



It's time to move Local 375 forward with an updated constitution to make our union more fair, transparent, and responsive to the membership.

Key Updates

ARTICLE II – Updates the constitution with required organizations that the Local is affiliated with and lists one discretionary organization.

ARTICLE IV – **This does NOT raise dues.** It updates the dues chart from the 1990's to what members actually pay today. It also sets up a structure that allows part-time employees to pay something less than full-time dues.

ARTICLE V – Raises the minimum size of a chapter to 20. **Recommends that chapters meet monthly but requires quarterly meetings.** This was done for chapters whose members are regularly in the field and/or scattered to multiple work sites. **Requires that chapter officers and delegates surrender their position at retirement.** Cleans up conflicting language about the frequency of chapter elections.

ARTICLE VI – Makes chapter presidents automatic delegates to the Board of Delegates.

ARTICLE VIII – Adds a second required membership meeting to create more opportunities for member participation.

ARTICLE IX – These changes streamline governance dramatically. **Similar or redundant elected officer positions are eliminated.** The Secretary position remains, and the Recording Secretary position is eliminated. It also eliminated the election of committee chairpersons except for the Executive Committee chair. The other chairpersons will now be appointed with Executive Committee approval; this makes the positions more responsive to the membership and easier to change if necessary. **The addition of "Section 2" requires that local officers step down once they retire.**

ARTICLE X – Details what will be the standing committees of the local and describes how the chair person will be selected and then confirmed.

ARTICLE XII – **Spells out specific duties of the elected officers.** Section 1 requires Executive Committee approval for the appointment of special committees by the President. The First Vice President will now be responsible for coordinating contract administration. The Second Vice President is now required to engage in membership activities. With the elimination of the Financial Secretary and Recording Secretary positions, those duties have been combined with the Treasurer and Secretary respectively.

ARTICLE XIII – **This section clearly lays out the terms of officers and the timelines for elections.** If there are elections in 2018, those officers elected would have their term end in 2020.

ARTICLE XV – The Article on By-laws was deleted in its entirety. The committee does not want to have a competing and/or conflicting document to this constitution.

"NEW" ARTICLE XV – Talks about how ad hoc committees are created, who can participate on them and how they are disbanded.

ARTICLE XIX – Sets up a process to amend this document in the future that complies with the AFSCME Constitution.

**The Local 375 Constitution Committee recommends you
Vote YES on this amended constitution**

For additional information, please call Local 375 @ 212-815-1375

CONSTITUTION

OF

LOCAL 375

ARTICLE I NAME

The complete name of this organization shall be the New York City, Civil Service Technical Guild, Local 375 of the American Federation of State, County and Municipal Employees, AFL-CIO, hereinafter referred to as the Guild.

ARTICLE II PURPOSES OF THE ORGANIZATION

Section 1. The purposes of the Guild are to work for the good and general welfare of the Civil Service Technical Employees, viz., to educate the general public and public officials to a complete realization of their intrinsic worth to the community; to maintain their professional dignity; to assure their tenure of employment; to obtain adequate remuneration commensurate with the value of their services; to obtain increased promotional opportunities; to provide a voice in the determination of terms and conditions of employment; to promote Civil Service legislation and career service in government and to safeguard and extend benefits provided by Civil Service and Pension Laws and to nullify every effort by individuals or groups which would prevent the accomplishment of the foregoing objectives.

Section 2. The Local shall be affiliated with: AFSCME, DC 37, AFL-CIO, NYS AFL-CIO and the Municipal Labor Committee (MLC). The Local may affiliate with the NYC CLC.

ARTICLE III POLITICAL RESTRICTIONS

In the furtherance of the objectives of the organization, the Guild shall not support, endorse or become directly connected with a political party or organization in the city, county, state or nation. It may, however, endorse, support or oppose individual candidacies and specific policies of a political party or organization.

ARTICLE IV MEMBERSHIP DUES

Section 1. Any person shall be eligible for membership who meets one or more of the requirements listed below:

Architectural, Engineering, Planning, Scientific and related technical professional employees of the City of New York, New York, and its related Authorities, Boards and Public Corporations, except those employed in cultural institutions and the New York State Unified Court System; Broadcasting, Editing, Artistic and Technician Employees of WNYC, New York, New York or are represented by Local 3652, Local 1740, Local 3778, Local 3005 or Local 3599.

Section 2. Except as otherwise provided in this constitution, any person without regard to race, creed, color, national origin, sex, age, sexual orientation, disability or political belief shall be eligible for membership.

Section 3. The dues of the Guild shall be payable in a sum which may be found adequate and necessary. The dues shall be payable bi-weekly as follows:

<u>Organization Codes</u>	<u>Bi-Weekly Dues Rates</u>
HD	\$19.15
HS	19.36
KB	20.61
KG	21.61
HZ	23.11
KK	25.11
F2	27.11
F4	29.61
F6	31.61
F8	33.61
G2	35.61

The monthly membership dues for those employees working 20 or fewer but more than 12 hours shall be 75% of the full-time rate per member. The monthly membership dues for those employees working 12 or fewer hours shall be 50% of the full-time rate per member.

Section 4. In case of a per capita increase, the dues then in effect, may be increased by the amount of such per capita increase or portion thereof by a majority vote of the Board of Delegates.

Section 5. Membership dues, other than that paid through a system of regular payroll deduction, shall be payable monthly in advance to the financial secretary and in any event shall be paid not later than the 15th day of the month in which they become due. Dues of chapter members payable on a cash basis shall be paid directly to the Local. Any member who fails to pay dues by the 15th day of the month in which they become due shall be considered delinquent, and upon failure to pay dues for two months and after written notice shall stand suspended. Provided, however, that any person 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 6. A member suspended under the above section may be reinstated to membership in the local on election of payment of dues through regular payroll deduction..

CHAPTERS

Section 1. The chapters in existence at the time of adoption of this Constitution are the chapters of this local. New chapters having a membership of not less than twenty may be formed with the approval of the board of delegates, in every city department, board, authority or bureau having a technical force qualified for membership under Article IV, but only one chapter shall be formed in any single department, board, authority or bureau except that the formation of more than one chapter in a superagency may be permitted with the approval of the board of delegates.

Section 2. A departmental, board, authority, bureau of agency chapter shall be designated by the name of the department, board, authority or bureau, except where such name might be confused with that of an existing organization, in which case a distinctive name shall be adopted. Each chapter shall have a number assigned to it.

Section 3. Any qualified technician or group of technicians working for any city department, board, authority, bureau or agency may, with the approval of a majority of the Board of Delegates affiliate with any duly organized chapter. This provision shall not preclude such a group from subsequently securing the formation of a chapter in their own department, board, authority or bureau.

Section 4. Each chapter may adopt a constitution for the guidance of its particular group, provided, however, that they do not conflict in any way with the constitution and by-laws of the Guild. The constitution of every chapter and any change of any nature in the constitution of any chapter shall conform to the provisions of the Guild constitution. The adoption of a new constitution by any chapter and any change of any nature in the constitution of any chapter shall be subject to the approval of the Local's Executive Committee, and shall become effective only upon the granting of such approval by the Local in writing. Regardless of such written approval, if a conflict between such chapter's constitution or amended constitution and the Guild constitution should exist, the provisions of the Guild constitution shall prevail.

Section 5. Each chapter is encouraged to meet monthly. Chapters are required to meet quarterly. A quorum for a chapter membership meeting shall consist of at least ten percent of the chapter's membership in good standing unless otherwise designated by the chapter's constitution.

Section 6. Special meetings of a chapter may be called by the local union president, the local union executive committee or board of delegates, the president of the chapter or by a petition filed with the president of the chapter by one-quarter of the members of the chapter.

Section 7. The officers of each chapter shall be as designated in the constitution of the chapter. Chapters shall have not less than two officers, a chapter president and a chapter secretary-treasurer. Nominations shall be held no earlier than October and elections shall take place no later than December of each such election year. Election of Chapter officers, delegates and alternate delegates shall be held every third year starting with the 2016 election. They shall be elected for three-year terms, beginning in 2016.

Section 8. All Chapter officers, delegates and alternate delegates must be and remain during the term of office, employed in a position under the jurisdiction of the chapter.

Section 9. All election results shall be reported at the first meeting in the month of January following the election and the newly-elected officers, delegates and alternate delegates shall be installed at that time. All chapter officers and delegates that have not been installed at the chapter level, shall be installed at the first Board of Delegates meeting after their election.

Section 10. Upon the election of chapter officers and delegates, each chapter shall deliver to the secretary of the Guild a notification signed by the chapter president and secretary (treasurer), stating the names and post office addresses of such officers and delegates and certifying that the election was properly conducted under the applicable provision of the constitution of the Guild, the district council and of the Federation. The secretary of the Guild shall report such notification to the board of delegates.

Section 11. The provisions of Appendix D of the International Constitution, entitled "Elections Code", shall apply to chapters. The election committee shall be that of the chapter.

Section 12. Vacancies in the office of chapter officers shall be filled for the remainder of the unexpired term in accordance with the constitution of the chapter.

ARTICLE VI REPRESENTATION

Section 1. Every chapter of the Guild shall be entitled to one delegate to the Guild's Board of Delegates for every twenty members or fractional part thereof in good standing. Delegates must be members of the Guild. The number of delegates to which a chapter is entitled shall be determined by the number of per capita members as of June 30th preceding the election of officers and delegates of the chapter, except that in the event of a chapter acquiring new members by reason of the addition of new titles or groups to the Guild's jurisdiction after June 30th, then the delegate representation of the chapter acquiring the new members shall be increased by one delegate and one alternate delegate for every twenty (20) new members or a fraction thereof.

Section 2. Every chapter of the Guild shall have at least one delegate. The President of each Chapter is an automatic delegate to the Board of Delegates.

Section 3. All delegates shall be members of the Guild's board of delegates; they shall have equal standing in the deliberations of that body; they shall be eligible to cast one vote each; they shall be eligible to hold any office in the Guild.

Section 4. For each delegate there shall be a duly elected alternate who shall assume all the duties and responsibilities of the delegate in his absence.

Section 5. The officers of the Guild shall, by virtue of their election to such offices, be deemed members of the board of delegates. These shall not be included in the quota for each chapter noted in Section 1.

ARTICLE VII THE BOARD OF DELEGATES

Section 1. The common meeting ground of the various chapters of the Guild shall be in the board of delegates.

Section 2. All the duly approved activities of the board of delegates shall be considered the official action of the Guild.

Section 3. The board of delegates shall meet at least once a month during the months September to June, inclusive. Special meetings of the board of delegates may be called by the president or a majority of the executive committee at any time, and the secretary of the Guild shall call a meeting at any time upon the written request to do so by five or more chapters.

ARTICLE VIII
GENERAL MEMBERSHIP MEETINGS

Section 1. A general membership meeting of the membership of this local shall be held at least twice a year.

Section 2. A special general membership meeting of the membership of this local may be called by the president, a majority of the executive committee, or by petition, filed with the president and signed by one-quarter of the members.

ARTICLE IX
OFFICERS

Section 1. The officers of the Guild shall be:

- 1. President
- 2. First Vice-President
- 3. Second Vice-President
- 4. Secretary
- 5. Treasurer
- 6. Sergeant-at-Arms
- 7. Chairperson of the Executive Committee .

Section 2. The officers of the Guild must be and remain during the term of office, employed in a position under the jurisdiction of the Guild.

ARTICLE X
STANDING COMMITTEES

Section 1. There shall be eight standing committees, designated as follows: membership, pensions, civil service, public relations, safety/environmental, legislative and political action, next wave and woman's organizing committee (WOC).

Section 2. The chairperson of these committees shall be appointed by the President and confirmed by a majority vote of the Executive Committee.

Section 3. The president of the Guild or, with the president's written authorization, the first vice-president shall appoint the members of these standing committees.

Section 4. Meetings of the standing committees may be called at any time by their respective chairperson, but shall meet at least twice per year. They shall report periodically to the Board of Delegates on the progress of their offices.

ARTICLE XI EXECUTIVE COMMITTEE

Section 1. The executive committee shall consist of all the duly elected officers of the Guild as set forth in Article IX together with the presidents of all the chapters

Section 2. The executive committee shall meet at least once a month. Special meetings may be called at any time by the president or the chairperson of this committee and the secretary of the Guild shall call a meeting at any time upon written request to do so by five or more members of this committee.

ARTICLE XII DUTIES OF OFFICERS

Section 1. President: He shall preside at all meetings of the board of delegates and of the general membership. He shall countersign all checks drawn against the funds of the local. He shall appoint all special committees of the local with the approval of a majority of the Executive Committee and be a member of all committees with the exception of the Election Committee. and shall be chief negotiator on all city-wide and local union collective bargaining negotiations. He shall report periodically to the board of delegates and the executive committee the progress and standing of the local and regarding his official acts. He is empowered to make expenditures not exceeding a total of \$1,000.00 for matters requiring immediate action between meetings; such expenditures shall be reported to the executive committee at its next meeting. He shall, with the approval of the board of delegates, engage auditing services as may be required. The President shall be an automatic delegate to all conventions and councils in which the Guild has representation including all AFSCME conventions and NYS AFL-CIO conventions.

Section 2. First Vice-President. He shall assist the president in the work of his office. In the absence of the president or in his inability to serve, the first vice-president shall preside at all meetings and perform all duties otherwise performed by the president. He is authorized to act as co-signer of checks drawn on local funds in place of either the president or the treasurer. The First Vice President shall be responsible for the coordination of contract administration within the Guild. The First Vice President shall be an automatic delegate to all AFSCME and NYS AFL-CIO conventions.

Section 3. Second Vice-President: In the absence of the first vice-president or in his inability to serve, the second vice-president shall assume the duties performed by the first vice-president The Second Vice President shall be responsible with providing each chapter an up to date membership list and actively involved in activities to increase membership. The Second Vice President shall be an automatic delegate to all AFSCME and NYS AFL-CIO conventions.

Section 4. Secretary: The Secretary shall be the official custodian of all the records of the local. They shall carry on the official correspondence of the local. . All records and filed data shall be open for inspection by the members of the Guild at any reasonable time. They shall record the minutes of all official meetings of the Executive Committee, the Board of Delegates and the membership. In the absence of the Chairperson of the Executive Committee, the Secretary shall preside at Executive Committee meetings.

Section 5. Treasurer: The Treasurer shall receive and receipt all monies of the local union including dues. They shall maintain an accurate account of dues paid and notify delinquents. They shall deposit all monies so received in the name of the local in a bank or banks designated by the executive committee. He shall prepare and sign checks for such purposes only as are required by the constitution or are authorized by the membership, the board of delegates or by the executive committee acting for the board of delegates where action is required prior to a schedule board of delegates meeting or by the president for expenditures authorized as aforementioned. He shall keep an accurate record of receipts and disbursements and shall, once each month, submit to the board of delegates, a monthly operating statement of the financial transactions of the local for the previous month. The treasurer, as well as other officers responsible for the handling and disbursing of funds shall, at the expense of the local and through the International Union, give a surety bond for an amount to be fixed by the board of delegates of the local, but not less than the minimum provided for in the constitution of the International Union. On the termination of the treasurer's office, he must obtain a discharge receipt from the board of delegates based on an independent audit before he shall be discharged from his bond. The Treasurer shall prepare and submit the monthly membership report to the International Union office and see that a check is drawn in payment of the local's per capita tax each month and sent to the International Secretary-Treasurer. The Treasurer shall be the custodian of all properties of the Guild and responsible for submitting necessary financial reports.

- (a). All accounts of the Guild shall be audited by a Certified Public Accountant immediately following the close of each fiscal year, or, at the direction of the president or the board of delegates, at more frequent intervals. The Certified Public Accountant shall be appointed by the president with the approval of the board of delegates. The audit report shall be transmitted to the president and the treasurer as promptly as possible after completion of the audit. The treasurer shall present the audit report to the board of delegates at the first regular meeting of the board following the receipt of the audit report.

Section 6. Sergeant-at-Arms: He shall take attendance records at all official meetings of the local. He shall maintain order and decorum at all meetings of the local at the direction of the Chair.

Section 7. Chairman of Executive Committee: He shall preside at all meetings of the executive committee. He shall report at the next subsequent board of delegates meeting, matters discussed at the executive committee meeting.

ARTICLE XIII NOMINATIONS AND ELECTIONS OF OFFICERS

Section 1. Beginning after elections held in 2018, nominations shall be made at a regular or special membership meeting of the local in October of the election year. At least 15 days

advance notice shall be given the membership prior to the nomination meeting. Nominations shall be permitted from the floor at the nomination meeting.

Section 2. To be eligible for office, a member must be in good standing for one year immediately preceding election.

Section 3. In any case where there is only one nominee for office, such nominee shall be declared elected only at the completion of the counting of the ballots and subject to the order of standing as provided in Section 5 of this Article. The election results shall be reported at the delegates meeting in the month of December following the election.

Section 4. All matters concerning nominations and elections in this local union shall be subject to the provisions of Appendix D, entitled "Election Code," of the International Union Constitution, except that delegates to all International and State conventions shall be elected by a majority of the votes cast.

Section 5. Beginning after elections held in 2018, the term of office for all officers shall be three years. For officers elected in 2018, the term shall be until the 2020 elections. Beginning after the elections of 2018, election of officers of the Guild shall be held every third year, starting with the 2020 election. Not more than three officers shall be elected from the same chapter. If more than three are elected to offices from the same chapter, the three elected to the offices in the following order of standing, president, first vice-president, second vice-president, secretary, treasurer, sergeant-at-arms and Chairperson of the Executive Committee.

Section 6. Such unfilled office shall be filled through a run-off election in which there will be a ballot bearing two names for each office to be filled, such names being those remaining eligible nominees who received the greatest number of votes in the first balloting, and the nominee receiving the highest number of votes shall be declared elected. Where there is only one other eligible nominee for such unfilled office, said nominee shall be declared duly elected to serve such office, provided that such nominee shall receive a majority of the votes cast for such office. In the event that such nominee did not receive a majority of the votes cast or in the case where there are no remaining eligible nominees for an office, another election shall be conducted to fill such office.

Section 7. No member may hold, concurrently, more than one elective office in the Guild. This clause shall not be interpreted to restrict a member from holding any elective office in a chapter or from representing the Guild as a delegate to a convention, or from holding any appointive office.

Section 8. Except for the office of the president, in the event of a vacancy in office by reason of death, resignation or removal of an officer, such vacancy shall be filled by election at a special or regular scheduled meeting of the executive committee.

If such a contingency should arise with regard to the President, the First Vice President shall assume the office of the President and serve for the unexpired term.

standing

Section 9. Where a recall of an excess delegate or delegates to District Council 37 is required under its constitution, in accordance with a certified report of the voting strength of the Guild issued by the treasurer of the council after each December 31 and June 30, such recall shall be made in the inverse order of the vote received by the delegates to the council. The president and any delegate who is a member of or a nominated candidate for the council executive board shall not be subject to recall for this reason.

Section 10. Any correspondence from the election committee to the membership must be on paper containing the name of the Guild only.

ARTICLE XIV GOVERNANCE

Section 1. The Guild shall be governed by the board of delegates convened at regular or special meetings.

Section 2. Resolutions and motions duly adopted at these meetings shall determine the definite policy and future actions of the organization.

Section 3. Between meetings of the board of delegates all matters demanding immediate determination of policy and action shall be handled by the executive committee.

Section 4. The medium of obtaining city-wide action on all matters shall be through the board of delegates.

Section 5. 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 or by the board of delegates.

ARTICLE XV OTHER COMMITTEES

Section 1. There may be such other special committees as may be deemed expedient and necessary to conduct the work of the organization.

Section 2. The president of the Guild shall appoint the members of such committees and name the chairman with majority approval of the Executive Committee. He shall also specify the scope of their duties. They shall serve until disbanded by majority vote of the Executive Committee.

Section 3. Each committee shall consist of at least three members including the chairman. Members of such committees may be selected from the membership at large.

ARTICLE XVI
JUDICIAL PROCEDURES

Section 1. All judicial procedures shall be conducted in accordance with Article X of the International Constitution and as noted hereafter.

Section 2. Charges shall be filed with the secretary of the local, who is deemed secretary of the trial body pursuant to Article X, Section 6 of the International Constitution.

Section 3. The trial body of the local is the executive committee.

Section 4. Upon receipt of the charges, the secretary shall call a special meeting of the executive committee to consider them. The secretary shall be directed to send within ten days following the receipt of charges, a copy of the charges to the accused person together with a notice to appear for trial before the executive committee pursuant to Sections 12, 13 and 14 respectively of Article X of the International constitution.

Section 5. The executive committee may by majority vote find the accused person guilty and assess any one or more of the penalties enumerated in Article X, Section 15 of the International Constitution.

ARTICLE XVII
QUORUMS

Section 1. No regular or special meeting of the board of delegates shall be considered an official meeting and no business transacted therein shall be binding unless a quorum of accredited delegates are present. Such quorum shall consist of at least twenty percent of the duly elected delegates.

Section 2. No meeting of the executive committee shall be considered an official meeting and no business transacted therein shall be binding unless a quorum of the membership of this committee is present. Such quorum shall consist of a majority of the membership of this committee.

Section 3. In the case of all other standing and special committees a quorum shall consist of at least three committee members.

Section 4. No general membership meeting of the Guild shall be considered an official meeting and no business transacted therein shall be binding unless a quorum of the membership of the Guild is present. Such quorum shall consist of at least 150 members of the Guild in good standing.

ARTICLE XVIII
MISCELLANEOUS PROVISIONS

Section 1. Where procedures for the resolution of questions are not provided for under the constitution they shall be resolved by a majority of those present and eligible to vote at any meeting concerned with such questions.

Section 2. Robert's Rules of Order, Revised, shall be the guide in all cases to which they are applicable and in which they are not inconsistent with the constitution and special rules of the local.

Section 3. No literature shall be distributed in the name of the Guild or a chapter, unless authorized by the appropriate body.

Section 4. A majority of the board of delegates only, may authorize the payment of a stipend from the Guild treasury to Guild officers, officials, or chapter presidents.

Section 5. The board of delegates may authorize the payment of an expense advance to the chapters. All monies so allocated shall be expended only on official chapter business. The president and secretary-treasurer of each chapter shall submit annually to the Guild treasurer a report, with appropriate documentation, of the uses to which any such monies have been expended.

Section 6. The board of delegates may authorize the payment of an expense advance from the Guild treasury to an individual for specified official Guild business, provided that such an advance is subsequently accounted for by the submission of a report, with appropriate documentation, in a timely manner.

Section 7. The board of delegates may authorize reimbursement from the Guild treasury for any expenditure made in furtherance of official Guild business, provided that a signed expense report and appropriate documentation is submitted with such request for reimbursement by the individual seeking reimbursement, or by the chapter president on behalf of the chapter in the case of chapter expenses.

Section 8. 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.

ARTICLE XIX AMENDMENTS TO THE CONSTITUTION

Section 1. A proposed amendment to this constitution shall first be submitted in writing to the President or the Secretary of the Guild..

Section 2. The proposed amendment shall be introduced to the membership by the Secretary at a regular or special membership meeting and read and voted on at a subsequent regular or special membership meeting, 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 amendment(s) shall be furnished to every eligible voter at the meeting at which the vote is taken.

Section 3. The local's Executive Committee may review and make a recommendation to the membership on any proposal to amend the constitution.

Section 4. A two-thirds affirmative vote of the members voting, shall be necessary to amend this constitution.

Section 5. Any amendment approved by the membership shall be immediately submitted to the International President and such amendment shall take effect only upon written approval of the International President.

ARTICLE XX
SUPERSEDURE

Section 1. The articles of this constitution shall supersede all articles and amendments of the existing constitution.

Section 2. Any article or part thereof of this constitution which is in conflict with the provisions of the Constitution of the American Federation of State, County and Municipal Employees and of the Constitution of New York District Council #37 of A.F.S.C.M.E. shall be deemed invalid.