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Texas Postal Workers Union, AFL-CIO

Constitution & By-Laws

Revised 2015

Article 1

Title

This body shall be known as the Texas Postal Workers Union, AFL-CIO, hereinafter known as the TPWU, and shall be the State Council of the American Postal Workers Union, AFL-CIO.

Article 2

Object

Section 1

(a) The object of the TPWU shall be to unite the postal workers into one brotherhood for establishing just working condition, encourage a fraternal spirit among the postal workers of the State, and to aid in the advancement of the Postal Service. We shall be fully involved in political, organization, and educational work, and assist members-at-large or small locals with grievances.

(b) It has been demonstrated by past experience that the trade-union movement, as exemplified in the AFL-CIO, is the best and most practical method of advancing the interests of all wage earners; therefore, we desire to be and remain in full affiliation with that body.

Section 2

(a) We favor the affiliation of all postal employee unions with the AFL-CIO.

(b) The TPWU shall be affiliated as a State Council with the Texas AFL-CIO, the annual fee for this affiliation shall be paid from the treasury of the TPWU.

(c) All members-at-large shall be enrolled as individual members of the Texas AFL-CIO. The monthly membership fee per member shall be paid from the funds of the treasury of the TPWU.

Section 3

We recognize the fact that collective bargaining and legislation are the means to obtain the objectives of the Union.

Article 3

Membership

Section 1

Any local or member-at-large in good standing with the American Postal Workers Union, AFL-CIO in the State of Texas shall be eligible for membership.

Section 2

Any person not an active member of the American Postal Workers Union, AFL-CIO, may be elected to honorary membership in the TPWU, subject to the action of the convention. Member locals have full power to confer honorary membership in their respective locals. No honorary member, local or state, shall be eligible to hold office or be a delegate in the TPWU, nor shall he or she have the right to vote.

Section 3

(a) The locals shall be granted the right to allow members of their organization who have resigned from the Postal Service or who have been promoted to positions exercising management authority the right to maintain membership.

- (1) Any member voluntarily performing management duties at any pay level, shall not be eligible for nomination, election, or appointment to any office within the TPWU.
- (2) Any member voluntarily performing management duties at any level shall be removed from office if action occurs subsequent to his/her election or appointment. Proof of the officer working in a 204B assignment must be sent to the State President in order to take action.
- (3) Any member voluntarily performing management duties shall not be eligible as a state delegate to any convention.

(b) Members-at-large who may be promoted to positions excising management authority may retain their membership, without voice or vote, by paying per capita of the American Postal Workers Union and the TPWU.

(c) Members of this union who retire from the Postal Service may retain full membership with all rights of such membership by continuing to pay full per capita to the American Postal Workers Union, to the TPWU, and what ever local dues may be required of them.

Article 4

Time of Convention

Section 1

(a) This council shall convene for convention biennially, during odd-number years. On even-number years, an educational conference shall be conducted in place of the convention. The time and place for conventions and educational conferences shall be determined by the biennial convention. The annual Executive Board meeting will be held one day prior and in the same location as the appropriate assembly. Upon completion of the state convention, the newly elected Executive Board shall hold a one half (1/2) day session to formulate the actions to be taken for the next term of office. The Executive Board meeting on the day preceding the state convention shall be the authorizing voting membership for all TPWU awards. There shall be an award s ceremony, to be held on the second day/night of the state convention.

(b) The Educational Conferences shall be of three day's length. Each elected TPWU Officer shall have a responsible role in the instructional aspect of the Educational Conferences, as assigned by the TPWU President.

(c) A sixty (60) day minimum advance notice of impending convention must be publicized by the Secretary to all members-at-large and member locals.

(d) Delegates to the convention must be elected from each craft within their respective locals in accordance with applicable federal law. Members-at-large and retired members shall be delegates to the convention.

(e) All Texas Postal Workers Union Conventions and Educational Seminars hosted by a Texas Postal Workers Union Local, or the State Organization, must be physically within the boundaries of the State of Texas.

Section 2

(a) The convention assembly shall go into session on the first day of the convention at the time selected by the Executive Board and, continue in session until all business before the convention is disposed of, but in no case exceed a three (3) day convention.

(b) The opening ceremony of each General Assembly of the TPWU shall include The Pledge of Allegiance and the singing or playing of the National Anthem.

(c) For opening the convention, two (2) hours shall be set aside for speeches of welcome and response. Others will be permitted to speak during the convention or at the convention banquet.

(d) The duration of the convention will not be less than two (2) nor more than (3) days.

(e) The TPWU will take full advantage of the opportunity to further training of its membership, by providing **Craft Break Outs** to the membership immediately preceding the **first day** of the TPWU convention. The TPWU Executive Vice President will be responsible for planning these seminars, coordinating with the host local 's convention committee and the TPWU President and Craft Directors.

(f) The President shall appoint a Convention/Educational Conference Committee to develop requirements and criteria for hosting the TPWU biennial convention and biennial educational conference. Such established requirements and criteria would be used as a guideline by any local desiring to vie for host city for the State Convention or Educational Conference. This committee shall be comprised of representatives from small, medium and large locals on an equal basis.

Article 5

Basis of Representation

Section 1

(a) All locals shall have one (1) vote for each ten (10) members or fraction thereof, assessed and paid in annual per capita, averaged on the preceding year.

(b) Each member-at-large in good standing attending the convention shall be entitled to one vote for each three (3) members-at-large.

(c) Every effort should be made that each craft of a member local be represented on an equitable basis.

(d) The voting strength of each local shall be determined by the average per capita tax paid for the two full fiscal years immediately preceding the state convention. Any unaffiliated local admitted to the TPWU during the preceding two fiscal years is entitled to representation at its convention of one-twenty-fourth (1/24) of its membership per each month paid on its appropriate membership formula prior to the

convention.

Per capita paid after April 30th of the year of the state convention shall not be counted for voting strength purposes for that local at that year's state convention.

(e) Where there are as many as five (5) members-at-large in any one post office, there members shall be encouraged to form a local.

Section 2

No Local or member-at-large shall be represented by proxy.

Section 3

A delegate must be a member in good standing.

Section 4

Alternate delegates may be seated in the permanent absence of the regular delegates, upon presentation of proper credentials.

Section 5

No member holding office in any other postal employee union can be elected or appointed as an officer of the TPWU nor be seated as a delegate to the convention.

Article 6 Delegates

Section 1

The number of State delegates and their expense allowance to the National Convention of the American Postal Workers Union shall be set by delegates in convention assembled.

Section 2

(a) The President, Executive Vice-President, Secretary/Treasurer, Director of News Information and three (3) Craft Directors, the District V.P.'s and the Legislative Aide, of the TPWU shall be delegates to the National Convention. The number of elected delegates shall be two (2) to the National Convention and shall be elected from **Locals of 200 members or less**, in addition, and one (1) hearing impaired delegate to the National Convention shall be elected. Delegates shall be reimbursed for actual necessary expenses at the prevailing rate established by the Internal Revenue Service in paying mileage or actual coach air fare, whichever is cheaper. Expenses will be paid only upon acceptance of properly receipted vouchers.

(b) Nomination of other state delegates to the National Convention of the American Postal Workers Union shall be held in odd-number years at the biennial convention, in conjunction with the election of TPWU officers effective immediately.

(c) Alternates for the State delegates shall be those nominees receiving the next highest number of votes.

(d) If the President is unable to attend the National Convention of the American Postal Workers Union, AFL-CIO, his/her alternate shall be chosen according to the order of succession to the office of the Presidency of the TPWU, as outlined in this Constitution. This procedure shall be followed where the President is, by virtue of his/her office, a delegate to any conference, rally, or convention.

(e) The President and Legislative Aide of the TPWU shall be a delegate to all Legislative or other appropriate conferences called by the American Postal Workers Union or by the Government Employees Council.

(f) The President of the TPWU shall be a delegate to the biennial convention of the Texas AFL-CIO.

(g) If the President is unable to attend the Texas AFL-CIO Convention, his/her alternate shall be chosen as provided in Article 6, Section 2 (d).

Article 7

Officers

Section 1

(a) The Officers of the TPWU shall be composed of a President, Executive Vice- President, Secretary/Treasurer, The Director from each craft (Clerk, Maintenance, and Motor Vehicle), Director of News Information/Website/Editor, Legislative Aide, and one (1) District Vice-President for each of the ten (10) districts.

(b) The Executive Committee shall consist of the President, Executive Vice-President, Secretary/Treasurer, and the Director from each craft (Clerk, Maintenance and Motor Vehicle), and the Director of News Information/Editor.

(c) The Executive Board shall be composed of all the elected officers.

(d) The District Vice-Presidents shall be elected by the duly elected delegates at the convention. The three (3) Craft Directors shall be elected by their respective Craft delegates in assembly, and those delegates shall have the same voting apportionment, according to their local designation, as in Article 5, Section 1. Members-at-large shall have one (1) vote in their Craft elections. Each State officer attending the convention shall have one (1) vote and shall not be permitted to vote by proxy for his/her local.

(e) The candidate receiving the highest number of votes shall be declared the winner.

(f) The Officers shall hold office for their term until their successor is elected and qualified. Each Officer attending the convention shall have one (1) vote and shall not be permitted to represent his/her local as a delegate.

(g) It is desirable that District Vice-residents reside in the district they represent, but in the event that no candidate from the district is nominated then any candidate from a bordering district shall be eligible for nomination. If there are no candidates from the district or from bordering districts, or if a vacancy occurs between elections, the President may fill the vacancy.

(h) Officers shall be elected in odd numbered years at the biennial convention for a two (2) year term.

Section 2

Eligibility to Office

No person shall be eligible to hold any office or membership of any committee unless he/she is a member in good standing.

Section 3

Duties of Officers

(a) It shall be the duty of the President to preside at all conventions and at all meetings of committees. He/She shall fill all vacancies for any cause whatsoever, until such vacancy is filled by election. He/She shall submit to each convention a written report of his/her official acts during his/her term of office. He/She shall sign all orders drawn on the treasury and shall perform other duties as this council may require of him/her. The President shall have the authority to take whatever action he/she deems necessary to carry out the mission of the TPWU, when such actions are not covered by the Constitution, upon majority approval of the Executive Board. If actions deemed necessary to carry out the mission of the TPWU are in

contradiction to Constitutional requirements then Article 10, Section 2 (e) would apply.

(1) The President shall be the Associate Editor.

(2) The President shall conduct the legislative activities of the TPWU as promulgated by the National Union. He/She shall use his/her office to encourage locals to participate in the legislative program, contact congressmen, urging their support of postal legislation, and shall interest himself/herself in any provident endeavor which may aid the legislative program.

(3) The President shall coordinate the TPWU Education Program.

(4) The President shall be responsible for the content and for conducting of the education part of seminar programs. He/She shall act as moderator at state (district) meetings and seminars.

(5) The President shall prepare and make available materials to be used at mini-seminars of one (1) day's length. These seminars may be held quarterly in area rotation and shall be taught by no more than two (2) state officers per meeting; however, no seminar shall be held in location within one hundred (100) miles of any seminar held in the preceding calendar year.

(6) The President shall coordinate all activities of the State Automation Committee.

(b) The Executive Vice-President, in the absence or the incapacitation of the President, shall preside at all meetings and have vested in him/her the same power and authority as the President, and shall assume the duties and responsibilities of the President. He/She shall assign for the good of the union.

(1) He/She shall assist and work with the President in all executive responsibilities and duties that pertain to this office.

(2) He/She shall succeed to the office of the President should the President resign or in any way, vacate his/her office prior to the completion of his/her term of office. Committee and Executive Board meetings and conventions held during his/her tenure and other records of the council. The Secretary/Treasurer shall furnish a copy of the proceedings to the Executive Committee, Executive Board and Local State Presidents within 30 days of said meeting.

(c) The Secretary/Treasurer shall keep a record of the proceedings of all Executive Committee and Executive Board meetings and conventions held during his/her tenure and other records of the council. The Secretary/Treasurer shall furnish a copy of the proceedings to the Executive Committee, Executive Board and Local State President's within 30 days of said meeting.

(1) He/She shall assemble all reports of the Executive Board members

and have copies available for delegates in attendance at the State Convention.

(2) The minutes of the State Convention shall be completed in typewritten form by the outgoing Secretary/Treasurer and furnished to the incoming Secretary/Treasurer. The outgoing Secretary/Treasurer shall be responsible for the preparing of the convention report for the convention at which he/she was Secretary/Treasurer.

(3) The Secretary/Treasurer shall assemble all resolutions and Constitutional Amendments that reach him/her on or before the deadline set by the Executive Board. The Secretary/Treasurer shall furnish a copy of all resolutions and Constitutional Amendments to the Director of News Information/Editor to be sent to all State Local Presidents not less than 15 days prior to Convention.

(4) The Secretary/Treasurer shall prepare the minutes of each convention within sixty (60) days after completion of the convention and the minutes of each Executive Board meeting within thirty (30) days after the completion of the meeting, except that, minutes of the Executive Board meetings held during the State Convention may be prepared with the convention report. The Secretary/Treasurer shall furnish the Editor with a typewritten copy of the convention report and Executive Board Meetings. Upon request, a copy of the reports will be furnished to Local Union Presidents.

(5) The Secretary/Treasurer shall maintain a current list of all member locals, with an up-to-date membership list of each local and members-at-large. The Secretary/Treasurer shall assist in verifying the credentials of each elected delegate from member local and members-at-large prior to the date of the convention. The Secretary/Treasurer shall also be responsible for verifying the credentials of any alternate delegate in attendance at such conventions prior to such alternate delegate being seated in convention with the right to voice and vote. The Secretary/Treasurer shall also maintain a copy of the current Constitutions as they are amended by such local.

(6) The Secretary/Treasurer shall assemble all resolutions adopted by the delegates in convention and submit to the National Office as directed; and shall submit all amendments to the State Constitution to the National Organization as prescribed under Article XI, Section 6 (b), of the Constitution

and By-Laws of the American Postal Workers Union, AFL-CIO.

(7) The amending of the TPWU Constitution and By-Laws, along with the printing and distribution of the amended Constitution and By-Laws, shall be included in the duties of the Secretary/Treasurer of the TPWU, and further that the amended copies will be available and posted on the TPWU Official website, no later than sixty (60) days from the adjournment of the State Convention.

(8) The Secretary/Treasurer shall be responsible and account for all assets of the TPWU.

(9) Shall receive all dues and issue receipts thereof.

(10) Keep records showing amounts paid and dates paid to all local and member-at-large.

(11) Prepare issue and make record of all checks.

(12) Issue notices quarterly informing locals and members-at-large when dues come payable; including a notice no later than ninety (90) days prior to the State Convention of any unpaid dues for the prior year. All locals must furnish a copy of the last page of their Dues Check-Off (DCO) for every pay period for which they are paying dues. Any changes in local membership statements will require a copy of DCO reflecting the change.

(13) The Secretary/Treasurer's records shall be **audited every six months** by a three (3) member Audit Board selected, from other than State Officers by the District Vice-Presidents and the results of the audit will be mailed to Local Presidents, no more than fifteen (15) days after the audit is complete. Such audit to take place each April, or upon change of Secretary/Treasurer if the change occurs for any reason other than because of an election. A copy of the report shall be given to the Executive Committee, published in the TPWU newspaper and made available to TPWU convention delegates. Expenses of each Audit Board member shall be limited to not more than three (3) days of leave without pay (LWOP), actual lodging, meals and travel properly receipted and vouchered.

(14) The Secretary/Treasurer shall be responsible for the compilation of records and reports for the Internal Revenue Service or other agencies as required by law and or this constitution. The Secretary/Treasurer shall have authority to seek counsel of an accounting firm, with Executive Committee approval. Should the Secretary/ Treasurer be incapacitated, the Executive Committee shall have the right to make arrangements for an accounting firm to assist with the applicable I.R.S.

reports and other reports required by law or this constitution. The Secretary/Treasurer's records shall be submitted for a financial review and/or audit by an outside accounting firm at the close of each fiscal year (beginning with the year 2006). A report of such audit shall be sent to all Executive Board members and Local Presidents upon request.

(15) The Secretary/Treasurer of the Texas Postal Workers Union shall provide a fully Itemized financial report for the two years interim of the state convention to the Audit Committee and that such report be provided with the Secretary/Treasurer's officers report to the convention body.

(d) Craft Directors

(1) It shall be the duties of the three (3) Craft Directors to attend their respective annual conferences, to advise and assist the District Vice-Presidents, to recruit and organize the non-union postal employees throughout Texas and to perform such other duties as assigned by the President.

(2) It shall further be the duties of the three (3) Craft Directors to assist the President in carrying programs to the general membership. They shall assist the President in the research and education programs of their craft.

(3) A multi-craft seminar of at least two (2) days duration shall be held on odd number years. The TPWU Craft Directors shall coordinate instructions and topics. Selection of the seminar site shall be at the State Convention/State Educational Conference.

(e) Legislative Aide

(1) The Legislative Aide shall assist the President in encouraging Locals to participate in the legislative program of the TPWU.

(2) These duties shall include: Contacting Congressmen, urging their support of postal legislation of interest at the state and national levels, and shall interest himself/herself in any provident endeavor which may further the legislative program.

(3) All expenditures of the Legislative Aide are subject to approval of the President of the TPWU.

(f) The District Vice-Presidents shall assist in filing or shall file, with National authorization grievance contract violations, and such appeals for these members and locals who request this service, and such other duties as

may be required of them. They shall assist in finalizing arrangements for state meetings in their districts. They shall be required to make at least two (2) field trips per year in their district for educational and organization purposes.

(g) The Director of News Information/Website/Editor shall be responsible for public relations for the TPWU.

(1) It shall be his/her responsibility to aid the President and the Executive Board in the preparing of news releases for the news media.

(2) He/She shall also be responsible to publicize the TPWU through our National Union and other labor news sources.

(3) He/She shall serve as chairman of the Publicity Committee at the State Convention. He/She shall be the Editor of the State publication.

(4) He/She shall act under the direct discretion of the Executive Committee and along with the Executive Committee shall determine the method of publication (i.e., letter press, offset, mimeograph, etc.)

(5) The Director of News Information/Website/Editor shall publish four (4) State Publications during the year. Copies of the quarterly State Publication shall be mailed to each member (or which a current mailing list has been provided for all Locals with less than 50 members. Locals having more than 50 members shall notify The Director of News Information/Website/Editor the number of copies to be sent to the Local President for dissemination.

(6) It shall be the duty of The Director of Information/Website/Editor to represent the TPWU as a delegate to the Postal Press Association Convention.

(7) He/She shall print all resolutions for the State Convention in the State publication as received from the State Secretary/Treasurer.

(8) He/She shall print the State Convention report and reports of the Executive Board meetings in the State publication.

(9) He/She shall publish, no less than one hundred and twenty (120) days prior to the State Convention.

(10) He/She shall submit the "Official Convention Call" to the President for his/her approval by April of each convention year. After the President has approved the "Official Convention Call", the Director of News Information/Editor shall print such "Official Convention Call" in the State publication; mailing sufficient number of copies to all State officers and to the President and Secretary of each Local and to each member-at-large to the State at least sixty (6) days prior to the State Convention date.

(11) The State Secretary/Treasurer's report shall be printed in the State

newspaper bi-annually to advise the membership of the financial condition of the TPWU. In the event no report is available to be printed the fact will be reported.

(12) He/She shall be responsible for the creation, and maintenance, of a TPWU Website. This website shall be maintained with updated "Official" information as well as copies of the Constitution and By-Laws. The website shall also have a "Calendar of Events" as well as a list and contact information for all State Officers and Officials. This website shall not supersede any other constitutional requirement.

- (h) General duties of Officers: Any action taken by the TPWU in convention shall be carried out by the officer or officers concerned within sixty (6) days after adoption of the instruction, or a written report must be made by the officers concerned to the Executive Committee, Executive Board and the State Local Presidents upon request, as to the reason for failure to comply with the instructions of the convention.
- (i) Each State Executive Board member shall make a written report of his/her official action to the State Convention. He/She shall compile his/her own report and forward it to the Secretary/Treasurer at least sixty (60) days prior to the Convention date to be eligible for any expense payment or reimbursement for the attendance at the Convention.
- (j) Each Officer will visit his/her Congressman at the Congressman's Texas office at least twice a year.

Section 4

In the event that the Executive Vice-President is not able to ascend to the office of President, the line of succession shall be the Secretary/Treasurer, in that order listed in the event no successor is found in the aforementioned order of officer, the Executive Board will meet and fill the vacancy by majority vote.

Article 8

Expenses of Officers and Other Allowable Expenses

Section 1

1. All representatives of TPWU who are authorized travel expenses shall be reimbursed for actual necessary expenses at the prevailing rate in paying for mileage or actual coach air fare, whichever is less, actual room expense and per diem as established by General Services Administration (GSA). Expenses

will be paid only upon acceptance of properly received vouchers.

Section 2

1. Reimbursement to host local for State Convention/Conference/Multi-Craft Seminar shall be made after receipt of a statement of income and expenses showing a deficit up to \$1500.00.

2. Reimbursement to host locals for mini-seminar of one or two day duration shall be made after receipt of statement of income and expenses showing a deficit of up to \$300.00.

3. The host local of a state convention shall charge no more than \$85.00 for registration fees (late fees not included), unless a valid reason is provided to and approved by the TPWU Executive Committee no later than December 31 of the year preceding the state Convention. The host local of a state Educational Conference shall charge no more than \$55.00 for registration fees (late fees not included), unless a valid reason is provided to and approved by the TPWU Executive Committee no later than December 31 of the year preceding the Educational Conference. The host local of any TPWU sponsored seminar shall charge no more than \$40.00 registration, unless a valid reason is provided to and approved by the TPWU Executive Committee no later than 45 days preceding the date of the seminar.

Section 3

1. (a) The President's salary is Level 6 Step 0 (CSRS NEUTRAL) plus \$9000.00 paid bi-annually. The TPWU shall pay the benefit package usually provided by the USPS. This salary shall increase by the same amount as He/She would accrue in his/her Level as a result of negotiated pay increases.

(b) The President of the TPWU shall be advanced the total hours of annual leave and sick leave that he/she would have earned from the Postal Service. Said leave will be computed annually beginning on the pay period. He/She assumes office in the Election year . In the event of "special circumstances" involving a documented illness exceeding the amount of sick leave earned, a recommendation from the Executive Board, will determine the outcome, and said decision explained to the Membership at the next scheduled TPWU convention. All leave requests by the President will be submitted to the Secretary/Treasurer. The Secretary/Treasurer will record all leave requests, and this information will be part of the annual audit report. Unused annual leave or sick leave may either be carried forward for use in future years or annual leave paid for at the end of the year in which it is earned at the option of the President; provided, however that no individual may under this

provision be paid more than 15 days of unused annual leave in any one year prior to leaving office; and that the President will receive the same benefits as bargaining unit employees as achieved through negotiations. Upon leaving office, He/She shall upon application by the individual or the estate of a deceased individual, be paid for the days of unused annual leave accumulated under this provision, including those accumulated proportionately during the course of the year in which the individual leaves office.

2. (a) The Secretary/Treasurer shall receive a salary of Three Hundred Dollars (\$300.00) per month and shall also be compensated up to eight (8) hours on a weekly basis for performing the duties of the Secretary/Treasurer at his/her appropriate rate of pay in accordance with Article 8, Section 4, (b).

(b) The Executive Vice-President shall receive a salary of One Hundred Dollars (\$100.00) per month.

(c) The Director of News Information/Website/Editor shall receive a salary of **Two Hundred Dollars (\$200.00) per month.**

Section 4

1. (a) The State Secretary/Treasurer shall be allowed to set up his/her office staff prior to the convention time. The expense of his/her staff, if needed, is to be paid by the TPWU.

(b) The President shall be empowered to authorize compensation for retirees at the rate of Level 6 Step 0 and leave without pay (LWOP) on a no-gain, no-loss basis for other officers of the TPWU, provided such leave is used solely for the carrying out of the duties connected with the State organization work and attendance at official functions designed for the betterment of postal workers. The total hours compensation for retirees and LWOP by all officers, including the President, combined shall not exceed **four thousand one hundred sixty-six (4166) hours** in a calendar year, of which six hundred fifty (650) hours are reserved for the constitutionally required duties of the Executive Committee, and two hundred forty (240) hours total, are reserved for the two meetings of the Audit Committee. Any additional compensation for retirees and LWOP hours in excess of 3750, must be approved by the Executive Committee.

(c) The TPWU shall remit on a monthly basis the sum of Two Hundred Fifty Dollars (\$250.00) to its Auxiliary Treasurer, payable to the TPWU Auxiliary Treasury so that the Auxiliary may carry on its work more efficiently.

Article 9

District Concept

Section 1

For the educational and organization endeavors of this Union, the State of Texas shall be divided into ten (10) districts numbered one (I) through ten (10) each with its own Vice President.

Section 2

The Vice-President Districts shall be:

District# 1: SCF's 790, 791, 793, 794.

District# 2: SCF's 797, 798, 799.

District# 3: SCF's 768, 769, 795, 796.

District# 4: SCF's 780, 781, 782, 788.

District# 5: SCF's 760, 761, 762, 763, 764.

District# 6: SCF's 758, 765, 766, 767, 768.

District# 7: SCF's 786, 787, 789, 779.

District# 8: SCF's 783, 784, 785.

District# 9: SCF's 750, 751, 752, 753, 754, 755, 756, 757.

District# 10: SCF's 759, 770, 771, 772, 773, 774, 775, 776, 777.

Section 3

This concept shall operate within the following general procedures:

(a) The Executive Board of the TPWU may conduct at least four (4) meetings and seminars per year on a rotating basis among the State districts.

(1) The President of the TPWU shall be responsible for the conduct and content of the educational part of the program. The President shall act as the moderator at these meetings.

(2) The dates of these meetings shall be scheduled and publicized in advance so that members and officers can make proper arrangements to attend the meetings and programs can be properly planned.

(3) Site and dates of these meetings shall be publicized in the official publication of this union.

(4) The Secretary/Treasurer shall compose, print and distribute to all member locals and member-at-large, a bulletin with the program for each of these meetings. This shall be done approximately thirty (30) days in advance of each meeting date.

(b) Within thirty (30) days following a district meeting of the TPWU, the host local shall submit a statement of income and expenses of the meeting to the

Secretary/Treasurer's office of this Union to obtain reimbursement for any deficit incurred. To receive this monetary assistance, the meeting must be filed with the TPWU President during the preceding calendar quarter and not in conflict with any scheduled meeting in another district.

Section 4

(a) To establish a Training and Education committee to work under the State President, to aid in carrying out the State's mission under the State Constitution.

(b) The chairperson is appointed by the State President.

(c) The Committee is to be composed of five (5) members, with one designee appointed by each Craft Director, and one appointed by the State President.

(d) The Committee is to aid with the mandatory seminars, and with training materials for grievance handling and for representation in complaint proceedings which lie outside the grievance procedure such as EEOC, OWCP, and MSPB.

Article 10

Committees and Quorums

Section 1

The Executive Committee of the TPWU shall constitute the Board of Trustees.

(a) Their several duties shall be to administer all the personal property of the TPWU, and other than the funds of the Secretary/Treasury, with full power to administer the estate of the TPWU, for the sole use, behalf and benefit of the TPWU.

(b) The Executive Committee shall require each officer to submit with his/her Bi-ennial Officer's Report, a certified list of all TPWU property in his/her possession. Any incumbent who is succeeded in that office for any reason shall assign and transfer to his/her successor all TPWU property within a reasonable length of time but in no case more than sixty (60) days. Any officer assuming the duties of a different office shall submit a certified list of TPWU property in his/her possession not later than sixty (60) days after assuming the office. These certified lists, other than for biennial Officers' Report, shall be submitted to the President and Secretary/Treasurer.

(c) The Executive Committee shall supervise all this Council's business not otherwise provided for.

(d) The President may call at his/her discretion, not more than two (2) meetings annually of the Executive Committee in addition to those meetings already provided for. These meetings shall not exceed two (2) days'

duration each. A quorum of the Executive Committee shall be not less than five (5) members.

Section 2

(a) The outgoing and incoming members of the Executive Board shall meet immediately following the conclusion of the convention for the purpose of planning the activities of the Union for the coming year, the transfer of all books, records and equipment, and also any available information or data that might be useful to the new officers. The meeting shall be called by the President.

(b) The Executive Board of the TPWU shall meet one (1) day prior to and in the same location as the Convention/Education Conference. A quorum of the Executive Board shall be not less than fifty percent (50%) of the Board members.

(c) The President or his/her designee of each member local shall be authorized to attend any Executive Board meeting of the TPWU which is duly convened in accordance with this Constitution, and they shall be accorded voting privileges. No reimbursement of Expenses by this Union shall be authorized under this provision.

(d) In addition to the Executive Board members the National Business Agents, and the National Regional Representative assigned to the Texas area shall be notified of the time and place of the Executive Board meeting.

(e) The Executive Board session or a called meeting of the Executive Committee shall have the power to place into effect any necessary measures receiving a majority vote of the members present. The same shall remain in effect only until the next State Convention, at which time, unless the same is ratified by the convention, such amendments or changes so made shall be of no further force or effect.

(f) A special Executive Board meeting may be called by a petition of a majority of the Executive Board members or by the President.

Section 3

(a) At each convention the President shall appoint the following committees to consist of three (3) or more members. The Committees shall be comprised of a representative of each craft.

(1) The Credentials Committee, which shall submit recommendations on the eligibility of the delegates and officers and reports of locals and member-at-large in attendance to the convention with the voting strength of each.

(2) The Constitution Committee, which shall consider all proposed Constitutional Amendments of the constitution.

(3) The Resolutions Committee, which shall consider those resolutions

not involving amendment to the constitution.

(4) The Officers' Report Committee, which shall study carefully all Officers' reports and make recommendations they deem necessary.

(5) The Finance Committee, which shall review all expenditures of the TPWU from the previous year. It shall recommend the budget for the coming year.

(6) A standing committee for the Deaf/Hard of Hearing shall be appointed by the President, with concurrence of a majority of the Executive Board. The committee shall consist of seven (7) members, two (2) of whom shall be hearing and experienced in communicating with the deaf/hard of hearing. A coordinator will be elected by the committee members and will serve as a consultant to the Executive Board. The coordinator will be authorized to attend and participate in the regular Executive Board meetings, and shall attend the Board meeting and the TPWU Convention at State expense. The Deaf/Hard of Hearing Committee, will with the direction of the President, assist deaf/hard of hearing members in filing grievances and assist in State organizing activities. Expenses incurred by members of this committee must be approved in advance by the President. The Deaf/Hard of Hearing Coordinator will serve as a committee member of the host local for all State Conventions to assist them in determining the needs of the Deaf/Hard of Hearing. All expenses will be subject to the approval of the President. The Deaf/Hard of Hearing Coordinator will be an automatic delegate to the National Convention.

(7) The TPWU shall establish the office of Director of Human Relations, under the direction of the Executive Vice-President, to work directly with the National Director of Human Relations in the area of equal opportunity civic programs, OWCP and other related programs. This committee shall consist of a minimum of five (5) members appointed by the President.

(8) An APWU Power Committee shall be established at the State level. The Chairperson of this Committee shall be elected in conjunction with the election of State Officers and the term of office shall coincide with the Officers' term. Nomination of Chair-person of Power shall not exclude the nominee from nomination to other State office. All expenditures are subject to approval of the TPWU President.

(9) The President shall appoint other committees as he/she deems necessary to carry out the work of the convention. No State Officer shall be appointed to serve as chair-person of any convention committee, except the Editor shall be Chairperson of the Convention Publicity Committee.

Section 4

The Audit Board shall conduct audits of all expenditures and financial records of the TPWU, comparing them with the authorized budget, **twice annually** and report results of same, as provided in Article 7, Section 3 (c) 13 of this Constitution.

Article 11

Revenue-Fiscal Year

Section 1

The fiscal year of this Council shall begin January 1 and end December 31.

Section 2

The revenues of this organization shall be derived from a per capita tax of **\$0.80 (as of June 27, 2015)** per member per pay period to be paid upon the paid-up membership of all affiliated local unions and members-at-large (said sum to include subscription to the official organ). Two cents per member, per month of the per capita tax will be deposited in a Contingency Fund. The state per capita tax shall be increased two cent when each negotiated salary increase takes effect. This increase does not apply to any cost-of-living raises which may be incorporated into negotiated base salaries. To be affiliated with the TPWU, locals must pay on at least the following minimum percentage of their paid membership.

Locals up to 300 members - 100 percent of membership
Locals with 301 to 700 members - 70 percent of membership
Locals with 701 to 1200 members - 50 percent of membership
Locals with 1201 to 1800 members - 40 percent of membership
Locals with 1801 to 2500 members - 30 percent of membership
Locals with 2501 to 3300 members - 20 percent of membership
Locals with 3501 or more members - 17 percent of membership

Locals of 301 or more members electing to pay on less than full membership must declare the actual percentage they will use for the next fiscal year by advising the President and Treasurer no later than December 31 of each year. Should a declaration not be made in a timely manner, the percentage used in the previous year will remain in effect. Once a declaration has been made, it may not be raised or lowered, until the next declaration period.

(a) Locals will only pay 25% of their per capita for all PSE paying members.

Section 3

The per capita dues from each local shall be paid every pay period (bi-weekly) to the State Secretary/Treasurer. The check(s) must identify and include the Pay Period(s), and amount of money for the amount of members paying for in the pay period. Locals must provide a copy of the DCO with their bi-weekly check to identify the pay period for the per capita dues they are making payment for

Article 12

Prohibitions

No criticism, reflections, argument or debate touching on any member's creed, color, nationality, sex, or political affiliation shall be allowed at any meeting of the TPWU.

Article 13

Recall of Officers

There shall be no recall provisions in this Constitution and By-Laws. Removal of Officers' is governed by Article 14.

Article 14

Appeals System

(a) Section 1 Provisions of Article 15 of the National Constitution, American Postal Workers Union shall apply in case that charges are levied against an officer or member of the TPWU.

(b) Administrative assistance or advice in the preparation of this appeal shall be provided by the TPWU if so requested by the appellant. The State Secretary/Treasurer shall keep all hearing records for one (1) year.

Section 2

Any member who feels aggrieved in connection with the conduct of the TPWU election shall file his/her grievance with the Election Committee within seventy-two (72) hours after his/her grievance arises. The Election Committee will render a decision within five (5) days. Appeals from decisions of the TPWU Election Committee shall be as described in the National Constitution.

Article 15 Amendments

This Constitution may be amended by a two-thirds (2/3) vote of all delegates present and voting at any State Convention. All amendments must be made in writing and presented to the Secretary/Treasurer. Amendments approved by the convention become effective immediately following adjournment of the convention unless otherwise specified.

Article 16 Awards

Section 1

The TPWU shall present at the State Convention the "Bennett-Stubblefield/Jonell MacKay" Award to the outstanding TPWU member of the year, as selected by the Executive Board.

Section 2

The TPWU shall pay for two (2) plaques to be awarded by the Auxiliary to its members.

Section 3

All "Past-Presidents" of the TPWU shall be given a plaque in appreciation of time, dedication and effort given during the tour (s) of duty.

Section 4

The TPWU shall present at the State Convention the "Tom Davenport/C.D. Williams Memorial Political Activity Award" to the TPWU member selected by the Executive Board who during the last year most promoted and contributed to furthering the political activity and involvement programs of the labor movement.

Section 5

The TPWU shall present at the State Convention the "Jim McDonald Memorial Award" to the TPWU member selected by the Executive Board who during the last year most promoted and contributed to the furthering of education and organization programs of the American Postal Workers Union.

Section 6

The TPWU shall present at the State Convention the "Peter O. Vogel Award" to the TPWU member selected by the Executive Board who during the last year

demonstrated Leadership and Knowledge in the field of representation, contractual language interpretation and implementation.

By-Laws

Article 1 **Order of Business**

Section 1

- (1) Roll Call of Officers
- (2) Report of Committee on Credentials
- (3) Roll Call of Delegates
- (4) Report of Officers
- (5) Report of Finance Committees
- (6) Report of Special Committees
- (7) Report of Standing Convention Committees
- (8) Unfinished Business
- (9) New Business
- (10) Good and Welfare or Round table Talks by Delegates
- (11) Election of Officers
- (12) Naming time and place of next convention
- (13) Adjournment

Section 2

The order of business may be transposed at any time by a majority vote of the delegates in convention present and voting.

Article 2 **Quorum**

Fifty (50) delegates and ten (10) locals shall constitute a quorum, but less than that number shall adjourn to meet at a future date.

Article 3 **Rules of Order**

Section 1

In the absence of other authority the deliberations of this council shall be governed by Robert's Rules of Order. (A parliamentarian appointed by the TPWU President) be present on the podium during the business hours of the TPWU Convention.

Section 2

Any delegate may be called to order while speaking and shall cease speaking until the question of order has been decided.

Section 3

The rules of Convention as passed at the 1993 TPWU Convention are hereby made a part of the TPWU Constitution and By-Laws, to be reviewed on a biennially basis at convention to determine if changes would be beneficial.

- 1.** In the absence of a special motion, the Convention shall be called to order at 10:00 am and remain in session until 4:00 pm.
- 2.** All resolutions shall bear the name of the introducer and/or the name of the Local
- 3.** No resolution or constitutional amendment shall be receivable after the open of business on Friday unless so ordered by two-thirds (2/3) vote of the convention.
- 4.** No resolution or motion shall be voted upon until the mover or introducer has had a chance to speak on same.
- 5.** Speeches shall be limited to three (3) minutes and no delegate shall be permitted to relinquish his/her time except to yield for a question or clarification, such relinquished time shall not be charged against the delegates' allotted three (3) minutes. Relinquished time shall be determined by the chair.
- 6.** It shall require sixty (60) delegates to second a motion for roll call vote and a majority of all delegates present and voting to adopt a motion for a roll call vote.
- 7.** When a roll call vote has been taken and all delegates have had an opportunity to record their vote, the ballot shall be declared closed. There shall be no adjournment until the result has been announced.
- 8.** The report of committees shall be subject to amendment and substitution from the floor of the convention, the same as other motions and resolutions. A committee recommendation shall be a motion to adopt.
- 9.** Nominating speakers shall be allowed three (3) minutes. Seconding speeches presidential nominations shall be limited to one speck of three (3) minutes. There will be no seconding for other officers.

- 10.** Each local bidding for future conventions will be allowed up to fifteen (15) minutes to present the invitation.
- 11.** Visitors shall be required to sit separate from the delegates at the convention. Visiting State Presidents or their designees shall be invited to sit at the rostrum. All hearing impaired visitors shall be allowed to be seated with the hearing impaired delegates.
- 12.** The nomination of officers, convention city, and delegates to the AFL-CIO State Convention, and/or National Convention shall take precedence over any other business at the afternoon session on Friday, and the election of same shall be the first order of business Saturday morning.
- 13.** A motion shall not be open for discussion until it has been seconded and stated by the Chair.
- 14.** Any local may call a ten (10) minutes recess to caucus with its Local delegates but will not be permitted to leave the floor. The Chair will time the caucus and advise the delegates when the time limit is reached.
- 15.** A motion to lay on the table without time limit shall not be debatable except by the maker of the original motion and the maker of the motion to, lay on the table.
- 16.** If two (2) or more delegates rise to speak at the same time, the Chair shall decide who is entitled to the floor. The microphones shall be numbered and recognized from the microphone.
- 17.** No delegate shall interrupt a delegate who is speaking except to call for a point of order.
- 18.** Delegates that are in committee meetings may be instructed to return to the convention floor. A request of a majority of the delegates shall be the deciding factor as to whether committee members shall be recalled.
- 19.** Commercially printed literature distributed in the convention hall must bear the Union label.
- 20.** No alcoholic beverages shall be allowed on the convention floor.
- 21.** Upon a motion to adjourn which is not debatable, the Chair shall inform the convention delegates of any scheduled business remaining to be conducted.

22. A resolution submitted from the floor must be submitted in writing to the Chair and a copy to the Secretary/Treasurer.

23. No non-delegate may speak on a motion which is before the body, unless an invitation to do so is approved by the body and if approved, shall be limited to the same time as a delegate. Such invitation shall be a majority vote of the delegates present and voting.

24. Delegates rising to speak shall state his/her name and Local or origin.

25. No smoking will be allowed on the convention floor.

Article 4 Amendments

Amendments to these By-Laws may be made in the same manner as prescribed for amendment to the Constitution.