

PROPOSED AMENDMENT
to the
CONSTITUTION & BYLAWS
of
OPEIU LOCAL NO. 9, AFL-CIO-CLC

January 19, 2010

PREAMBLE

- (B) to secure terms and conditions of employment for its members consonant with ideals of fair living wages and benefits to improve quality of life;
- (E) the same aims and purposes of the International Union provided for in its Constitution in the interest of all professional, technical, office, clerical, and related employees.

ARTICLE I - NAME

Section 1. This organization, located in Milwaukee, Wisconsin, shall be known as the **Office & Professional Employees International Union, Local No. 9**. This Union shall be and remain a chartered Local Union of the **Office & Professional Employees International Union** of affiliated with the American Federation of Labor and Congress of Industrial Organizations and the Canadian Labour Congress.

ARTICLE II - AIMS AND OBJECTIVES

Section 1. The aims and purposes of this Union shall be the same for its own members as are expressed and stated as the aims and purposes of the International Union in the interests of all professional, technical, office, clerical, and related workers and thus secure such unity in sentiment and action as will enable them by the power and influence of associated effort to elevate their social, material, moral and intellectual welfare, to provide means for the intellectual development of its members and to educate them in the principles of unionism.

ARTICLE III - EXISTENCE

Section 1. This Union cannot be dissolved while there are seven (7) dues-paying members therein who desire to continue its existence. When any Local Union ceases to represent employees of any employer, the International Union Executive Board may suspend the charter of such Local Union and order it dissolved. Upon the dissolution of this Union, all its properties and assets, including its funds, books and records, shall become the property of the International Union, to be held by the International Union in trust for a period of one (1) year, during which time such property shall be returned to this Union if it is reconstituted. After such one (1) year period, such properties and assets shall become the property of the International Union and the funds will be placed in the International Treasury to be used by the International Union for its general purposes.

ARTICLE IV - JURISDICTION

Section 1. This Union shall embrace within its membership workers employed in any phase of professional, technical, office, clerical, and related work, in the commonly accepted sense of that term, coming within its jurisdiction as established under the Constitution of the **Office & Professional Employees International Union**.

ARTICLE VI - FINANCES

- SECTION 4.** (A) Dues of this Union are due and payable on the first day of each month according to the following schedule:
- ~~(1) — All members earning Nine dollars (\$9.00) or less per hour shall pay Nineteen dollars (\$19.00) per month;~~
 - ~~(2) — All members earning Six dollars and fifty cents (\$6.50) or less per hour shall pay Thirteen dollars (\$13.00) per month;~~
 - (13) All members working more than twenty (20) hours per week ~~earning Nine dollars and one cent (\$9.01) or more per hour~~ shall pay two (2) times their hourly wages and all increments shall be rounded off to the next fifty cents (50¢) i.e., \$9.01 = \$9.50 and totals to \$19.00 per month union dues - \$9.51 = \$10.00 and totals to \$20.00 per month union dues;
 - (24) All members part-time employees working twenty (20.0) hours or less per week shall pay ~~Nineteen dollars (\$19.00)~~ one-half of the capped dues rate per month;

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- ~~(5) — All part time employees earning less than Six dollars and fifty cents (\$6.50) per hour shall pay Thirteen dollars (\$13.00) per month;~~
- (36) Effective July 1, ~~1996~~ 2010, the monthly dues shall be capped at Forty-four dollars ~~(\$40.00)~~ \$44.00 per month. In addition, any the International Union ~~mandated dues per capita~~ increases shall be added to the ~~current~~ cap and the new capped dues rate shall be rounded off to the nearest dollar effective July 1st of each year.
- (47) All rates shall be determined by each member's hourly rate of pay as of June 1st of each year and dues shall be increased effective July 1st of each year.

ARTICLE VIII - MEETINGS

Section 6. The Executive Board shall meet in regular session on the third (3rd) Tuesday of ~~each~~ every month prior to the regular membership meeting, except during the months of July, August and December when such ~~regular~~ meetings may be suspended, ~~and shall keep the membership informed of the time, date and place of its meetings.~~ Should the business of OPEIU Local No. 9, AFL-CIO-CLC necessitate a longer meeting, the board will then meet on the second (2nd) Tuesday of the month.

ARTICLE X - NOMINATIONS, ELIGIBILITY, ELECTIONS

- Section 1.**
- (A) Nominations for President, Vice President, Secretary-Treasurer, Recording Secretary, three (3) Trustees and Executive Board members shall take place at the regular membership meeting in April of each odd numbered year.
~~(1) — Executive board members shall be elected by the entire membership.~~
- (B) No person shall be elected or appointed to an office of this Union unless she/he has been a member of this Union in continuous good standing for at least the preceding twelve (12) months prior to election or appointment.
- (C) ~~No person shall be elected or appointed to an office of this Union unless she/he has been a member of this Union in continuous good standing for at least the preceding twelve (12) months prior to election or appointment. If there is but one (1) candidate for each office, the election shall be dispensed with. Any candidate that is unopposed shall be declared the winner and their name shall not be placed on the ballot. Previously ARTICLE X, Section 2 (F)~~

Section 2. At the close of nominations at the April meeting of each odd numbered year, it shall be the duty of the President to appoint an Election Committee of not less than three (3) tellers or more than five (5) tellers, who must meet with the approval of the membership and must not be a candidate for any contested office. The President shall designate the Chairperson of the Election Committee.

- (A) After nominations and those nominated are found to be qualified, the tellers shall have ballots prepared. The ballots shall include the candidate's name ~~and place of employment.~~ In order to determine position on the ballot, the tellers referred to in this Article shall draw lots in the presence of the Recording Secretary.
- ~~(B)~~ All members in good standing as of the close of the May meeting shall be eligible to vote.
- ~~(C)~~ The ballots shall be mailed to all eligible members within ~~two (2) days~~ one week following the May meeting. ~~All returned ballot envelopes must be postmarked on or before June 7th. Returned ballot envelopes postmarked after June 7th shall not be opened or counted. At least two (2) members of the election committee shall pick up the ballots from the post office.~~
- ~~(D)~~ The Election shall be by mail ballot sent to each eligible member's last known address. ~~The ballots shall include instructions (including the ballot deadline) and two envelopes.~~ No other matter shall be enclosed in the envelope except the ballot, two (2) envelopes and a copy of the voting instructions. The large envelope shall have printed on the upper left corner, the words "Ballot of:" for the members name and address and shall be postage-paid pre-addressed for return of the ballot to the Election Committee. ~~Any ballot received without the Members name and return address shall not be valid, opened or counted. This sentence moved to (E).~~ The word "Ballot" shall be printed in bold letters on the face of the small envelope. ~~The chairperson of the election committee shall rent a post office box for the return ballots. This sentence moved to (F).~~

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- (~~E~~) The member voting shall indicate their choice by marking a cross (X) or Check (✓) opposite the name of the candidate selected. Write-in votes shall not be valid, counted, or considered. Insert from the previous (E). The voter shall then enclose their ballot in the small envelope (marked "Ballot") without writing or other means of identification upon it, seal and enclose the envelope in the postage-paid return envelope. Any "Ballot" envelope with writing or other means of identification upon it shall not be valid, opened, or counted. The voter must place her/his name and return address in the upper left corner of the return envelope. Any ballot received without the Members name and return address shall not be valid, opened or counted.
- (~~F~~) ~~If there is but one (1) candidate for each office, the election shall be dispensed with. Any candidate that is unopposed shall be declared the winner and their name shall not be placed on the ballot. Moved to ARTICLE X, Section 1 (C).~~
- (~~F~~) The Chairperson of the Election Committee shall rent a post office box for the return ballots. All returned ballot envelopes will be picked up from the post office box, by at least two (2) members of the Election Committee, on the 2nd Tuesday of June. The tellers shall receive an alphabetical list of all members eligible to vote. Tallying shall begin immediately following the ballots being picked up from the post office on the 2nd Tuesday of June prior to June 10th. The Chairperson of the Election Committee will advise all candidates of the time and location of the ballot counting. Each candidate or her/his designated observer may be present to witness the counting.
- (~~H~~) The Election Committee shall, prior to opening the envelope in which the official ballot has been inserted, check off all the names of the members on the list provided. They shall then proceed to open all the envelopes and deposit the sealed envelopes marked "Ballot" in the ballot box. The envelopes in which the ballots are enclosed shall then be opened and the votes tallied.
- (~~H~~) The Chairperson of the Election Committee shall report the results of the vote to any candidates immediately following the tally and at the General Membership meeting in June of each odd numbered year.

Section 6. Should any officer, during the term of their office, absent herself/himself without a reasonable or lawful excuse from three (3) meetings of the membership and/or the Executive Board which she/he is supposed to attend, her/his office shall be declared vacant.

ARTICLE XI - DUTIES OF OFFICERS

Section 3. **Secretary-Treasurer** - The Secretary-Treasurer shall perform the following duties:

- (A) She/he shall keep all financial accounts of this Union and shall maintain correct and proper accounts of all its members. She/he shall collect all initiation and reinstatement fees, dues, assessments and fines from members of this Union. She/he shall make all disbursements for this Union as provided in **Article VI** of this Constitution and Bylaws. She/he shall keep a correct record of all monies received and expended and prepare financial statements of calendar months to be submitted to the Secretary-Treasurer of the International Union monthly and to the next regular meeting of the Local Union. All records, financial or otherwise, shall be secured at the Local 9 Office at all times.

ARTICLE XV - AFFILIATIONS AND DELEGATES

Section 3. Delegates to the International Union convention shall be selected in accordance with the provisions of the International Constitution. The President shall, by virtue of their office, serve as one of the delegates.

Section 5. Delegates to the International Union Educational Conference shall be members in good standing for at least one year.

ARTICLE XVII - DISCIPLINE AND TRIALS

Section 7. After the hearing, the Trial Board, or a majority thereof, shall render its decision, in writing, to both the accused and the accuser, file a copy with the Secretary-Treasurer and make an oral report of said findings at the next Executive Board and General Membership meeting of this Union.

ARTICLE XVIII - COMMITTEES

- Section 1.** (A) In addition to other committees and boards established by this Constitution and Bylaws, this Union shall provide for such other standing committees and from time to time such special committees as may be proper and necessary to conduct the business of this Union.
- (B) The standing committees shall be: Constitution Committee, Legislative and V.O.T.E. (Voice of the Electorate) Committee, Education and Membership Committee, Recreation Committee, and ~~Women's Committee~~ Website Committee.

ARTICLE XIX - STEWARDS

Section 1. Members of the Union working together may be entitled to Steward representation where deemed necessary to adequately service such members. Stewards shall be elected by and from these members. Stewards must be willing to become very knowledgeable of the contract, to conduct fair and complete investigation, to keep all information obtained in an investigation confidential from other co-workers, to fairly represent all co-workers equally (despite any personal differences), and to attend any and all steward training.

Section 2. The number of Stewards for each ~~company~~ bargaining unit and their apportionment among the various departments shall be determined by the ~~work-unit~~ Business Representative/Manager in consultation with any existing Stewards.

Section 3. The Business Manager shall be responsible for holding elections for Stewards in each ~~company~~ bargaining unit as necessary, except that the Executive Board may, in exceptional circumstances and subject to appeal to the membership, declare any Steward's post vacant and appoint a member to fill such position pro tem.

Section 8. Any compensation for any of the duties mentioned in this Article shall be in accordance with ~~Article XV~~ XIV of this Constitution and Bylaws except that no such member shall be exempt from paying dues.

ARTICLE XX - STRIKES

Section 1. (A) In the event of a dispute between any member/s of this Union and a particular employer or employers, this Union shall not call a strike against such employer/s unless a majority of the members of this Union employed by such employer/s present at a called meeting, for which all such members have been notified, so request by secret ballot and provided, finally, that approval of the Local Executive Board and the President of the International Union shall be obtained.

ARTICLE XXI - RULES OF ORDER

Section 5. No member shall interrupt a debate except on a question of privilege, point ~~of~~ of order, to make a motion or reconsider to move, division of the question or point of information.

ARTICLE XXIV - AMENDMENTS

Section 1. A proposed amendment to this Constitution may be presented, in writing, by the Executive Board, or by a petition containing the proposed amendment which has been signed by at least twelve (12) members in good standing. Such petition must be presented to the Executive Board before it can be considered by the body.

Section 2. The Executive Board shall include the proposed amendment in its minutes to be read at the next membership meeting in its entirety. There can be no vote or discussion on the subject of the amendment at that meeting, but it shall be held over until the succeeding membership meeting.

Section 3. The meeting notice for the succeeding meeting will contain a statement informing the members of the nature of the proposed amendment and that a vote will be taken at said meeting. ~~Amendments to this Constitution can be made only by a~~ A vote of two-thirds (2/3) ~~vote~~ of the members ~~in good standing,~~ present and eligible to vote ~~voting~~ on such matters under the Local Constitution, shall be required to constitute acceptance of the proposed amendment to this Constitution and Bylaws, except that changes in revenue as noted under **Article VI - Finances, Section 1,** may be approved by a majority vote ~~of the members present at a regular or special meeting, provided that the amendment to be voted on has been presented, in writing, and read at the previous meeting in its entirety.~~

Section 4. No amendment to this Constitution and Bylaws shall take effect until the approval of the President of the International Union has been secured.