

CONSTITUTION  
FOR  
CLERICAL ADMINISTRATIVE EMPLOYEES, NEW YORK, NEW YORK  
LOCAL 1549

ARTICLE I  
NAME

The name of this organization shall be the Clerical Administrative Employees, New York, New York Local Number 1549 of the American Federation of State, County and Municipal Employees, AFL-CIO.

ARTICLE II  
AFFILIATIONS

This local shall be affiliated with the New York City District Council 37, of the American Federation of State, County and Municipal Employees; New York State AFL-CIO; and the New York City Central Labor Council, AFL-CIO.

ARTICLE III  
OBJECTIVES

- a. To unite the AFSCME Clerical and Administrative Employees and Related Titles Employees under the jurisdiction stated in the Charter of Local 1549; the New York City, Public, Semi-Public, Quasi-Public and wholly or partially tax supported or tax exempt agencies, institutions and authorities for mutual protection, support and welfare;
- b. To promote and extend the organization of such employees into one city-wide local with a chapter in each of the departments and agencies mentioned in Article III, Paragraph a.;
- c. To establish and maintain fair and adequate wages, hours and working conditions for such members;
- d. To draw up and campaign for legislative programs on behalf of the membership; and to represent it before legislative bodies;
- e. To campaign for and win the fullest measure of collective bargaining for the local and the affiliated chapters;
- f. To promote and foster better understanding by the public of our members' problems;
- g. To support the general labor movement and worthy civil causes.

#### ARTICLE IV MEMBERSHIP AND DUES

Section 1. All clerical and administrative employees in the Agencies of New York City set out in detail in letter of 9/1/64 are eligible for membership in Local 1549, subject to the requirements of the constitution of the International Union.

Section 2. Application for membership shall be made on a standard application form. Unless such form includes a valid authorization for payroll deduction of dues, the application shall be accompanied by the current month's dues.

Section 3. The membership dues of the local shall be \$27.00 per member, per pay period, bi-weekly, effectively January 1, 2006. The bi-weekly dues shall remain in effect without increase until January 1, 2009. Any other interim dues increase imposed by AFSCME or District Council 37 until January 1, 2009 shall be absorbed by Local 1549.

Section 4. Membership dues shall be payable monthly in advance to the local Treasurer and in any event shall be paid not later than the 15th day of the month in which they become due. If paid after the 15th day of the month, the member shall be considered delinquent, and upon failure to pay dues for two (2) successive months shall stand suspended. Any person who is paying his/her dues through a system of regular payroll deduction so long as he/she continues, shall be considered in good standing.

Section 5. A member suspended under the above section may be reinstated to membership in the local upon payment of all arrearages or upon payment of reinstatement fee not to exceed \$25.00, plus the current month's dues.

#### ARTICLE V MEETINGS

Section 1. A special membership meeting may be called by the local president, local Executive Board or by a petition filed with the President and signed by 10% of the membership of the local. The petition shall name the time, place and reason for the meeting which shall be no sooner than seven (7) days subsequent to the date of such filing. The President is authorized to call a special membership meeting providing a minimum of five (5) days' notice be given to members, by mailed letter or 1549 mailed leaflet.

Section 2. Special meetings may also be called by the International President or his/her authorized representative.

Section 3. A quorum for the transaction of business at a general membership meeting shall consist of not less than one hundred and fifty (150) members.

#### ARTICLE VI OFFICERS, NOMINATIONS AND ELECTIONS

Section 1. The officers of Local 1549 shall be: President, Executive Vice-President, Second Vice-President, Third Vice-President, Secretary-Treasurer, Recording Secretary, and Sergeant-At-Arms (4). In addition, there shall be elected five (5) members who shall serve as Officers-At-Large. The Officers-At-Large shall be elected to (3) three-year terms of office. All officers shall be elected for a term of three (3) years, beginning in 1973. These officers, together with the Chapter Chairpersons, shall constitute the Executive Board.

Section 2. Nominations of officers of the local shall be made by the general membership at large at a general membership meeting in October. Elections shall be held in November. At least fifteen (15) days' advance written notice shall be given to the members prior to October's and November's meetings.

Section 3. Officers shall be elected by secret ballot vote, and the balloting shall be so conducted as to afford to all members a reasonable opportunity to vote. A majority of the valid votes cast by the members shall be necessary to elect.

Section 4. All matters concerning nominations and elections in this local shall be subject to the provisions of Appendix D, entitled Election Code, of the International Union Constitution.

Section 5. To be eligible for election, a nominee must be a member in good standing of the local for at least one year immediately preceding the election (except in the initial election of a chapter) and must be employed in a covered title within the jurisdiction of Local 1549. An eligible member may accept nomination for only one of the following local offices: President, Executive Vice-President, Second Vice-President, Third Vice-President, Secretary-Treasurer, Recording Secretary, and Sergeants-At-Arms and Officers-At-Large. Determination of good standing for one year will be made by the election committee after checking with District Council 37 membership records for the date of dues deduction. For the purpose of this clause, good standing shall also mean that there will be no current penalties existing against the nominee.

Section 6. Vacancies in office shall be filled for the remainder of the unexpired term by vote of the Executive Board.

Section 7. Every officer shall, upon assuming office, subscribe to the Obligation of an Officer contained in Appendix B, of the International Union Constitution.

Section 8. The President and Executive Vice-President shall be full-time employees of Local 1549. Rates of compensation for the President, and the Executive Vice-President shall be determined by the Executive Board, subject to ratification by the Board of Delegates. The Boards shall ensure that the rates of compensation are fiscally responsible and appropriate for the duties to be performed. In accordance with guidelines adopted by the Executive Board and ratified by the Board of Delegates, the remaining Vice-Presidents and Secretary-Treasurer shall be recompensed by the Local for regular wages not paid by the employer or for leave time used while such Vice-President and Secretary-Treasurer performs authorized duties of those offices.

Effective after the election results of the 2010 election has been certified, the President and Executive Vice-President shall be full-time employees of Local 1549. Rates of compensation for the President, the Executive Vice-President, or for any local officer shall be determined by the Executive Board, subject to ratification by the Board of Delegates. The Boards shall ensure that the rates of compensation are fiscally responsible and appropriate for the duties to be performed.

#### ARTICLE VII DUTIES OF OFFICERS AND EXECUTIVE BOARD

Section 1. The President shall preside at all meetings of the local membership and of the Executive Board, except at the Board of Delegates meetings, which shall be presided over by the Executive Vice-President. However, for the purpose of presenting special business to the delegates body, upon prior notification to the Executive Vice-President, the President shall chair that part of the meeting necessary for the presentation of the special business to the

body; shall appoint all Chairpersons of the standing committees, special committees and ad hoc committees, subject to the approval of the Executive Board; shall also establish special committees for the purpose of conducting local business as necessary; and shall report periodically to the membership regarding the progress and standing of the local, and regarding their official acts. The local President, subject to the approval of the Executive Board, shall have the authority to negotiate the consolidation of chapters or to separate a chapter into chapters after favorable vote of the membership concerned. The President, by virtue of having been elected as President of Local 1549, shall automatically be a delegate to the International Convention, state convention and any other assemblies where an election of delegates is required.

Section 2. The Executive Vice-President of the local shall be the chairman of the Board of Delegates, but shall have no vote unless they be equally divided. However, for the purposes of presenting special business to the delegate body, upon prior notification to the Executive Vice-President, the President shall chair that part of the meeting necessary for the presentation of the special business to the body; and shall perform such other duties as directed by the President and/or appropriate bodies of the local. In the absence of the President, the Executive Vice-President shall preside at all meetings and perform all duties otherwise performed by the President (until return of the President).

- A. The Second Vice-President shall be responsible for coordinating the work of Local 1549's Political Action Committee and District Council 37's Political Action Committee; may be responsible with the other executive officers for stewards' training; and shall perform such other duties as directed by the President and/or appropriate bodies of the local. In the absence of both the President, and the Executive Vice-President, the Second Vice-President shall preside at all meetings and perform all duties otherwise performed by the President and the Executive Vice-President.
- B. The Third Vice-President shall be responsible for coordinating the activities of Local 1549's Good and Welfare Committee; shall have the responsibility, at the direction of the President of the local, for coordinating local action and responses to the media with a view toward improving and maintaining a good public image; shall be responsible for the preliminary investigation of organizational disputes and disagreements, the results of the preliminary investigation to be submitted to the President of the local for final disposition; and shall perform such other duties as directed by the President and/or appropriate bodies of the local.
- C. A committee of rank and file members shall be responsible for (under the direction of the President) coordinating the activities of the chapter sub-committees prior to unit bargaining; shall, at the President's direction, engage in contract research prior to and during collective bargaining; shall be responsible for special projects as assigned by the President of the local. Shall perform such duties as directed by the President and/or appropriate bodies of the local. Said committee shall be appointed by the President and approved by the Executive Board and shall perform such duties as directed by the President and/or appropriate bodies of the local.

Section 3. The Secretary-Treasurer of this union shall insure that the business manager receive and receipt for all monies of the local union. The Secretary-Treasurer shall sign checks with the proper documentation for such purposes only as are required by the Constitution or are authorized by the membership or the executive board. The Secretary-Treasurer shall report to the International Union office and see that a check is drawn in payment of the Local's per capita tax each month and sent to the International Union. The Secretary-Treasurer shall,

at the expense of the local union and through the International Union, give a surety bond for an amount to be fixed by the executive board of the local. The Secretary-Treasurer is on the executive board of the local. He/She shall perform other duties as the executive board or the president may require. The Secretary-Treasurer shall review the status of Local 1549's membership in regard to agency fee payers, membership drop and title change, etc. The Secretary-Treasurer shall coordinate and develop strategies to reduce the number of agency fee payers. He/She shall report to the membership/delegate body on the result of the local audit at least once a year and ensure that the business manager comply with all of the financial reporting obligations set forth in Article XIII, Section 4.

Section 4. The Recording Secretary shall keep minutes of the proceedings of all local membership meetings, all Executive Board meetings and all Board of Delegates meetings and shall perform such other duties as the Executive Board may require. He/she shall perform such other duties as directed by the President and/or appropriate bodies of the local. The Recording Secretary shall carry on the official correspondence of the local, except as the Executive Board may direct otherwise. He/She shall perform such other duties as directed by the President and/or appropriate bodies of the local.

Section 5. At least once each year, an audit of the local shall be conducted by an independent Certified Public Accountant. The results of the audit shall be reported to the membership by the Executive Board.

Section 6. The Sergeant-At-Arms shall arrange for the seating of all members at special membership, Executive Board meetings and all Board of Delegates meetings. Under the direction of the presiding officer, he/she shall maintain proper order and decorum within the meeting hall and shall perform such other duties as the presiding officer shall require.

Section 7. The Officers-At-Large shall be responsible to act as liaisons to various organizations, as directed by the President; and shall perform such other duties as directed by the President and/or appropriate bodies of the local; and shall be responsible for coordinating the activities of Local 1549 between outside organizations, community groups and others.

Section 8. The Executive Board shall be the governing body of the local except when meetings of the Board of Delegates are in session. All matters affecting the policies, aims and means of accomplishing the purposes of the local not specifically provided for in the local constitution or by action of the membership at a regular or special meeting shall be decided by the Executive Board. The Executive Board of this local shall meet monthly at least nine (9) times each year. Emergency meetings may be called by the President or a majority of the Executive Board. All members of the Executive Board shall be members of the Board of Delegates. Absence of an Executive Board member from three (3) consecutive board meetings without acceptable excuse shall be grounds for automatic removal from office.

Section 9. A quorum of the Executive Board shall be a majority of the members of the Executive Board.

#### ARTICLE VIII STANDING COMMITTEES

Section 1. There shall be standing committees as follows: Civil Service Committee, Political Action Committee, Constitution and By-laws Committee. All other committees shall be special committees.

Section 2. These standing committees should include two members from each chapter selected by the Chairperson of the chapter.

Section 3. Meetings of the standing committees may be called at any time by their respective Chairperson and the secretary of the local shall call a meeting of the standing committee at any time upon written request to do so by any five (5) or more members of such committee, or by order of the Executive Board.

Section 4. A quorum shall consist of one-fourth (1/4) of the committee.

## ARTICLE IX CHAPTERS

Section 1. Chapters may be formed in any department and agency as specified for in Article III, a., having clerical and administrative employees qualified for membership in Article IV, but only one (1) chapter shall be formed in any single department or agency, except when conditions warrant negotiation and change. The President, with the approval of the Executive Board, may negotiate and consummate a merger or a separation of chapters or a chapter.

Section 2. A department chapter shall be designated by the name of the department or agency. Each chapter shall have a number assigned to it.

Section 3. Any qualified clerical or administrative employee or group of same working for any city department, or agency may, with the approval of two-thirds (2/3) of the Executive Board, affiliate with any duly organized chapter. This provision shall not preclude such a group from subsequently securing the formation of a chapter in their own department or agency.

Section 4. A minimum of twenty-five (25) members shall constitute a chapter except where agency code denotes less than 25 clerical administrative employees. Each chapter shall elect a chairman. All chapter chairs shall be on the local Executive Board.

Section 5. Each chapter shall adopt a constitution and by-laws for guidance of its members provided, however, that they do not conflict in any way with the constitution and by-laws of the local.

Section 6. Failure to fulfill the duties as a Chapter Chairperson as defined by this Constitution, or by policies and procedures adopted by the Local, shall be cause for the President to suspend payment of any stipend to such person(s) until such time that person(s) is in compliance with his/her duties.

Section 7. Any person(s) stipend that has been suspended may appeal the President's decision to the Executive Board. The Executive Board can only overrule the President's decision by a two thirds 2/3 vote.

## ARTICLE X CHAPTER REPRESENTATION

Section 1. Every chapter of the local shall be entitled to delegates on the Board of Delegates as follows: all Chapter Chairpersons are automatically elected delegates upon election to the chair of their respective chapters. In addition, each chapter shall elect, and be entitled to, delegates on the Board of Delegates on the basis of entire chapter membership as follows:

100 or less - one (1) delegate  
200 or less - two (2) delegates

600 or less - six (6) delegates  
700 or less - seven (7) delegates

300 or less - three (3) delegates  
400 or less - four (4) delegates  
500 or less - five (5) delegates

800 or less - eight (8) delegates  
900 or less - nine (9) delegates  
1,000 or less - ten (10) delegates

Section 2. There shall be no more than eleven (11) delegates from one chapter. Every chapter shall have at least one elected delegate in addition to the automatic delegate, the Chapter Chairperson.

Section 3. On a roll call vote, regardless of the number of delegates, chapters are entitled to vote on the basis of one (1) vote for each one hundred (100) members or fraction thereof. Chapters entitled to more than one delegate may send fewer than their quota of delegates and the delegates present may cast the entire vote of the chapter on recorded votes and elections coming before the Board of Delegates. The number of votes a chapter is entitled to shall be divided equally among their delegates, with any remaining votes to be cast by the Chairperson of the delegation, as designated by the chapter. No fractional votes shall be permitted. The basis of delegates shall be determined by the number of check-off members of the chapter on the books as of December 31 each year. Any chapter formed or affiliated between December 31 of one year and December 31 of a following year shall base its representation in the Board of Delegates by the number of check-off members at the time of forming or affiliation. On the next December 31 period count, the rule of representation (December 21 count) shall be used. On any roll call vote, the same rule concerning voting strength applies as basis of representation.

Section 4. All delegates shall be elected by the membership of the various chapters.

Section 5. The term of office for all chapter delegates shall be the same as chapter officers except as otherwise provided for in chapter by-laws. Absence of a delegate from three (3) consecutive local delegates' meetings shall be cause for the President to recommend to the Executive Board and the chapter involved that the position be declared vacant.

Section 6. Failure to fulfill the duties as a Delegate as defined by this Constitution, or by policies and procedures adopted by the Local, shall be cause for the President to suspend payment of any stipend to such person(s) until such time that person(s) is in compliance with his/her duties.

Section 7. Any person(s) stipend that has been suspended may appeal the President's decision to the Executive Board. The Executive Board can only overrule the President's decision by a two thirds 2/3 vote.

Section 8. The secretary of each chapter shall certify the names of every officer in writing to the local recording secretary and shall also certify all the delegates elected to the Board of Delegates and again annually between the tenth and twentieth of January, stating each time the beginning and terminal dates of their term of office.

Section 9. A report of all policy decisions taken by the Executive Board shall be made to delegates at the next meeting by the President for information purposes only.

## ARTICLE XI THE BOARD OF DELEGATES

Section 1. The common meeting ground of the various chapters of the local shall be in the Board of Delegates.

Section 2. All duly approved activities of the Board of Delegates shall be considered the official action of the local.

Section 3. After a proposition has been presented, discussed and voted upon at a meeting of the Board of Delegates, no delegate or alternate shall thereafter oppose such action publicly under penalty of forfeiting his/her office. This clause shall never be interpreted to circumscribe the free expression of any member, but refers explicitly to the right of any delegate to appear adversely to the local in their representative capacity.

Section 4. The Board of Delegates shall meet at least once a month during the months September to June, inclusive. Special meetings of the Board of Delegates may be called by the President, Vice-President or a majority of the Executive Board at any time, and the Recording Secretary of the local shall call a meeting at any time upon the written request to do so by three (3) or more chapters.

Section 5. A quorum shall consist of at least fifteen (15%) percent of the duly elected delegates.

#### ARTICLE XII GOVERNMENT

Section 1. Local 1549 shall be governed by the Board of Delegates convened at regular or special meetings, and the Executive Board.

Section 2. Between meetings of the Board of Delegates all matters demanding immediate determination of policy and action shall be handled by the Executive Board of the local.

Section 3. Resolution and motions duly adopted at these meetings shall determine the definite policy and future actions of the local.

Section 4. It shall be the duty of the duly elected officers to take the necessary steps to carry out the will of the local expressed at these meetings.

Section 5. The medium of obtaining city-wide action affecting all members shall require a motion passed at a general meeting, provided that the membership present constitute a quorum.

Section 6. Nothing in this constitution shall be construed to preclude direct action by a departmental chapter when members of that chapter alone are affected: however, such departmental matters may be handled through the Executive Board or through the Board of Delegates.

Section 7. A report of all actions taken by the Board of Delegates shall be made to the Executive Board at the next following meeting.

#### ARTICLE XIII MISCELLANEOUS PROVISIONS

Section 1. This local shall at all times be subject to the provisions of the constitution of the American Federation of State, County and Municipal Employees, AFL-CIO.



Section 2. Except to the extent specified in this constitution, no officer of the local union shall have the power to act as agent for or otherwise bind the local union in any way whatsoever. No member or group of members or other person or persons shall have the power to act on behalf of or otherwise bind the local union except to the extent specifically authorized in writing by the President of the local union or by the Executive Board of the local union.

Section 3. Robert's Rules of Order, Revised, shall be the guide in all cases to which they are applicable and in which they are not inconsistent with this constitution and special rules of this local or of the American Federation of State, County and Municipal Employees.

Section 4. The President, with the approval of the Executive Board, shall hire a full time business manager to handle the financial affairs of the union. The business manager shall be a Certified Public Accountant, and have experience in managing the financial affairs of a non-profit organization. The Business Manager with the recommendation of the President and the Secretary-Treasurer and with the approval of the Executive Board and in accordance with the rules established in the AFSCME Financial Standards Code shall: receive and receipt for monies of this union and shall deposit all money so received in the name of the local in a bank or banks insured by the Federal Deposit Insurance Corporation, and money so deposited shall be withdrawn only by check signed by two of the following officers: President, Executive Vice-President, or Secretary-Treasurer; prepare checks for signature with the proper documentation for such purposes only as are required by the constitution or are authorized by the Membership or the Executive Board; prepare the monthly membership reports to be reviewed by the Secretary-Treasurer; keep an accurate record of receipts and disbursement and shall submit to the Membership monthly operating and financial statements regarding the financial transactions of the local for the previous month; act as the custodian of all properties of the local union; shall aid the Executive Board in the creation and maintenance of an annual local operating budget. The business manager is not on the Executive Board. He/She shall be bonded at the expense of the local.

Section 5. The President and the Executive Vice-President shall be an employee of the Local and no officer shall be District Council 37 staff. Unless specified in this constitution, no officer, executive board member, or officers-at-large of the local shall be employed by District Council 37. Pursuant to Article IX, Section 30 of the International Constitution, all officers and employees of the local shall be bonded.

Section 6. All shop stewards of this local shall be elected to a term of three (3) years. Shop Steward terms shall run concurrently with the terms of chapter officers and elections shall be held at the same time as chapter officers elections. There shall be one (1) Shop Steward elected for every 25 members in large locations. In smaller work locations, one Shop Steward shall be elected among their coworkers. A Shop Steward may be elected at every site where a Local 1549 member is employed. One (1) Chief Shop Steward shall be elected in any chapter with more than 100 members in a work location. The Chief Shop Stewards shall be elected from among the other elected shop Stewards. The Chief Shop Stewards shall meet weekly with all stewards to discuss all activities within their work locations. Each newly elected Shop Steward shall be required to attend and complete the Shop Steward=s Training Course within one year of being elected. Each newly elected Shop Steward shall receive a stipend after serving one full year in elected office upon submission of their Shop Steward Certificate to the local=s business office. The amount of the stipend shall be determined by the Executive Board, with the consent of the Delegate Body, and shall be fiscally prudent, responsible and appropriate for the duties to be performed.

Section 7. Failure to fulfill the duties as a Shop Steward as defined by this Constitution, or by policies and procedures adopted by the Local, shall be cause for the President to suspend payment of any stipend to such person(s) until such time that person(s) is in compliance with his/her duties.

Section 8. Any person(s) stipend that has been suspended may appeal the President's decision to the Executive Board. The Executive Board can only overrule the President's decision by a two thirds 2/3 vote.

#### ARTICLE XIV CHARGES, TRIALS, AND APPEALS

Section 1.

- a. Charges filed against local officers must conform to the appropriate section of the Constitution of AFSCME.
- b. Charges against an individual for actions taken in his/her capacity as a member shall be filed in accordance with the appropriate sections of AFSCME's Constitution.

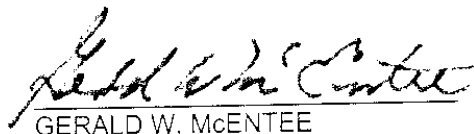
Section 2. The Executive Board of Local 1549 shall constitute the trial body of the local for purposes of hearing charges, trials, and appeals.

Section 3. The decision of the local union trial body (Executive Board) may be appealed to the Council (D.C. 37) trial body. Further appeal shall be consistent with the appropriate provisions of AFSCME's Constitution.

#### ARTICLE XV AMENDMENTS

This constitution may be amended, revised or otherwise changed by a majority vote of the membership present at a regular or special meeting of the local, provided, however, those present constitute a quorum. Proposed amendments to this constitution must be read at a combined delegates and Executive Board meeting for the purpose of presentation and discussion. After such meeting, the proposed constitutional amendments must be read at a regular or special meeting of the local and read and voted on at a general membership meeting of Local 1549. Adequate and proper notice of no less than 30 days shall be given to the membership prior to the date of the meeting on which the vote shall be taken. Such change shall take effect only upon written approval of the International President. A written copy of the amendments must be furnished to every eligible voter at the meeting at which the vote is taken.

APPROVED BY:



GERALD W. McENTEE  
International President

Approval Date: 07/11/2007