards' Council.

Section 3:

The chairperson of the Stewards' Council will conduct business at Stewards' Council Meetings which are to be held once a month or when ordered by the Chairperson. The Chairperson will be responsible for presenting to the Executive Board items of special concern to the Stewards' Council.

Section 4:

Stewards will be paid up to two hours of LWOP to attend Stewards' Council Meetings.

ARTICLE VIII: ELECTION OF OFFICERS & DELEGATES

Section 1:

A. At the regular January meeting of every election year, nominations will be declared open for candidates to fill the offices. Delegate positions of the Union will be elected in the year of the convention. There will be a separate ballot issued for the purpose of delegate voting from the associated offices. Associate office members will be voting only on their representatives. The two members receiving the most votes shall be declared delegates. In order to be eligible as a delegate to the National Convention, a member must have attended at least four of the eleven scheduled monthly general meetings in the year preceding the National Convention.

B. Any member properly nominated for a position who wishes to decline may do so at the time of the nomination, or may notify the Secretary-Treasurer of the Union in writing by January 31st.

C. Any member properly nominated for more than one position who wishes to decline on or more may do so at the time of nomination, or may notify the Secretary-Treasurer of this Union in writing by seven days after the nominations meeting. Failure to do so will result in his/her name not appearing on the election ballot.

D. At the February general meeting, the Secretary-Treasurer will read the list of properly nominated candidates whose names will appear on the election ballot.

E. Campaign material for all candidates for local offices will be posted on a bulletin board at the Union office, limited to one item per candidate.

Section 2:

A. The election of officers and delegates will be conducted by secret ballot hereinafter provided and the final results will be made known at the March general meeting.

B. The Election Committee of ten or more members in good standing, with a minimum of one from each craft, shall be recommended by the Executive Board and shall be approved by the membership present at the November general meeting. The purpose of the election committee is to conduct and oversee the election process and to insure that the Local's election adheres to APWU National and Local Constitution requirements and to National election laws. No officer or candidate for office shall serve on the Election Committee. The Election Committee must be in place and have met at least one month before the nominating meeting.

C. Election will be by printed ballot, upon which the offices must be clearly indicated. Candidates for offices shall be separated by Craft. Only those members in good standing of the respective craft may vote for craft officers. All members in good standing may vote for General Officers and delegate positions. The order in which the candidates' names for offices and delegate positions shall appear on the ballot will be determined by lottery draw, if said office or position is contested by more than one candidate. The drawing shall be conducted by the Secretary-Treasurer at the nominating meeting. Write-in votes shall not be valid, counted or considered.

D. The Secretary-Treasurer will furnish the Executive Board a list of the members in good standing with this union two weeks prior to the nomination date. It shall be the responsibility of the Secretary-Treasurer to furnish to the Election Committee any correction to the membership list up to the date of the distribution of ballots.

E. Any member of this Local deemed to be in good standing shall be entitled to a ballot. The ballot shall be accompanied by a copy of the printed voting instructions and two envelopes. The large envelope shall be stamped and have printed upon it for the purpose of identification, the words "Ballot of (voter's name)" and shall be addressed to "Election Committee, Phoenix Metro Area Local". C/O suitable post office box numbers as may be established by the Election Committee. To be valid, returned ballots must be in the hands of the Election Committee by 8 a.m., local time, on the Thursday prior to the March general meeting. The outer envelope in which the ballot and return envelope are mailed to the members shall be prepared as follows: printed in the upper left hand corner shall be "After 5 days return to Election Committee, Phoenix Metro Area Local, Phoenix Arizona to the designated Post Office box numbers". The word "Ballot" shall be printed in bold letters in the lower left hand corner of the envelope. No other matter shall be enclosed in either the outer of the Ballot envelope, except printed instructions.

F. The member voting shall indicate his/her choice for each of the positions listed by making a mark opposite the name of the candidate for whom he/she wishes. The voter shall then seal his/her ballot in the small envelope, without any writing, or other means of identification upon it, and enclose this envelope in the larger one, which shall bear the voter's identification upon it, in accordance with the instructions enclosed with the ballot.

G. Any unopposed candidate duly qualified for office, after nominations have been closed for that office shall be declared elected, and his/her name shall not appear on the ballot.

H. Election Day shall be two days prior to the March general meeting. The polls shall close at 8 a.m. of Election Day and the ballots shall be removed from the designated receptacle with at least three members of the Election Committee present. The Election Committee shall be responsible for having tally sheets properly prepared,

showing the votes cast by craft. The counting of the ballots must be completed prior to the March general meeting.

I. The ballots will be counted in the presence of at least three members of the Election Committee. The candidates receiving the highest number of votes for each office shall be considered elected. In the case of a tie, only the names of the tied candidates shall be re-submitted to the Election Committee who shall prepare a ballot and conduct another election; said election to be held at the April general meeting. Reasonable efforts will be made to notify all affected candidates and the Craft members of said election. After certification of the election results, signed by at least three members of the Election Committee, it shall be the duty of the Election Committee Chairperson to announce the results of the election at the March general meeting and cause the same to be published in the next published issue of the official Local Union paper of this organization. No member will be barred from witnessing the counting of the ballots provided that the member maintains an orderly conduct and does not attempt to interfere with the duties of the Election Committee.

J. Officers shall be elected for a period of three years effective with the announcements of the election results and proper installation procedures.

K. After the results of the election have been finalized, the ballots and tally sheets will be sealed by the Election Committee and then placed in the hands of the Secretary-Treasurer of the Phoenix Metro Area Local by the chairperson of the Election Committee, same to be held one year and then destroyed.

Section 3:

Newly elected officers shall assume their duties immediately upon installation of officers, which shall take place at the April general meeting, except when an officer's appointment to fill a vacancy is approved at a regular meeting, installation will take place at once.

Section 4:

Installation of officers will be held in the manner set forth in the Manual of Procedure and Ritual issued by the National Office.

ARTICLE IX: REVENUES & BUDGET

Section 1:

- A. The revenues of the Area Local shall be derived from dues, assessment or special projects. The biweekly dues shall be an amount determined by the membership and shall be payable by direct payment or payroll deduction. The biweekly dues for the career membership of the Local shall be \$18.45* provided further that their dues shall be automatically increased an amount equal to 3% of each future negotiated salary increase. The biweekly dues for the Transitional membership shall be \$14.63*. Dues shall be increased in accordance with Article 16 of the National APWU Constitution.
- B. The biweekly dues for retirees shall remain at the dues structure established at the date of their retirement.

Section 2:

The General President shall appoint a Budget Committee annually. The purpose of the Budget Committee is to conduct and oversee the budget process and to insure that the Local's budget adheres to APWU National and Local Constitution requirements and to national laws. The report of the Committee's recommendation(s) is to be made available to the Executive Board at least thirty days prior to the meeting at which the budget is to be approved. Said recommendation is to be made available to the membership fifteen days prior to the meeting at which the budget is to be approved by the membership.

When the annual budget report contains a budgetary change impacting on the Local Constitution, that committee shall be responsible for presenting appropriate proposal language in writing. Said proposed Constitutional change to be given first reading at the general meeting at which the annual budget is presented. This committee shall present its report no later than the November general meeting. The fiscal year of the Phoenix Metro Area Local will be from January 1 through December 31, commencing January 1992.

Section 3:

Each Craft or Department head shall submit his/her request for the proposed budget for the coming year no later than ten (10) calendar days prior to the October Executive Board scheduled meeting.

Section 4:

Copies of financial records listed in this budget shall be maintained by the Secretary Treasurer, so that by a majority vote at any general meeting the Secretary Treasurer may be required to present those financial records at the next general meeting.

Section 5:

Adoption of the proposed budget will require a majority vote of the members present and voting, except that if a change in the amount of dues is required, the provisions of Article IX will prevail.

Section 6:

The Phoenix Metro Area Local, APWU shall remit two cents per member per month to the Local Auxiliary, said sum to be derived from the Phoenix Metro Area Local National Dues Rebate. Effective date shall be April 1, 1983. This Auxiliary Fund is set up as a Special Account and is to be monitored according to the National Constitution by the Phoenix Metro Area Local Secretary-Treasurer.

Section 7:

For those new retirees who wish to join the Auxiliary, the Phoenix Metro Area Local will pay said dues for the first year to be effective as of July 1, 1990

ARTICLE X: AMENDMENTS

Section 1:

A. This Constitution and provisions contained herein may be amended by a two-thirds vote of those members present and voting at the first general meeting after notification is given to the entire membership.

B. To amend this Constitution, the proposed amendment will be read and submitted in writing at the general meeting without discussion and will be published in the next edition of the official Local Union paper of the organization. This will serve as notification to all members of a proposal designed to change the Constitution.

Section 2:

The Executive Board shall have the authority to amend this Constitution as necessary to remove any conflict between its provisions and those of any applicable Federal or State Law. The Board shall also be empowered to modify such provisions as necessary to conform to amendments adopted by the parent organization.

ARTICLE XI: INITIATIVE

Section 1:

Any member of this Union, after having submitted any question, resolution, or amendment at any regular meeting of this Union and the same having failed to pass, may prepare and circulate a petition for the purpose of causing said questions, resolution, or amendment to be brought to a referendum vote, requiring a majority for passage.

Section 2:

Before circulating such a petition the Secretary-Treasurer must be notified in writing of such action, who shall certify to the number of members in good standing as of the last meeting.

Section 3:

Said petition must be accompanied by a draft of the proposed question, resolution or amendment.

Section 4:

Upon securing a number of signatures equal in number to twenty percent of the members in good standing, as verified by the Secretary-Treasurer, as of the last meeting, a referendum election must be held.

Section 5:

The petition must be filed with the Secretary-Treasurer who shall read the same at a regular or special meeting, whereupon the President shall appoint an Election Board and conduct the election in accordance with Article VIII, Section 2

Section 6:

Any member or members who so desire may submit to the Election Board an argument of not more than one thousand words for or against said question, resolution, or amendment. The Election Board shall have the same printed and a copy furnished to each elector with his/her ballot. Two arguments for and two against shall be permitted. Said arguments must be in the hands of the Election board not less than thirty days prior to the date of the election.

ARTICLE XII: REFERENDUM

Section 1:

Any question, resolution, or amendment which shall have been passed at any meeting of the Union and by a member or members desiring an expression of the entire membership upon the same may invoke the referendum by circulating the referendum petition, provided further that said petition shall be submitted to the Secretary-Treasurer within thirty calendar days of the passage of the resolution or amendment in question.

Section 2:

The petition shall be circulated in the same manner as provided in Article XI as applied to the initiative, except hereinafter provided.

Section 3:

Upon filing of said petition, said question, resolution or amendment shall automatically become inoperative until such time that the election shall be held.

Section 4:

Should said question, resolution or amendment be reconsidered or withdrawn at any subsequent regular or special meeting, said petition shall be considered not in force.

ARTICLE XIII: COMMITTEES

Section 1:

The General President will appoint all committees except those addressed in the Constitution and Bylaws, as he/she deems necessary as directed by the membership at a general meeting.

Section 2:

Members of all committees will be notified of their appointment in writing.

Section 3:

Committees are authorized to appoint one of their members as Chairperson, unless otherwise appointed.

Section 4:

The action of a committee under the jurisdiction of the Union will be decided by a majority vote of the committee.

Section 5:

All expenses incurred by committee during their performance will be paid subject to approval by the Executive Board.

ARTICLE XIV: ORDER OF SUCCESSION

In the event that the General President is unable to perform his/her duties, resigns from office, or vacates the position of General President for any reason, the executive Vice President will assume the position. In the event that the Executive Vice President is unable to accept the assignment for any reason the Executive Board will solicit letters of interest and will nominate an individual for the position of General President, subject to approval by the membership and the next general meeting.

In the event of a temporary absence of an Officer the order of succession shall be:

1. Executive Vice President
2. Business Agent
3. Secretary-Treasurer
4. Director of Industrial Relations

ARTICLE XV: RETIREMENT BENEFITS

Section 1:

The Phoenix Metro Area Local shall participate in the APWU Nationally Sponsored 401 (k) Retirement Plan. All employees (those who receive salary or LWOP) shall be eligible.

Section 2:

The Phoenix Metro Area Local will make a matching contribution for each participant's Elective Deferral Contributions during each pay period, up to:

FERS EMPLOYEES: Five (5) Percent of the Participant's W-2 Box 1 LWOP compensation each month.

CSRS EMPLOYEES: Zero (0) Percent of the Participant's W-2 Box 1 LWOP compensation each month.

SECRETARIAL or PROFESSIONAL STAFF: Five (5) Percent of the Participant's W-2 Box 1 salary compensation each month.

Section 3:

It shall be the responsibility of the Secretary-Treasurer to administer the 401 (k) Plan, which shall include the submission of all enrollment information to the Plan Committee, withholding employee's contributions and distributing them in accordance with the Plan reporting requirements and Plan Adoption Agreement.

BYLAWS

ARTICLE I: RULES OF ORDER

Section 1:

In absence of other authority, the deliberations of this Union shall be governed by the latest revision of Robert's Rules of Order.

Section 2:

Any and all motions calling for the expenditures of funds of the Union exceeding and/or outside the adopted yearly budget must be approved for payment by a majority vote of the Executive Board. If thus approved, such expenditures will be presented at the next general meeting for majority approval by those members present and voting.

ARTICLE II: ORDER OF BUSINESS

Meeting Called to Order

Roll call of Officers

Reading of Minutes of Previous Meeting.

Propositions From Membership and Election Therein

Introduction of New Members

Nomination of Election of Delegates and/or Officers

Reports of Officers:

President

Executive Vice President

Craft Directors

Director of Industrial Relations

Representative at Large

Secretary-Treasurer

Communications Bills and Actions Therein

Report of Executive Board Meeting

Report of Committees

Report of Delegates

Unfinished Business

New Business

Good and Welfare

Adjournment

The order of business may be transposed at any time by a majority vote of the members present.

ARTICLE III: AMENDMENTS

Amendment to these Bylaws may be made in the same manner as prescribed for Amendments to the Constitution.

RECORD OF CHANGES

CONSTITUTION:

Article I – None

Article II – None

Article III – Section 12: Removed by membership, 11/2003. Conflict with Article 15 of National APWU Constitution as amended by 16th Biennial Convention, August 2002.

Article IV – Amended 07/18/07 by membership. Deleted “November” after the “Wednesday of January, February, April, May, July, September” and added, “The November meeting will be held the Saturday proceeding Thanksgiving”.

Amended 7-16-08 amended to read "In the event that a monthly General membership meeting is scheduled during the same time frame as a union conference or convention is scheduled or coincides with a holiday, the executive board will have the authority to schedule the General membership meeting for another date."

Section 1: Amended 6-20-2009. A quorum will consist of twenty five members.”

Section 1: Amended 1/19/2011. Phoenix Metro Area Local shall hold regular meetings (except for July and December). The time and date will be determined by the Executive Board prior to the beginning of the New Year.

Section 1: Amended 1/19/2011. A quorum will consist of (20) members.

Article V – Section 3: Removed by membership 11/2003. Conflict with Article 15 of National APWU Constitution as amended by 16th Biennial Convention, August 2002. Sections 4, 5, 6 and 7 renumbered as 3, 4, 5 and 6 respectively. Section 6 amended by membership 02/18/2004

Section 2: Amended 6-20-09 Last sentence “All Officers shall participate in Local Negotiations. All Officers shall be an automatic delegate for the National APWU Convention.”

Section 3: Amended 6-20-09 Any officer “designated under section 1” elected or appointed to the Executive Board shall be accorded voice and vote at all Executive Board Meetings.

Section 6: Amended 6-20-09 remove A and B, replace with a new A, B, C, D, and E:

A. Effective with the new term of 2010 there shall be no accruing of sick leave for the full time officers. All Full-time Officers shall earn twenty six days of annual leave with sick leave as necessary.

B. Effective with the new term of 2010, all prior leave balances shall be paid in full.

C. The Phoenix Metro Area local shall be responsible for paying the complete cost of health insurance if it is APWU. If the full time officer chooses a different plan then the Phoenix Metro Area Local shall only pay the Employers share of the cost.

D. The full time officers shall receive the same contracted/negotiated % and/or dollar increase according to their current salary.

E. All Full-Time Officers shall be allowed to carry over a maximum of 440 hours of accumulated annual leave. (Use it or lose it)

Section 6: Amended 10-22-15

A. Effective with the new term of 2010 there shall be no accruing of sick leave for the full-time officers. All Full-time Officers shall earn twenty six (26) days annual leave with sick leave as may be necessary.

~~B. Effective with the new term of 2010 all prior leave balances shall be paid in full.~~

C.(B.) The Phoenix Metro Area Local shall be responsible for paying the complete cost of health insurance if it is APWU. If the Full-time Officer chooses a different plan then the Phoenix Metro Area Local shall only pay the Employers share of the cost.

D.(C.) The full-time officers shall receive the same contracted/negotiated % and/or dollar increase according to their current salary

~~E.(D.) All Full-Time Officers shall be allowed to carry over a maximum of 440 hours of accumulated leave. (Use it or lose it).~~ **Effective with the new term of 2016 Full-Time Officers will be allotted 208 hours of annual leave a year. There is no yearly annual leave balance carry over. There will be no cashing out of unused annual leave.**

Article VI – Section 1, paragraph 2 amended by membership, 5/21/2003. Language added or changed to “the highest level of craft employee”.

Section 1: Amended 6-20-09. Add this sentence to the end of the first paragraph. The General President shall be responsible for all work of the Union. All Officers and Stewards shall work under the direction of the President.

Section 1: Amended 6-20-09. The second paragraph should read as follows; The General President shall receive from the Phoenix Metro Area Local a yearly salary of \$72,226. Upon approval of the Executive Board, he/she shall be reimbursed for expenses incurred during the performance of his/her duties as an Officer.

Section 2: Paragraph 1 amended by membership 5/21/2003. Language added or changed to “salary 2 levels below the President”. February 2008 Language added or changed to “The Executive Vice President shall receive from the Phoenix Metro Area Local any and all benefits received by employees of the United State Postal Service .945% below the president plus 10%.”

Section 2: Amended 6-20-09 The Executive Vice President shall receive from the Phoenix Metro Area Local “a yearly salary of \$68,252. Removing ~~any and all benefits received by employees of the United States Postal Service .945% of the General President’s base salary plus 10%.~~

Section 2: Amended 6-20-09. In the first paragraph second line, remove “~~and shall coordinate grievance activity for stations.~~”

Section 2: Amended 6-20-09. Add this new language before the last paragraph “The Executive Vice President will assist the Business Agent in representation at the associate offices.” Also, remove the following language ~~The Executive Vice President will be an automatic delegate to the National Convention.~~

Section 3: Paragraph 2 amended by membership 5/21/2003. Language added or changed to “at four levels below that of the General President”. February 2008 Language added or changed to “The Business Agent shall receive from the Phoenix Metro Area Local any and all benefits received by employees of the United State Postal Service .8959% below the general president plus 10%.”

Section 3: Amended 6-20-09 Add this language to the end of the first paragraph. “The Business Agent will be responsible for designating stewards and chief stewards in the associate offices with concurrence from the General President. Any dispute involving steward selection shall be referred to the Executive Board for final resolution.”

Section 3: Amended 6-20-09 First sentence remove “~~and shall coordinate grievance activity for stations~~” Also, in the first paragraph remove ~~The Business Agent shall participate in local negotiations.~~

Section 3: Amended 6-20-09 The Business Agent shall receive from the Phoenix Metro Area Local “a yearly salary of \$64,686” also remove “~~any and all benefits received by employees of the United States Postal Service .8959% of the General President’s base salary plus 10%.~~”

Section 3: Amended 6-20-09 Remove the last sentence “~~The Business Agent will be an automatic delegate to the National Convention.~~”

Section 4: Paragraph 2 amended by membership 6/21/2003. Language added or changed to “at four levels below that of the General President”. February 2008 Language added or changed to “The Secretary-Treasurer shall receive from the Phoenix Metro Area Local any and all benefits received by employees of the United State Postal Service .8959% below the president plus 10%.”

Section 4: Amended 6-20-09 Last sentence of first paragraph “The Secretary Treasurer will call the meeting to order in the absence of the General President, the Executive Vice President and Business Agent and will perform any duties as assigned by the General President, the membership and/or the Executive Board.

Section 4: Amended 6-20-09. Second paragraph, last sentence add: “He/she shall assist the Business Agent in Representation at the Associate Offices.”

Section 4: Amended 6-20-09. Third paragraph second sentence: The Secretary Treasurer shall receive from the Phoenix Metro Area Local “a yearly salary of \$64,686. Remove ~~any and all benefits received by employees of the United States Postal Service .8959% of the General President’s base salary plus 10%.~~

Section 4: Amended 6-20-09. Third paragraph, last sentence remove: ~~The Secretary Treasurer will be an automatic delegate to the National Convention.~~

Section 4: Paragraph 2 parenthetical reference added by committee, 9/2003. Directions to further constitutional duties of Secretary-Treasurer.

Section 5: Salary amended by membership, 05/21/03. Amount increased to \$350.00 per month and \$4200.00 per year

Section 5: Amended 6-20-09 Remove third & fourth sentence: ~~The Director of Industrial Relations shall participate in local negotiations. The Director of Industrial Relations shall not enter into any business agreement without membership approval.~~

Section 5: Amended 6-20-09. Last two sentences: The Director of Industrial Relations shall receive a salary of \$350.00 per month, ~~or \$4200.00 per year at the option of the incumbent.~~ The Director of Industrial Relations ~~will be an automatic delegate to the APWU National Convention and will perform any duties assigned by the General President, Membership or Executive Board.~~

Section 6: Salary amended by membership, 05/21/03. Amount increased to \$300.00 per month and \$3600.00 per year.

Section 6: Amended 6-20-09, The Representative at Large shall assist the Officers and Craft Directors in matters of the Collective Bargaining Agreement at the direction of the General President, ~~the Representative at Large the membership and or Executive Board. May be assigned by the President to advise stewards and/or members as to rights in various forums outside of the Collective Bargaining Agreement. The Representative at Large shall be an automatic delegate to the National Convention and shall serve on the Executive Board.~~

Section 6: Amended 6-20-09 Last sentence. The Representative at Large shall receive a salary of \$300.00 per month, ~~or \$3600.00 per year at the option of the incumbent.~~

Section 7: Amended 6-20-09 Third paragraph. Craft Directors will be responsible for designating stewards and chief stewards in the Phoenix installation and in their respective crafts, with concurrence of the General President. Any dispute involving steward selection shall be referred to the Executive Board for final resolution.

Section 7: Amended 6-20-09 Fourth paragraph, Each Craft Director shall ~~be an automatic delegate to all APWU National Conventions and perform all duties as assigned by the General President, membership and/or the Executive Board.~~

The Clerk Craft Director shall receive a salary of \$400.00 per month, ~~or \$4,800.00 at the option of the incumbent.~~

The Director of Motor Vehicle Service shall receive a salary of \$400.00 per month, ~~or \$4800.00 per year at the option of the incumbent.~~

The Director of Maintenance shall receive a salary of \$400.00 per month, ~~or \$4800.00 at the option of the incumbent.~~

Section 7: Salary amended by membership, 05/21/03. Monthly amounts increased to \$400.00, \$275.00 and \$350.00 respectively and annual amounts increased to \$4800.00,

\$3300.00 and \$4200.00 respectively. November 2007 language added or amended to Monthly amounts of \$400.00, \$400.00 and \$400.00 respectively and annual amounts \$4000.00, \$4000.00 and \$4000.00 respectively.

Section 7: Language removed by membership, 11/2003. Special Delivery Craft position discontinued by merger of craft into clerk craft.

Section 9: Amended 6-20-09 First sentence “Stewards in each craft shall be appointed from said craft with the recommendation of applicable Craft Directors, Business Agent and General President.

Section 10: Title amended by membership, 05/21/03. Title changed to Appointees.

Section 10: Salary amended by membership, 5/21/03. Amount increased to \$220.00 per month and \$2640.00 per year.

Section 10: Language amended by membership, 5/21/03. Health Plan Director and Retirees Director positions herein established with salaries established at \$200.00 per month.

August 2008 added “The Communications and Media appointee will be paid a salary of \$200.00 per month or \$2400.00 annually.

Section 10: Amended 6-20-09. First sentence, second paragraph: The Editor shall receive a salary of \$220.00 per month, ~~or \$2640.00 per year.~~

Section 10: Amended 6-20-09 Last two sentences. The appointees in the position of Health Plan Director and Retirees Director each shall be paid a salary of \$200.00 per month, ~~or \$2400.00 annually.~~ The Communications and Media appointee will be paid a salary of \$200.00 per month, ~~or \$2400.00 annually.~~

Section 10: Amended 1/19/2011. The editor shall be responsible for the publication of the local union paper. (Removed monthly)

Section 10: Amended 8/16/14 added to the third paragraph “Human Relations Director” after Health Plan Director.

Article VII – Section 1: Amended 6-20-09. First sentence: A Steward Council will be established within this Local for the purpose of training, by coordinating with the D.I.R and discussing Labor Management problems arising on different tours at stations and /or associate offices.

Article VIII – Section 1.B: Amended 10-22-15. Any member properly nominated for a position who wishes to decline may do so at the time of nomination, or may notify the

Secretary-Treasurer of the Union in writing by ~~the February general meeting~~ **January 31st**.

Section 1.C: Amended 10-22-15. Any member properly nominated for more than one position who wishes to decline on or more may do so at the time of nomination, or may notify the Secretary-Treasurer of this Union in writing by ~~midnight January 31st~~ **seven days after the nominations meeting**. Failure to do so will result in his/her name not appearing on the election ballot.

Section 2: B: Statement of purpose added by membership, 01/04.

Section 2.C: Amended 10-22-15. Election will be by printed ballot, upon which the offices must be clearly indicated. Candidates for offices shall be separated by Craft. Only those members in good standing of the respective craft may vote for craft officers. All members in good standing may vote for General Officers and delegate positions. The order in which the candidates' names for offices and delegate positions shall appear on the ballot will be determined by lottery draw, if said office or position is contested by more than one candidate. The drawing shall be conducted by the Secretary-Treasurer at the nominating meeting. ~~The voter may insert the name of any eligible member as a write-in candidate on the blank lines following the properly nominated candidates, provided that the members' name does not appear for any other office on the ballot.~~ **Write-in votes shall not be valid, counted or considered.**

Section 5: Removed by membership, 11/2003. Conflict with Article 15 of National APWU Constitution as amended by 16th Biennial Convention, August, 2002.

Section 6: Relocated by committee, 09/2003. Now appears in Article VIII as Section 1.E.

Article IX – Section 1: Dues change by National APWU action

Section 2: Language added by membership, 1/15/03. First paragraph added.

Section 2: Statement of purpose added by membership, 11/2003.

Section 3: Language changed by membership, 01/2004. Former specified date did not meet schedule for proper consideration by budget committee.

Article X – None

Article XI – None

Article XII – None

Article XIII: RECALL – Removed by membership, 11/2003. Conflict with Article 14 of National AWPU Constitution as amended by 16th Biennial Convention, August 2002.

Article XV – Adopted by membership 11/2003. Intent: Union members who receive salaries or LWOP may participate. FERS employees will receive matching funds for LWOP only. There will be no matching funds for salaries received by full time officer, part-time officers or appointees.

BYLAWS: – Established by membership, 01/2004. Refinement of document to accommodate body of rules and order of business.

Article I: - Section 2: Amended 6-20-09. Any and all motions calling for the expenditures of funds of the Union exceeding and or outside the adopted yearly budget must be “approved for payment by a majority vote of the Executive Board. If thus approved, such expenditures will be presented at the next general meeting for a majority approval by those members present and voting.”

Article I: Robert’s Rules of Order – established by membership, 01/2004. Constitutional structure.

Article II: Order of Business– established by membership, 01/2004. Constitutional structure.

****ALL CHANGES CITED HEREIN, WILL TAKE EFFECT UPON THE 2019 ELECTION***

Currently, Article V: Officers Reads:

ARTICLE V: OFFICERS

Section 1:

The officers of this Area Local shall consist of a General President, Executive Vice President, Business Agent, Secretary-Treasurer, Director of Industrial Relations, a Director from each craft affiliated with this Area Local Union, and a Representative at large. They shall serve for three years or until their successors have been elected and installed. Said officers will constitute the Executive Board of this Union and five will constitute a quorum. No officer shall be appointed to a vacant position on the Executive Board unless the individual meets all of the requirements necessary to be elected. All Officers shall participate in Local Negotiations. All Officers shall be an automatic delegate for the National APWU Convention.

Amended 5-20-15: ARTICLE V: OFFICERS, Section 1, Delete "Business Agent"

***New Language Will Read:**

ARTICLE V: OFFICERS

Section 1:

The officers of this Area Local shall consist of a General President, Executive Vice President, Business Agent, Secretary-Treasurer, Director of Industrial Relations, a Director from each craft affiliated with this Area Local Union, and a Representative at large. They shall serve for three years or until their successors have been elected and installed. Said officers will constitute the Executive Board of this Union and five will constitute a quorum. No officer shall be appointed to a vacant position on the Executive Board unless the individual meets all of the requirements necessary to be elected. All Officers shall participate in Local Negotiations. All Officers shall be an automatic delegate for the National APWU Convention.

Currently, ARTICLE VI: DUTIES OF OFFICERS & STEWARDS reads:

ARTICLE VI: DUTIES OF OFFICERS & STEWARDS

Section 2: EXECUTIVE VICE PRESIDENT

The Executive Vice President, in the absence of the General President, will be vested with the same authority and privileges as the General President and will perform all duties as outlined in Section 1. The Executive Vice President shall perform no labors in the Postal Service and shall be employed by the Phoenix Metro Area Local on a full time basis. The Executive Vice President shall receive from the Phoenix Metro Area Local a yearly salary of \$ 68,252. The Executive Vice President will also be the chairperson of the Audit Committee and will supervise an audit of the Area Local's books, accounts and funds once every six months. Said audit will be reported at the General Meeting following the completion of the audit.

The Executive Vice President shall coordinate arbitration activities within the Local.

The Executive Vice President will assist the Business Agent in representation at the associated offices.

The Executive Vice President shall perform any duties as assigned by the General President, membership, and/or Executive Board. Upon approval of the Executive Board, the Executive Vice President shall be reimbursed for expenses incurred during the performance of his/her duties as an officer.

Section 3: BUSINESS AGENT

The Business Agent will be responsible for all grievances for the associated offices under the direction of the General President. The Business Agent shall coordinate the grievance and arbitration activities of this Local. Including, but not limited to, the responsibility of recommending appeal of grievances for the associated offices beyond the local level. The Business Agent will be responsible for designating stewards and chief stewards in the associated offices with concurrence of the General President. Any dispute involving steward selection shall be referred to the Executive Board for final resolution.

The Business Agent shall perform no labors in the Postal Service and shall be employed by the Phoenix Metro Area Local on a full time basis. The Business Agent shall receive from the Phoenix Metro Area Local a yearly salary of \$64, 686. The Business Agent shall perform any duties as assigned by the General President, the membership and/or Executive Board. Upon approval of the Executive Board the Business Agent shall be reimbursed for Expenses incurred during the performance of his/her duties as an officer.

Amended 5-20-15: Delete 2nd Paragraph of Section 2: "The Executive Vice President shall coordinate arbitration activities within the Local."

Delete 3rd Paragraph of Section 2: "The Executive Vice President will assist the Business Agent in representation at the associated offices."

Move 1st Paragraph of Section 3 to the 2nd Paragraph of Section 2

"The Executive Vice-President will be responsible for all grievances for the associated offices under the direction of the General President. The Executive Vice-President shall coordinate the grievance and arbitration activities of this Local. Including, but not limited to, the responsibility of recommending appeal of grievances for the associated offices beyond the local level. The Executive Vice-President will be responsible for designating stewards and chief stewards in the associated offices with concurrence of the General President. Any dispute involving steward selection shall be referred to the Executive Board for final resolution."

***New Language will read:**

ARTICLE VI: DUTIES OF OFFICERS & STEWARDS

Section 2: EXECUTIVE VICE PRESIDENT

The Executive Vice President in the absence of the General President, will be vested with the same authority and privileges as the General President and will perform all duties as outlined in Section 1. The Executive Vice President shall perform no labors in the Postal Service and shall be employed by the Phoenix Metro Area Local on a full time basis. The Executive Vice President shall receive from the Phoenix Metro Area Local a yearly salary of \$ 68,252. The Executive Vice President will also be the chairperson of the Audit Committee and will supervise an audit of the Area Local's books, accounts and funds once every six months. Said audit will be reported at the General Meeting following the completion of the audit.

The Executive Vice-President will be responsible for all grievances for the Associated Offices under the direction of the General President. The Executive Vice-President shall coordinate the grievance and arbitration activities of this Local including, but not limited to, the responsibility of recommending appeal of grievances for the associated offices beyond the local level. The Executive Vice-President will be responsible for designating stewards and chief stewards in the associated offices with concurrence of the General President. Any dispute involving steward selection shall be referred to the Executive Board for final resolution.

The Executive Vice President shall perform any duties as assigned by the General President, membership, and/or Executive Board. Upon approval of the Executive Board, the Executive Vice President shall be reimbursed for expenses incurred during the performance of his/her duties as an officer.

****Amended 5-20-15: Delete "Business Agent" and Insert "Executive Vice-President where appropriate in Local Constitution.***

