

**CONSTITUTION AND BY-LAWS OF THE AMERICAN POSTAL WORKERS UNION
LIMA AREA LOCAL AFFILIATED WITH THE AFL-CIO**

Amended 5-22-2024

ARTICLE I - NAME

This organization shall be known as the Lima Area Local American Postal Workers Union, AFL-CIO.

ARTICLE II - OBJECTIVES

Section 1

The objective of this Local shall be to unite all postal employees under the jurisdiction of this Local into a strong union movement and to promote better economic and social conditions for membership.

Section 2

We shall constantly strive to secure a safe and healthy work environment and good working conditions for postal workers and to advance the cause of the American Postal Workers Union.

ARTICLE III - MEMBERSHIP

Section 1

Any career or transitional employee in the clerk, maintenance, or vehicle maintenance crafts employed at the Lima Ohio postal facilities and its associate offices under this local's jurisdiction shall be eligible for membership.

Section 2

A member may retain membership in this local upon retirement by continuing to pay the National and State per capita dues, which will include subscriptions to the American Postal Worker and The Activator.

Section 3

Any employee not eligible for membership in the APWU may obtain an associate membership, without voice or vote, as a requirement to be covered by the APWU Health Plan.

ARTICLE IV - GEOGRAPHICAL JURISDICTION

The jurisdiction of the Lima Area Local, APWU, AFL-CIO, shall be limited to the 458 Area.

ARTICLE V - REVENUES

Section 1

Dues shall be paid bi-weekly thru payroll deduction for all members. Future state per-capita and/or ABA increases will be assessed on a no gain/no loss basis. Future local dues increase will be derived by the formula contained in Article 16 of the National Constitution.

Section 2

Temporary suspension of the collection of dues of a member may be passed at a regularly scheduled meeting by a two-thirds vote of the members present. This provision is intended to assist any member, who due to prolonged illness or other extenuating circumstances is deemed worthy of the consideration. A written request for such action must be submitted to the Executive Board for approval before it can be presented to the membership for vote. The written request may be submitted to the Executive Board by any member of this local who is in good standing.

ARTICLE VI - MEETINGS

Section 1

The regular meeting shall be held on the third *Sunday* of each calendar month except for the months of June, July, August, and December. Regular meetings may be postponed or suspended by a majority at any regular meeting or by order of the Executive Board.

Section 2

The monthly meeting will convene at a place designated by the membership.

Section 3

Regular meetings shall be called to order at 1:30 p.m. (If a quorum is not in attendance by 1:45 the meeting shall be adjourned. A quorum shall consist of twelve (12) members. Less than this cannot assemble as a meeting of this Local, they can only adjourn.

Section 4

The Executive Board shall hold its meeting prior to the monthly meeting of the membership. The President may call additional meetings of the executive Board when deemed necessary. Any member of the Executive Board may call for a meeting, subject to approval by a majority of the Executive Board. The membership may request a special meeting by submitting a written request to the Secretary. The request must be signed by ten percent (10%) or more of members in good standing and state the reason for the special meeting. The President must call a special meeting within fifteen (15) days of receipt of the request by the Secretary. The only business to be conducted at the special meeting will be as stated in the call by the President of the membership. The Secretary will be responsible for posting notices on the swing room bulletin boards and sending notices to all associate offices and branches. Time permitting notices will be published in the "Activator".

Section 5

The President or the Executive Board shall be empowered to call an emergency meeting for the good of the Local, should conditions so require. The majority of the Executive Board must approve such meeting. The President, with the aid of the Executive Board, shall make every reasonable effort to contact the membership to inform them of the time, purpose and location of such meeting. The President shall chair emergency meeting, and all Officers of the Executive Board shall make every effort reasonable to attend.

Section 6

The Secretary shall provide an attendance record pad, which all members must sign and shall be entitled "Attendance Record Pad, Lima Area Local APWU, AFL-CIO". Each page shall be headed with the name of the month for each regular meeting. For special meetings, the page shall be headed "Special Meeting of(date)". This attendance record shall be kept with the minutes of each meeting as the official attendance record.

Section 7

Visitors may attend meetings of this Local unless over-ruled by the membership in Attendance at that meeting.

Section 8

Any member who has been designated an acting supervisor (204B) by issuance of a PS Form 1723, Change of Assignment Order, during the period when any regular or special meeting is to convene, may not attend said meeting(s).

ARTICLE VII- OFFICERS

Section 1. The General Officers of this Local shall be the President, Executive Vice-President, Secretary and Treasurer.

Section 2. The Executive Board shall consist of the President, Executive Vice-President, Secretary, Treasurer, Clerk Craft Representative, Maintenance Craft Representative, and Associate Office Representative.

Section 3. All officers and appointed committee members must turn over to the President or successor, all books, properties, and other items in their possession, belonging to this Local, at the close of their official duties.

Section 4. All elected officers and members of the Executive Board must be sworn in before they may assume their duties of the office.

Section 5. Provided that any of these designated officers cannot serve, the President shall fill such vacancies by appointment subject to majority approval of the Executive Board.

ARTICLE VIII- GENERAL OFFICERS

Section 1. The following APWU positions shall have dues rebated after one full year of service: President, Executive Vice President, Secretary, Treasurer, Craft Directors, Area Office Representative, Primary Stewards. They must have attended six meetings or have Submitted a 3971 or 1723 to the secretary documenting their absence.

Mileage will be paid to elected officials for travel to conduct union business equal to the rate paid by the USPS. Documentation is to be submitted to the treasurer on a quarterly basis. The Executive Board shall be empowered to approve, by majority vote, the payment of mileage to any member traveling on union business.

Section 2. The President

The President shall preside at all meetings where he/she is in attendance. He/she shall appoint all committees not hereinafter provided for and shall perform such other duties as pertain to the office or that the Local may assign to him/her in assembled meetings. He/she shall, with the Secretary, sign official documents authorized by this Local, He/she shall, with the Treasurer, sign all checks issued by this Local. He/she shall be a delegate to all local, state, and national conventions of the American Postal Workers' Union and the AFL-CIO.

The President's wages shall be \$500 per quarter.

Section 3. Executive Vice-President

The Executive Vice-President shall perform the duties of the President in the event the President is unable to perform those duties. He/she shall interview all non-members, serve as Chairman of the Organization Committee, and serve as Step 2 designee in the areas determined by the Executive Board. He/she shall coordinate and process all grievances to Step 3 and beyond for those areas. He/she shall assist the Associate Office Representative in the processing of grievances when asked by the AO Rep. He/she shall perform such other duties as directed by the President.

The Executive Vice-Presidents wages shall be \$400.00 per quarter.

Section 4. Secretary

The secretary shall keep a correct and impartial record of proceedings of all meetings. The permanent record shall be kept in a bound book. The meeting records are to be retyped and one to be kept in a loose-leaf binder by the Secretary and one to be given to the Treasurer and the President no later than one week prior to the meeting date. The Secretary shall keep a roster of all members and a record of attendance of officers and members. The Secretary shall prepare proper credentials for all elected delegates to attend conventions. The Secretary shall perform such other duties as pertain to the office.

The Secretary's wages shall be \$300.00 per quarter.

Section 5. Treasurer

Treasurer still receive and deposit monies. He/she shall also be the official custodian of all monies. He/she shall disburse all monies by check countersigned by the President. He/she shall see that a report is submitted to the membership of all monies received and disbursed. The Treasurer shall perform such other duties as pertain to the office at the direction of the President.

The Treasurer's wages shall be \$300.00 per quarter.

ARTICLE IX-ADMINISTRATIVE OFFICERS

Section 1. Maintenance Craft Director

The Maintenance Craft Director shall be responsible for coordinating and processing all Maintenance (not Vehicle Maintenance) grievances to Step 3 and beyond in the Lima Area Local. He/she shall be the Step 2 designee for all maintenance grievances. He/she shall perform such other duties as directed by the President.

The Maintenance Craft Director's wages shall be \$275.00 per quarter.

Section 2. Clerk Craft Director

The Clerk Craft Director shall be the Step 2 designee and shall be responsible for coordinating and processing grievances to Step 3 and beyond in those areas determined by the Executive Board. He/she shall perform other duties as directed by the President.

The Clerk Craft Director's wages shall be \$275.00 per quarter.

Section 3. Associate Office Representative

The Associate Office Representative shall be responsible for coordinating and processing all associate office grievances to Step 3 and beyond. He/she shall be designated as the Step 2 designee for all associate office grievances. He/she shall represent the associate offices to the Executive Board. He/she shall perform other duties as directed by the President.

The Associate Office Representative's wages shall be \$275.00 per quarter.

ARTICLE X- APPOINTED OFFICES

Section 1

The President shall appoint, with the approval of the Executive Board, the head steward for each tour and associate office cluster, Cluster determined by the Executive board. They shall be responsible for initiating all Step 1 grievances and forwarding all pertinent material to the Step II Designee. Associate Office Stewards will be assigned to serve a set Cluster around a Level 20 Office. There can be three (3) Associate Office Cluster Stewards.

Primary steward of each tour and Associate Office Cluster shall be paid \$200 per quarter.

Section 2. Health Plan/ABA Representative

The Health Plan/ ABA Representative shall promote the APWU Health Plan and assist the membership in resolving any claims with the Health Plan and the Accident Benefit Association.

The wages will be \$125 per quarter.

Section 3. Editor

The Editor will be responsible for ensuring the publication of "The Activator" as directed by the Executive Board.

The wages shall be \$75.00 per edition.

Section 4 Alternate Stewards

Alternate Stewards can be appointed to take care of any grievances within their office/cluster that happen while the primary steward is on Vacation, or out for other extended periods.

Alternate Stewards will be paid \$10.00 per grievance settled or moved up to Step 2 designee.

ARTICLE XI- DELEGATES

Section 1

Delegates to the National/State Convention(s) of the American Postal Workers Union, AFL-CIO shall be elected for a one-year term. Nominations for delegates will occur at the January meeting of the convention year and ballots will be mailed immediately thereafter to all members in good standing. The ballots will be counted at the February meeting. The President will be automatically selected as a delegate.

In the event more than one person is authorized to attend any convention, a Maintenance. Craft shall be selected as the number two delegate.

In the event the President is a Maintenance Craft employee, a Clerk Craft Representative shall be selected as the number two delegate. Delegates shall be selected based on the highest number of votes received in descending order.

The Executive Board shall make the final determination on the number of delegates authorized to attend the respective convention(s), based on the financial status of the local.

Section 2

The alternate for the President shall be the Executive Vice-President. The alternate for those elected delegates, per Article XI, Section 1, shall be the candidates receiving the next highest number of votes, in which case they shall assume the duties of the delegate who resigned.

Section 3

The delegates shall attend the respective conventions for which they were elected. These delegates shall present resolutions and other matters in suitable form, when so instructed by this Local. They shall attend all business sessions of the Convention and make a complete report to the Local at the next regular meeting following the convention.

Section 4

Attendance fee and expenses of the delegate(s) while attending conventions/seminars will be paid at the rate of wages equal to the delegates level and step for eight hours per day. Attendance fees will not be paid when attending the National APWU Biennial Convention.

ARTICLE XII- ELECTIONS

Section 1

The President shall appoint the Elections Committee. They shall prepare a sufficient number of ballots and tally sheets. They shall be responsible for every member in good standing as of January 31st having an opportunity to vote. When conducting a mail ballot, a copy of printed voting instructions and two envelopes shall accompany ballots. One envelope shall be larger, stamped, and self-addressed to this union. Each member must sign this envelope in the upper lefthand corner for the purpose of identification. Only ballot envelopes with a proper signature can be opened and counted. The ballot shall be placed in the smaller envelope and that envelope placed in the larger envelope for the purpose of mailing ballots. The ballot envelope and the ballots must be counted separately.

Section 2

All officers and Executive Board Members shall be elected by referendum ballot for three (3) years. Candidates receiving the plurality vote shall be declared elected. In the case of a tie, a run-off election will be held.

Section 3

Names shall appear on the ballot in order of nomination. Craft directors will be voted on only by members in that craft. AO Rep will be voted on only by AO members.

Section 4

Any member in good standing is eligible to be a candidate for and hold office. Exception: No member can be a candidate for or hold office who has acted as 204B or has held any supervisory position for one year after vacating that position. See National Constitution, Article X, Section 26)

Section 5

Any officer, or appointee to an officer position, upon assignment to acting supervision for the USPS, of either long or short duration, shall immediately resign such office or appointment, and shall not be allowed to hold any union position requiring election for a period of one year after returning from such assignment.

Section 6

Nominations for all election positions must be presented in person or received in writing prior to the meeting at which nominations are held. Nominations shall be closed after all written and verbal nominations have been addressed. No nominee shall be placed on the ballot unless acceptance of the nomination, either in person or by written notification, is submitted prior to or within five days immediately following the meeting at which nominations are held.

ARTICLE XIII – OFFICER REMOVAL

Replaced Election Recall Language of Previous Constitution and By-Laws, as it was in violation of APWU National Constitution Article 14.

Any removal of a Union Officer will follow the APWU National Constitution under the Provisions of Article 15.

ARTICLE XIV- COMMITTEES

Section 1

The President shall appoint the following committees of three members each. Auditing, Entertainment, Organization, Elections, Constitution & By-Laws, and all other committees as needed.

Section 2

The Auditing Committee shall be appointed at each February meeting. The committee shall audit the books of the Treasurer and report their findings at the March meeting.

Section 3

The Entertainment Committee shall arrange and provide entertainment when so instructed by the membership at a regular meeting.

Section 4

The Organization Committee, whose chairman shall be the Executive Vice-President by virtue of his office, shall endeavor to make and keep the organization as near one hundred percent (100%) as possible.

ARTICLE XIV-"THE ACTIVATOR"

"The Activator" shall be the official publication of this Local. Any member may submit an article to be printed so long as it is not libelous.

ARTICLE XV-AMENDMENTS

This Constitution and By-Laws may be amended either by petition signed by ten percent or more of the members of this Local and ratification by referendum ballot, or after discussion at one meeting, announcement in "The Activator", posting on the swing room bulletin boards, and passed by two-thirds vote at the next regular scheduled meeting.

BY-LAW ARTICLES

ARTICLE I

The President shall be empowered to approve the expenditure of monies, not to exceed 100.00 per month for payment of such items as mileage, meals and/or other items he/she may deem necessary or beneficial to the Lima Area Local. All expenditure must be reported to the Executive Board accompanied by the necessary receipts, travel voucher, etc. The Executive Board shall have the ability to allocate monies for emergency expenses and will provide the membership at the next regular meeting with information concerning the expenditure. There will be monies allocated by the membership at the May meeting to cover June, July, August, and December.

ARTICLE II

The fiscal year for this organization shall be designated as April 15 thru March 31 for the purpose of dues rebates.

ARTICLE III

The titles and duties of the officers, time of meeting, eligibility of members, etc, shall be the same as are prescribed in the Constitution.

ARTICLE IV

No special or general assessments shall be levied upon the membership except by a majority vote by secret ballot of the members in good standing, voting at a general or special membership meeting after reasonable notice to the membership of the intention to vote upon such items.

ARTICLE V

It is the duty and responsibility of all elected officers, appointed representatives, including the head stewards and the editor of "The Activator" to attend all regular and special meetings of the Lima Area Local, AFL-CIO.

ARTICLE VI

It is a privilege and duty of all members of this Local to attend regular and special meetings when hours of duty and circumstances permit.

ARTICLE VII

In the absence of other authority, the deliberations shall be governed by Robert's Rules of Order, Newly Revised.

ARTICLE VIII

ORDER OF BUSINESS:

1. Invocation
2. Roll Call of Officers
3. Reading of the Minutes
4. Reports of Officers
5. Reports of Committees
6. Reading of Correspondence
7. Unfinished Business
8. New Business
9. Election of Officers
10. Good of the Local
11. Adjournments

ARTICLE IX

Copies of all grievances are to be turned into the Secretary for the purpose of logging.

Lima Area Local 438 President



Michael McKitrick II

Amended Date: 5-22-2024