



# *Constitution & By-Laws*

Amended as of the Constitutional Convention  
April 17, 2010 - Lansing, Michigan

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## **CONSTITUTION & BY – LAWS**

### **MICHIGAN POSTAL WORKERS UNION, AFL-CIO AS AMENDED MAY 2010**

#### **PREAMBLE**

We believe in true Unionism by and for the Postal Employees of the United States and it's possessions.

We believe that through a strong and democratic trade Union, the best interests of Postal Employees can be achieved.

We believe that our aims and beliefs must, and only be had through one Union for Postal Employees.

We believe in, affiliation with the Michigan State AFL-CIO.

#### **ARTICLE 1. TITLE**

This Union shall be known as the Michigan Postal Workers Union, AFL-CIO.

#### **ARTICLE 2. GOVERNMENT**

It shall be autonomous in Government with the American Postal Workers Union, AFL-CIO, except that it shall not contravene the Constitution of the American Postal Workers Union, AFL-CIO.

#### **ARTICLE 3. OBJECTS**

The objects of the Michigan Postal Workers Union, AFL-CIO shall be to unite all postal employees into one brotherhood for their social and economic advancement, to particularly promote the interests of all postal employees and to aid in building a better Postal Union and, to encourage small locals and members-at-large to unite into Area Locals.

## ARTICLE 4. AFFILIATION

**Section 1.** We believe in affiliation with the American Federation of Labor and Congress of Industrial Organization, as a medium of expression and for moral support, also mutually aiding in the betterment of the standard wage earners.

**Section 2.** This Union shall be affiliated with the Michigan State AFL-CIO.

## ARTICLE 5. MEMBERSHIP

**Section 1.** Any Post Office employee not exercising Supervisory authority is eligible for membership.

**Section 2.** No eligible members shall be denied membership in any Local because of race, color, creed, sex, sexual orientation, nationality, handicap, political affiliation, age or religion.

**Section 3.** There shall be not more than one (1) Local of this Union in any Postal or Federal Installation.

**Section 4.** Honorary membership can only be conferred by a Convention of this Union, providing said member has already been granted honorary membership by his/her Local. Local Honorary membership having been granted, automatic honorary membership shall be granted at every Convention, to all members in good standing who desire to continue their affiliation with this Union, and who have been retired in the year preceding such Convention, and under the same conditions to all surviving dependents of any deceased member in good standing. Such honorary members shall not be eligible to hold office in the Union or act as a delegate to any Convention and may not be counted by Locals in determining their representation for Convention.

**Section 5.** Non-affiliated Locals, including suspended or previously disaffiliated Locals, requesting affiliation, reinstatement, or reaffiliation with the MPWU, shall be required to remit no less than three (3) months back per-capita taxes no later than the last day of February preceding the Convention, and the affiliated or reaffiliated Local's representation at the Convention shall be computed on the basis of the previous twenty four (24) months average paid membership.

## ARTICLE 6. LOCALS AND AREA LOCALS

**Section 1.** Locals and Area Locals shall be fully autonomous in government except that they shall not contravene the Convention as here stated or hereinafter amended.

**Section 2.** The State Union recognizes and encourages, on a voluntary basis, Area Locals within the sectional centers in Michigan. Area Locals shall have such rights and privileges as granted any other Local. The Executive Board actively participates in the development as well as providing education and financial assistance in the formation of Area Locals.

## **ARTICLE 7. TIME OF CONSTITUTIONAL CONVENTION AND ELECTION OF OFFICERS**

**Section 1.** The Michigan Postal Workers Union, AFL-CIO shall convene the same year as the National Convention of the American Postal Workers Union, AFL-CIO, on any Thursday, Friday, and Saturday in April or May. In any week except that which precedes Good Friday, Easter Sunday, Mothers Day, or Memorial Day.

**Section 2.** It shall be the sole responsibility of the State Union to plan and expedite the proceedings of the Convention, including suitable and ample accommodations for delegates. It shall further be the responsibility of the State President to appoint two (2) members of the Michigan Postal Workers Union, AFL-CIO, and the President of the State Convention Committee to work with any Local who represents the Convention location as voted under Article 7, Section 5. The financial responsibility of the State Convention shall be solely that of the Michigan Postal Workers Union, AFL-CIO.

**Section 3.** The Convention shall convene at 9:30 a.m. on the first day and recess at 11:30 a.m., immediately after the committee assignments and reconvene at 3:00 p.m. This time is to be utilized for official use by the committees. The Convention shall remain in session until completed.

**Section 4.** Nominations for, all candidates for Executive Board positions shall be the last order of business, Friday of the Convention. **A member, in good standing not at the Convention, can provide a written nomination for an Executive Board position, which will serve as their acceptance. All written nominations must be received by the MPWU Executive Secretary via US Mail, faxed, or hand delivered, by the close of nominations for the elective office of the MPWU Convention.**

No candidate shall be allowed to run for more than one (1) office. Any nominee must accept or decline a nomination for office, prior to the closing of nominations. Convention Delegates as well as the Convention City shall be the first order of business on Saturday. 10:00 a.m. until 1:00 p.m. shall be reserved exclusively, for the purpose of caucuses.

**Section 5.** The election of Officers will take place at 1:00 p.m. on Saturday of the Convention. A President, Secretary-Treasurer, Executive Secretary, Director of Education, Human Relations/Compensation Director, Legislative Director, Editor, (3) Craft Directors, Area Directors, Veterans Director, Convention Delegates, plus Convention City, will be elected at this time, by secret ballot.

**Section 6.** [A]. The three (3) Craft Directors shall be elected by secret ballot in accordance with Section 5 above, but Craft Directors shall be elected from delegates from their Craft only. [B]. Area Directors shall be elected by secret ballot from delegates, present from their Area only. If a Craft or Area Director is not represented by at least one delegate to the Convention, or if there are no candidates from a specific Craft or Area, for the position of Craft or Area Director, then the President shall appoint a member of that Craft or Area to that position, with the advise and consent of a majority of the Executive Board. [C]. If after three (3) ballots have been cast, a tie exists, a toss of a coin will break the tie.

**Section 7.** All terms of office shall be from the date of the certification by Election Committee, until the conclusions of elections, at the next scheduled MPWU State Convention.

**Section 8.** Any retired member, who is paying full dues to their Local Union, may hold office in this Union. Any retired member who retires from State Office, can at the discretion of the President, be used in an advisory capacity.

## **ARTICLE 8. REFERENDUM ELECTION PROCEEDINGS**

**Section 1.** Referendum elections provided for in Article 16, shall be conducted as follows: The Executive Secretary shall be responsible for mailing referendum election ballots to each member in good standing.

**Section 2.** The member when voting shall indicate their choice by making an appropriate mark opposite the “Yes” or “No” options on the ballot. The member shall then place the ballot into the envelope, and forward it to the Chairperson of the Election Committee at the Post Office Box designated by the President. No other material may be included except official referendum items approved by the Convention, and it shall not contain any means of identification.

**Section 3.** Ballots shall be in the hands of the Election Committee and postmarked no later than thirty (30) days from the date the ballots were mailed to the membership by the Executive Secretary, under the provisions of Article 16 and Article 8, Section 1, above. The Chairperson of the Election Committee shall prepare a tally sheet showing the vote’s cast by the membership. The counting of the ballots must be completed no later than ten (10) days following the deadline for receipt of the marked ballots.

**Section 4.** Locals shall receive ballots for all their membership, but each ballot sent be prorated so as not to exceed the members on which per capita is paid, as per Article 13, Section 1.

**Section 5.** The ballots shall be counted in the presence of three (3) members of the Election Committee. A majority of the votes cast shall be necessary for approval of referendum, except that any proposed Constitutional Amendment voted on in a referendum election shall

require a two-thirds, majority of the votes adoption. After certification of the election results, it shall be the duty of the Executive-Secretary to announce the tabulation of ballots, in the Michigan messenger, or by any means prescribed. In the event of a tie, the referendum issue shall be considered to have failed to obtain a majority of votes cast, and will fail to be adopted. The Chairperson of the Election Committee shall retain the ballots for a period of one (1) year following the election, at which time they shall be destroyed.

## **ARTICLE 9. REPRESENTATION**

**Section 1.** Each Local Union, or Area local affiliated with the MPWU shall be entitled to representation in the State Convention on the following basis: All locals shall receive one delegate for each twenty (20) members or any portion thereof. To be computed on the basis of the previous twenty four (24) month's average paid membership. In addition, no Local may pay more than three (3) months back dues at one time, prior to the State Convention.

**Section 2.** Credit for Locals making per capita payments, shall be given on the basis of the average number of members upon who per capita payments were made in the twenty-four (24) months, from the 1<sup>st</sup> of march to the last day of February, preceding the Convention.

**Section 3.** Providing that any Local whose charter in the APWU has not been in existence for over one (1) year, is entitled to representation at the Convention, on the average amount of per capita tax paid, on their membership, since its admission into the APWU.

**Section 4.** On a roll call vote, or a vote by ballot; each Local shall be entitled to the number of votes equal to the number of delegates to which they are entitled.

**Section 5.** The Convention can, at its pleasure give Members-at-Large in attendance, one (1) vote provided not more than three (3) attend the Convention. If more than three (3) attend, the Chairperson of the Convention, shall appropriate one (1) vote to every three (3) Members-at-Large.

**Section 6.** No Local shall be represented by proxy. A delegate must be a member in good standing of the Local which he/she represents and must not be an employee in any office except one in which his/her Local or Area local has jurisdiction.

**Section 7. All State Officers in attendance to the State Convention shall be automatic delegates by virtue of their office.**

## **ARTICLE 10. OFFICERS**

**Section 1.** Officers of this Union shall consist of the President, Secretary-Treasurer, Executive Secretary, Director of Education, Editor, Human Relations/Compensation Director, Editor, Legislative Director, Three (3) Craft Directors, Area Directors, and Veterans Direc-

tor. Such Officers shall be elected in the manner as described in Article 7, Section 4, 5, and 6.

**Section 2.** The Area Directors shall represent areas as follows: Area 1 (480 & 483), Area 2 (482), Area 3 (481), Area 4 (484-485), Area 5 (486-487), Area 6 (488-489), Area 7 (490-491), Area 8 (492), Area 9 (493-494-495), Area 10 (496), Area 11 (497), Area 12 (498-499).

**Section 3.** The Craft Directors shall represent the following Crafts: Clerks, Maintenance, and Motor Vehicle.

**Section 4.** [A] When any Officer of this Union is promoted to a supervisory position or otherwise becomes ineligible for membership as provided in Article 5, of the American Postal Workers Union, AFL-CIO Constitution, he/she shall automatically be dropped as a member of the Executive Board and the vacancy shall be filled in the manner described here-in-after.

[B] When a vacancy occurs on the Executive Board, the President shall have the power to fill such vacancy, however prior to filling such vacancy, MPWU Local Presidents shall be provided an opportunity to recommend candidates to fill the vacancy prior to the Presidents official appointment.

[C] In the event the office of President is vacated: the Executive Secretary shall immediately call a meeting of the Executive Board and elect a President to fill the unexpired term. Nine (9) Members of the Executive Board shall constitute a quorum for such a meeting. The two-thirds (2/3) majority of those present and voting is necessary for election.

[D] In the event the President is temporary unable to perform the duties of his/her office, **up to one hundred (100) days**, this responsibility and authority shall rest with the senior member of the Executive Board. **Any absence in excess of one hundred (100) days, provisions of Article 10.4.c will apply.** The senior member of the Executive Board shall be determined by continuous time spent on the Board as an elected member of the Board. When two or more members have the same seniority, total continuous service with the USPS shall govern.

**Section 5.** The Finance Committee shall consist of five (5) members with no more than two (2) new members being appointed at one time, if possible, to maintain the consistency of the committee will be composed of members from five (5) different Locals, excluding State Officers. The Finance Committee shall conduct a line-by-line audit of all the financial records, books, and accounts of the Michigan Postal Workers Union, AFL-CIO, and its Officers annually at the biennial State MPWU Convention, and at the biennial Education Convention, for the previous year. An audit will be made for all funds and accounts.

**Section 6.** The Executive Board of the MPWU shall consist of the following officers; President, Secretary-Treasurer, Executive Secretary, Director of Education, Legislative Director,



Human relations/Compensation Director, Editor, three (3) Craft Directors, the Area Directors, and the Veterans Director.

**Section 7.** The Executive Board shall ex officio, constitute the Board of Trustees of the MPWU. The duties of the Executive Board shall be to administer the personal property of the MPWU with full power to administer the estates of the Michigan Postal Workers Union, AFL-CIO. The Executive Board shall oversee all activities of this Union not otherwise provided for, and act in all emergencies. In the event it is necessary for the Executive Board to act on the issues other than those covered in the two meetings authorized in Section 11, of this Article, such shall be taken by means of a telephone call.

**Section 8.** The Advisory Board of the MPWU will consist of representatives of any member Local Union. Advisory Board members shall be notified of Executive Board meetings, by the Executive-Secretary, and shall have the right to participate in debate and advise the Executive Board. However, no member of the Advisory Board shall have the right to vote in Executive Board proceedings. The expense of attendance by representatives of member Locals shall be borne by the Local Union, or Area Locals, or by the representative, but shall not be borne by the MPWU. This also includes a member of the Michigan POWER. Such representative shall be chosen by majority vote of the POWER members present at a caucus to be held at the conclusion of the MPWU Biennial Convention. The POWER representative must be a member of the MPWU and only the members of the MPWU can vote for the POWER representative.

**Section 9.** The Union shall defray lost time and all necessary expenses of its officers while on Union business, except when attending Conventions, as Official Delegates. Lost time will be paid to a State Delegate only when the Convention so designates. The MPWU shall authorize a compensation to be given to APWU retired members working as MPWU Officers. This compensation will be fifty percent (50%)<sup>1/2</sup> of the Officers Postal Service salary at the time of retirement. This compensation will not exceed eight (8) hours per day. [A] The MPWU will provide for reimbursement of Sick Leave and Annual Leave for all State Officers who accrue in excess of 80 hours of LWOP due to what is defined as MPWU Union time. This will be paid in increments of each 80 hours that has been lost.

**Section 10.** Each State officer shall have not more than one (1) vote at Conventions and meeting of the Michigan Postal Workers Union, AFL-CIO.

**Section 11.** MPWU Executive Board meetings will be held at the time of the State Convention and the MPWU Educational Convention, and at any other time the President or majority of the Executive Board feeling there is a need for such meeting. Issues and finances will determine any Executive Board meeting held excluding the two Conventions.

**Section 12.** The Executive Board minutes shall be transmitted to all member Locals no later than seven (7) days after the conclusion of each Executive Board Meeting.

## ARTICLE 11. DUTIES OF OFFICERS

**Section 1.** President: It shall be the duty of the President to preside at all Conventions and meetings of the Executive Board. **The President shall submit to the Editor an article for publication in the Michigan Messenger six (6) times a year.** The President shall be a member of all Committees. The President shall appoint necessary Committees at each Convention. The President shall fill all vacancies, for any cause whatsoever, until such vacancy is filled by an election. The President shall have as one of his/her primary responsibilities of organizing and administering the MPWU Legislative program. The President shall be the Chairman of the Organizing Committee. The President shall submit to each convention a written report of the President's official acts during his/her term of office. The President shall sign all orders of the Secretary-Treasurer and shall approve no more than five (5) days, per month per person of lost time. When the President approves actual lost time in excess of five (5) days, a full explanation of its use shall be made at the following Executive Board meetings. The President shall have jurisdiction over the functions of the Officers of this Union. The President shall retain a master set of this Constitution and these By-Laws, show the latest amendments and have the same available to all Conventions and meetings of the Executive Board.

**It shall be the duty of the President to appoint four local Presidents or designee, not on the Executive Board, with one of them being the Secretary-Treasurer to a Budget Committee. This committee shall meet no later than the second week in March. The sole purpose for this committee shall be to create a budget recommendation to be presented to the Executive Board for modification if necessary and approval.**

The salary of the President shall be \$2,300.00 (Twenty Three Hundred Dollars) annually.

**Section 2.** Secretary-Treasurer: The Secretary-Treasurer shall be the financial officer of this Union, and shall receive and deposit all monies received from any source in the name of the MPWU, AFL-CIO, in a bank under supervision of the Federal Deposit Insurance Company. The Secretary-Treasurer shall send the monthly financial statements, including income, expenses and dollar amount to the local presidents belonging to the state organization on a quarterly basis. The Secretary-Treasurer shall submit a written report to the Convention delegates, of all monies received and disbursed and the Secretary-Treasurer shall be the custodian of the official seal of this Union. The Secretary-Treasurer shall issue the Convention Call, at least, thirty (30) days prior to such meeting. The Secretary-Treasurer shall distribute and collect credentials of the delegates. The Secretary-Treasurer shall keep a record in a ledger provided for that purpose, the dues payment of each Local Union and names and addresses of each member-at-large making payments.

The Secretary-Treasurer shall issue identification cards to all officers and members assigned to organizational work and approved by the Executive Board. The Secretary-Treasurer shall purchase the necessary letterheads and envelopes for use by this Union from a Union

printer. The Secretary-Treasurer shall submit the books of the Union to the financial committee at the end of each fiscal year for an audit and shall turn them over to his/her successor all books, records of his/her office, not later than twenty (20) days following the installation of his/her successor. The books must be audited within this stated period.

**The Secretary-Treasurer shall be a member of the budget committee and provide all necessary documentation so that this committee can create the most accurate budget possible.**

**The Secretary-Treasurer shall issue a letter each year on September 1<sup>st</sup>, and February 1<sup>st</sup>, to all local Presidents of the MPWU stating at least these words, “In order to operate the MPWU in a sound fiscal manner the Secretary-Treasurer of the MPWU is required to be informed prior to March 1<sup>st</sup>, if your local chooses to remit per capita tax on less than its full membership. Locals wishing to remit per capita tax on less than its full membership for the fiscal year must send that information to the Secretary-Treasurer of the MPWU no later than March 1<sup>st</sup>.**

The salary of the Secretary-Treasurer shall be \$1,600.00 (Sixteen Hundred Dollars) annually.

**Section 3.** Executive Secretary: The Executive Secretary shall keep a complete record of all proceedings of the Michigan Postal Workers Union, AFL-CIO, including Convention and meetings of the Executive Board, in a uniform minute book provided for that purpose and shall furnish a copy of such records and proceedings to the President within sixty (60) days thereof. Convention proceedings shall include all written reports of officers, and committees, the complete list of all delegates, Officers, and distinguished visitors in attendance. **If the record of the MPWU Convention indicates a change to the MPWU Constitution, the Executive Secretary shall create and present to the MPWU President a proposed Amended Constitution and the Convention record within 60 days of the MPWU Constitutional Convention.** The Executive Secretary shall be responsible for assisting the President in implementing the Legislative aims and aspirations of the MPWU. The Executive Secretary shall have charge of all matters pertaining to the office generally not detailed to others, and perform such duties as may be requested by the Executive Board.

The Executive Secretary shall provide copies of all Constitutional Resolutions to the Constitutional Committee Members, two (2) weeks prior to the State Convention.

The salary of the Executive Secretary shall be \$1,100.00 (Eleven Hundred Dollars) annually.

**Section 4.** Director of Education: The Director of Education shall plan and conduct a comprehensive program of Labor Education for Local members, members-at-large, and officers. The Director of Education shall coordinate Michigan Postal Workers Union, AFL-CIO training activities with those of the National Office, Educational Institutes, and other Labor

Unions. The Director of Education shall plan, as a minimum, two (2) official Area Meetings shall be held in the State Constitution Convention year and one (1) official meeting held in the Educational Conference year (s). The area meetings will be rotated with three (3) areas to be determined numerically 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12. These Area meetings shall center on specific subject areas of interest and concern including legislation and stewards. Where there is a registration fee charged for Educational Conventions and/or Area District Meetings, APWU members belonging to the host local shall be charged 40% of the registration fee, provided they pre-register and only attend classes.

**The Illinois Postal Workers Union shall be invited to at least two (2) of these assemblies per year by mail.** At least one of these educational meetings shall deal with human relations related issues.

The salary of the Director of Education shall be \$800.00 (Eight Hundred Dollars) annually.

**Section 5.** Editor: The Editor shall edit and publish the official paper of this Union, The Michigan Messenger, six (6) times each year. **The Editor shall publish the deadline for submission of articles for any issue of the Michigan Messenger in that same issue of the Michigan Messenger. The Editor will ensure any issue of the Michigan Messenger will be sent to the publisher no later than 5 days after the deadline for submission of articles for that same issue of the Michigan Messenger.** As directed by the President, the Editor shall regularly issue information bulletins to Locals, Area Locals and Members-at-Large on current developments in the Postal Service and within the Union. The Editor shall develop and maintain the Michigan Postal Workers Union, AFL-CIO emergency communication network. The Editor will encourage MPWU affiliated locals and their editor to join and belong to the National Postal Press Association and the Michigan Labor Press. The Editor will also be responsible to ensure that a meeting will take place of the editors/designee in attendance at the State Educational and Constitutional Conventions to discuss items relevant to the issues of the period. The Editor shall also maintain any address files necessary to cover all those, not members of this Union, who have been authorized to receive the Michigan Messenger.

The salary of the Editor shall be \$800.00 (Eight Hundred Dollars) annually.

**Section 6.** Area Directors: Area Directors shall be responsible for grievances, organizational work and membership in their respective Areas. Area Directors are to be elected from established Areas, as outlined in Article 10, Section 2. [A] It shall be the responsibility of the Director of Education to coordinate Area Assemblies in conjunction with Area Directors as to program content and dates of assembles. As a minimum, two (2) official Area Meeting shall be held in the State Constitution Convention year and one (1) official Area Meeting shall be held in the Educational Conference year (s). The area meetings will be rotated with three (3) areas to be determined numerically 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, and 12. At least 3 Area Directors shall coordinate such meetings. Plans for the Area Assemblies will be pub-

lished in the Michigan Messenger, with dates, places and proposed programs. At least 4 weeks prior to their respective assembly, the usual publicity will be sent out to all Locals.

[B] Area Directors may appoint, as necessary, with the approval of the President, an Assistant Area Director, to assist in the functions of the Area Director's office, and to be compensated at the same rate as other officers.

[C] Area Directors are responsible for reporting to their respective Areas, developments that concern them in other parts of the State. Area Directors are also responsible for representing the views and concerns of its respective Locals to the State. The duties of the Area Directors are to represent the MAL's in their Area and equally represent their Local and Area to the State. The Area Directors duties are also to act as a liaison between the Area membership and the State President.

[D] The Area Directors shall be compensated for lost time and expenses in the same manner as other Officers.

[E] Area Directors are responsible for ensuring that all the MAL's and small offices, (with less than 20 employees) in their Areas, are provided with the information necessary to contact their Area Director, and the MPWU Officers. In addition, Area Directors shall be responsible for making contact by any means to each MAL and small office, (those not in Area Locals, and those with less than twenty (20) employees, each calendar year.) If no contact is possible, the Area Directors shall report promptly, such inability to make to the MPWU Executive Secretary. Area Directors shall also be responsible for visiting as many small offices within their Area as possible: during the calendar year, and shall report all such visits, in their convention reports. Failure to furnish contact and small office visit information in the Convention reports, shall result in denial of payment of Convention expenses for Area Directors involved.

**[F] The Area Directors will submit for publication in the Michigan Messenger two (2) articles per year pertaining to the issues and concerns in the area that they represent.**

**Section 7. Craft Directors:** The Craft Directors shall be responsible for organization, grievances, and dealing with the problems of the membership pertaining to their Craft. Craft Directors shall be elected from the Delegates within their Craft in accordance with Article 7, Section 6, above. Craft Directors shall be encouraged to work with all Area Directors; Craft Directors shall assist the President in developing, organizing, and administering the legislative program, of the Michigan Postal Workers Union, AFL-CIO. Craft Directors shall be compensated for lost time and expenses in the same manner as other elected Officers.

Each Craft Director will be authorized to attend their yearly national Craft Conferences, at necessary expenses and lost time, as appropriate. Each Craft Director that attends a Craft

Conference will be required to submit a written report to the State Editor, for publication in the MPWU State paper.

**Section 8.** Human Relations Injury Compensation Director: The State Director of Human Relations/Compensation shall work closely with the National APWU Human Relations Department. The Human Relations/Compensation Director shall be compensated for lost time and expenses in the same manner as the other elected Officers, including convention attendance.

The salary of the Human Relations Injury Compensation Director shall be \$1,000.00 (One Thousand Dollars) annually.

**Section 9.** Legislative Director: The Legislative Director shall keep the membership informed as to the legislation that will affect Postal Workers job security, wages, and retirement. He/she will also report this information to the MPWU membership six (6) times a year, unless relieved by the President, by submitting an article to the Editor of the Michigan Messenger.

The salary of the Legislative Director shall be \$800.00 (Eight Hundred Dollars) annually.

**Section 10.** Veterans Director: The Veterans Director must be or have been a member of a branch of the United States Military or their respective Reserves. He/she will work in tandem with the MPWU Education Director to create, develop, and present suitable training and materials to help Union members and their families obtain access to all benefit programs for Veterans. He/she will be compensated for lost time and expenses in the same manner as other elected Officers, including Convention attendance. He/she whom attends a Craft Conference will be required to submit a written report to the State Editor, for publication in the MPWU State paper.

**Section 11.** All Officers of the MPWU, AFL-CIO will give a written report of their activities, to be printed and distributed to all delegates to the State Convention. All reports will be included in the Convention Officers Reports to the Convention Delegates, at the time of registration. These reports are to be given to the Executive Secretary thirty (30) days prior to the opening day of the Convention. Failure to comply with this provision will result in the Officer not having his/her Convention expenses paid unless excused by the Executive Board. Written notices will be sent by the Executive Secretary, reminding all Officers of their compliance with the provisions of Article 11, Section 8.

**Section 12.** All Officers shall turn over all records, supplies, and equipment to his/her successor within twenty (20) days of the certification of the election results.

**Section 13.** The Michigan Postal Workers Union, AFL-CIO shall establish a Human Relations Committee, consisting of the Human Relations Director and two (2) Area Directors as appointed by the Michigan Postal Workers Union, AFL-CIO President. This Committee

shall coordinate resources available in their various areas and act as clearinghouse for this information. The Human Relations Committee shall meet not more than twice a year, to consolidate their information, report on the resources they have discovered and announce a Human Relations Program for the Michigan Postal Workers Union, AFL-CIO. These reports shall be published in the MPWU State Paper.

**Section 14.** [A] The MPWU State Retiree Chapter, a subordinate body to the Michigan Postal Workers Union, AFL-CIO, shall serve as a continuing link to the active State Union and Labor movement for APWU/MPWU retirees to provide retired members the opportunity to participate in social, legislative, political, and educational activities, to serve the needs of retired members and their survivors, and to support and direct the efforts and organizing of Michigan APWU Local Retiree Chapters.

[B] The Michigan Postal Workers Union, AFL-CIO, shall support and assist the MPWU State Retiree Chapter in carrying out its objectives to provide retired members a strong, continuing voice in this Union and Labor movement, subject to the requirement of the MPWU Constitution and By-Laws.

**Section 15.** All officers, Area Directors, Committee Appointees or any other member receiving advances from the MPWU, shall be responsible for receipting all expenses on advances within each quarter or it shall be considered income and will be taxed accordingly.

## **ARTICLE 12. FISCAL YEAR**

The fiscal year of this Union shall end on March 31.

## **ARTICLE 13. REVENUES**

**Section 1.** The revenues of this Union shall be derived as follows: All Locals and Area Locals \$1.00 per member, per month, with no per capita cap. Locals or Area Locals choosing to remit per capita tax on less than their full membership may do so by advising the MPWU, Secretary-Treasurer, in writing, the number of members they will be paying on, and their proportionate representation will be reflected by the amount of per capita taxes per Article 9, Section 1.

**Section 2.** Each Local belonging to the MPWU shall receive one copy per member of the Michigan Messenger, providing that the Local pays on full membership and furnishes an updated mailing list of their membership to the MPWU State Editor, or to the local dependent upon the number of paid members from their respective locals.

**Section 3.** Per Capita tax shall be paid to the Michigan State AFL-CIO on a formula to be determined by the MPWU Executive Board.

**Section 4.** Locals shall make per capita tax payments on a monthly basis and shall notify the Secretary-Treasurer, as monthly payments are made, the names, addresses, and crafts of

new members, as well as those who have become delinquent, resigning from the service, or have been dropped from the rolls for any reason.

**Section 5.** The Executive Board may access in a current fiscal year, assessments not to exceed 10% (Ten Percent) of the previous year's per capita tax collected as reported in the Secretary-Treasurer's Convention Report. All assessments must be levied on a per month per member basis. No assessments may be levied prior to ninety (90) days after the start of the fiscal year. Any assessment levied by the MPWU Executive Board must be approved by 75% of the total membership of the Executive Board.

**Section 6.** The Michigan Postal Workers Union, AFL-CIO can, in cases of absolute emergency, borrow temporary funds, to operate this Union. In no case, shall funds be borrowed except by a two thirds (2/3) vote of the Executive Board on a written ballot, or a roll call vote, which shall show the need for the loan. Such ballots to become a part of the report of Officers, at the following Convention.

**Section 7.** Any Local affiliated with the Michigan Postal Workers Union, AFL-CIO which fails to pay per capita tax on any assessments on or before the last day of the current month, within ninety (90) days, shall be declared suspended, The Executive Board may extend for a period not to exceed ninety (90) days, this limitation of assessments only. The same is applicable to the Members-at-Large.

#### **ARTICLE 14. PROHIBITED**

No criticism, reflections, arguments, or debates touching on any members race, color, creed, craft, sex, sexual orientation, national origin, handicap, political affiliation, or age, or religion, shall be permitted at any State Meeting, of this Union, nor published in the Michigan Messenger.

#### **ARTICLE 15. DELEGATES TO CONVENTIONS**

**Section 1.** The President of the Michigan Postal Workers Union, AFL-CIO, by virtue of his/her office, shall be one delegate to the National Convention of the American Postal Workers Union, AFL-CIO, and to the Michigan State AFL-CIO Convention.

**Section 2.** The Legislative Director of the MPWU by virtue of his or her office shall be one delegate to the Michigan State AFL-CIO Convention.

#### **ARTICLE 16. REFERENDUM**

**Section 1.** Any local of this Union, in good standing, desiring an expression of the entire membership upon any questions, resolution or amendment, which may have been passed or rejected by a Convention of this Union, may invoke the referendum by circulating a



referendum petition, and obtaining the endorsement of a majority of the membership, ten (10) other Locals representing five (5) percent of the total State Union membership. Such a majority to be obtained by referendum vote or written petition signed by a majority of ten (10) other Locals.

**Section 2.** The petition, after certification by the Executive Board, shall be submitted to the entire membership within forty-five (45) days.

## **ARTICLE 17. RECALL**

If any officer is subject to disciplinary action, it will be in accordance with Article 15 of the APWU National Constitution.

## **ARTICLE 18. AMENDMENTS**

**Section 1.** This Constitution shall not be amended except by two-thirds (2/3) vote, of delegates present and voting at any State Constitutional Convention or by a referendum vote of the whole membership.

**Section 2.** Proposed amendments must be submitted, in writing, signed by the President and Secretary of the Local submitting same, and/or by any delegate in attendance at the Convention.

**Section 3.** All amendments or additions to this Constitution and By-Laws, shall take immediate effect upon passage by the Convention, unless otherwise stated in the resolution or the motion

## **BY-LAWS**

### **ARTICLE 1. ORDER OF BUSINESS**

1. Pledge of Allegiance
2. Roll Call of Officers
3. Reading of minutes
4. Reports of Officers
5. Appointment of Committees
6. Reports of Committees
7. Unfinished Business
8. New Business
9. Election of Officers
10. Naming of place of next Convention

## **ARTICLE 2. QUORUM**

Fifty, (50) delegates shall constitute a quorum, but less than that number may adjourn to meet at a future specified time.

## **ARTICLE 3. RULES OF ORDER**

In the absence of other authority, Robert's Rules of Order shall govern the deliberations of this Union.

## **ARTICLE 4. AMENDMENTS**

These By-Laws may be amended by a majority vote of the Delegates present at any Convention.

## **ARTICLE 5**

### **CONVENTION RULES**

1. If a Delegate, while speaking, is called to order, he/she shall at the request of the chair, take his/her seat until the question or order is decided.
2. If two or more Delegates rise to speak, at the same time, the chair shall decide who is entitled to the floor.
3. No Delegate shall interrupt another in remarks except to call a point of order, or request information
4. A Delegate shall not speak more than twice upon the same question unless by a vote of 2/3 majority of the Convention body he shall again be granted the privilege of the floor.
5. Speeches shall be limited to three (3) minutes unless otherwise ordered by a 2/3 vote of the Convention body.
6. A motion from the floor shall not be open for discussion until it has been seconded and stated by the chair.
7. When the question is pending on the floor of the Convention, no motion shall be in order except to table, refer to the previous question, to postpone to a certain time, to divide or amend, which motion shall have precedence in order stated.
8. A motion to table shall not be debated.
9. Debate on a question of appeal from the decision of the chair shall be limited to the appellant and the chair.
10. A motion to reconsider shall not be entertained unless made by a Delegate who voted in the majority. It shall require a majority vote to reconsider.
11. Reports of Committees shall be subject to amendments and substitutions, from the floor of the Convention.

12. It shall require at least one (1) delegate from five (5) Locals to move the previous question.
13. All resolutions shall be submitted in triplicate. Resolutions shall bear the signature of the introducer and city shall be shown.  
If submitted by a Local, the resolution shall be signed by the President and Secretary and include the name of the Local.
14. No resolution shall be received after close of business on Friday, unless otherwise ordered by a 2/3 vote of the Convention.
15. No motion or resolution shall be voted on until the maker or introducer has had the opportunity to speak upon it, if he/she so desires.
16. A motion for a roll call vote must be supported by at least a total of ten (10) Delegates from five (5) Locals. When a roll call is called for, there will be no adjournment until it is completed.
17. The President shall appoint all Committees and notice shall be posted not later than 8:00 a.m. of the first day of the Convention. The president will appoint the Chairperson. The Committees shall be prepared to make reports to the Convention as soon as possible, but no later than the beginning of the second day, extension of time will be at the option of the President. All Committees shall meet no later than at the close of business on Thursday with their respective Chairperson.
18. The Parliamentarian shall be appointed by the chair as the first order of business, at the opening of the first business session.
19. The recommendation of the Committee shall in itself be a proper motion and require no second from the floor.
20. Nominating speeches shall be limited to three (3) minutes and only one (1) second will be required.
21. All Candidates names for State Office, including incumbent candidates, shall appear on the ballot in the order by which they are drawn by the Election Committee.
22. The Election Committee shall determine the validity of all ballots.
23. The Election Committee shall be allowed to release election results to the news media in time to meet their deadline. The Election Committee report shall be the last order of business prior to adjournment Saturday afternoon.
24. All guests shall be seated in the guest's area, except during elections, when only delegates shall be allowed on the floor.
25. Delegates, upon being recognized, shall identify themselves as to name and Local.
26. Adoption of these rules shall not prevent the adoption of additional rules necessary during the course of the Convention.
27. The Chairperson must rotate the microphones first #1, and then #2, and additional microphones as provided in numerical order.
28. Smoking is not prohibited on the Convention floor. The designated areas for smoking will be at the far end of the Convention floor, to the right of the last seating section. Also, there will be an area to the right of the podium, in the front section.

This constitution has been updated via the 2010 Constitution Convention held in Lansing, Michigan, April 15—17, 2010. Additionally, the following officers reflect the Executive Board of the Michigan Postal Workers Union for the period of 2010 - 2012.

|                                                   |                  |
|---------------------------------------------------|------------------|
| President.....                                    | John Marcotte    |
| Executive Secretary.....                          | Harold Juhl      |
| Secretary-Treasurer.....                          | Darren Joyce     |
| Editor.....                                       | Michael Long     |
| Director of Education.....                        | Michael McCain   |
| Legislative Director.....                         | Paul Felton      |
| Human Relations/Injury Compensation Director..... | Jennifer Amos    |
| Veterans Director.....                            | John Smeekens    |
| Clerk Craft Director.....                         | Richard Blake    |
| Maintenance Craft Director.....                   | Jason Rushing    |
| Motor Vehicle Craft Director.....                 | Joseph Wrobel    |
| Area 1 Director.....                              | Larry Moyer      |
| Area 2 Director.....                              | James Stevenson  |
| Area 3 Director.....                              | Robin Ely        |
| Area 4 Director.....                              | Laura Bullock    |
| Area 5 Director.....                              | Joanna Atkinson  |
| Area 6 Director.....                              | Mary Stephenson  |
| Area 7 Director.....                              | Randy Barnes     |
| Area 8 Director.....                              | Theresa Cowan    |
| Area 9 Director.....                              | Jack Fryling     |
| Area 10 Director.....                             | Debora Holmes    |
| Area 11 Director.....                             | Richard Lemorie  |
| Area 12 Director.....                             | Michelle Yuhasey |

**Chapter Presidents and Appointees**

|                                  |                |
|----------------------------------|----------------|
| Retiree’s Chapter President..... | Al LaBrecque   |
| Auxiliary Chapter President..... | Kelly Wilinski |
| POWER Representative.....        | Karen Hodges   |
| MPWU Historian.....              | Debbie Brand   |