

CONSTITUTION

and

BY-LAWS

of the

AMERICAN POSTAL
WORKERS UNION

Des Moines, Iowa Area Local

Affiliated with

the AFL-CIO

As Amended

October 2008

And Effective

January 1, 2009

Revision History

1. Oct. 20, 1999
 - a. Established the authority of the Executive Board as the governing body between meetings in Article V, Section 1.
 - b. Allows the President to appoint Committee Members between meetings in Article V, Section 2.
 - c. Expansion of positions appointed by the Executive Board and salary parity of all appointed positions in Article V, Section 10.
2. Mar. 17, 1999
 - a. Inserted procedure for breaking ties for elections in Article IV, Section 4.
 - b. Deleted delegate to Iowa Federation of Labor conventions in Article IV, Section 6.
 - c. Amended criteria for requesting credit for attendance at regular meetings for Officers and Stewards, in Article IV, Section 8.
 - d. Limited automatic pay raises for Officers and Stewards in Article V, Section 13.
 - e. Defined procedures and established limitations on amendments to the constitution.
 - f. Entered correct salary amounts in Article V.
3. Oct. 3, 1998 Eliminated the positions of Site Coordinators.
4. Sep. 16, 1998 Deleted all references to Special Delivery Craft as a result of the merger into the Clerk Craft at the national level.
5. Jan. 3, 1998 Article V, Section 14 (deleted) Eliminated Roll Call during Good and Welfare.
6. Dec. 6, 1997 Article V, Section 14-Deleted \$100.00 Bonus for Officers and Stewards attending 12 meetings per year.
7. Nov. 1, 1997 Article V, Section 11d-Divided OWCP Rep salary between the total number of OWCP Reps.
8. May 21, 1997
 - a. Article V, Section 9-Created Title of Chief Trustee.
 - b. Article VI-Added Section 4, Order of succession for presiding at meetings.
9. Mar. 19, 1997
 - a. Article IV, Section 2-Changed meetings for Nominations of Officers beginning in 1999.
 - b. Article V-Moved Legislative Duties from Vice President to Editor.
 - c. Article VI, Section 1-Eliminated Wednesday meeting in December.
8. Oct. 5, 1996 Article VI, Section 3-Changed time of Wednesday meetings from 7:30 PM to 7:00 PM.
9. Aug. 5, 1995
 - a. Article V, Section 2a-Authorized transfer of funds from Contingency account to cover Full Time President's salary.
 - b. Added Articles XII and XIII-Liability and Indemnification of Officers.

- 10. May 15, 1995 a. Article III, Section 4-Reduced dues for Part Time Regulars.
b. Article V, Section 11-Added position of Injury Comp Specialist (OWCP Rep).
- 11. Mar. 4, 1995 Major re-write of Article V, including establishment of Full Time President, and changed language in Rules Governing Debate.
- 12. Aug. 6, 1994 Article III, Section 4-Reduced dues for Transitional Employees.
- 13. Apr. 20, 1994 Article V, Section 14-Awarded credit for meetings with denied LWOP.
- 14. March 1993 Last issue sent to printer for publication.
- 15. Oct. 2001 Article III redefined eligibility for membership
- 16. Oct. 2001 Article IV, Section 1; Article V, Sections 1 and 8 added Support Service Craft Director to Constitution
- 17. Oct. 2001 Article IV, Section 6.a corrected reference to Art IV.
- 18. Oct. 2001 Article IV, Section 2 changed nominations to one meeting
- 19. Oct. 2001 Article IV, Section 3 removed requirement to be at nominating meeting
- 20. Oct. 2001 Article IV, Section 6 changed nomination of delegates to single nomination meeting
- 21. Oct. 2001 Article IV, Section 7 removed reference to PASS program
- 22. Oct. 2003 Article III, Section 5, b. inserted strike and lockout.
- 23. Oct. 2003 Article IV, Section 4, Election by mail only.
- 24. Oct. 2003 Article IV, Section 6, changed delegates at large determination day.
- 25. Oct. 2004 Article XIV New Article adopting the APWU 401(k) program.
- 26. Oct. 2004 Article VIII, Strike old language and go to Nat. Article XIV and XV.
- 27. Oct. 2004 Article X, Allow amendment to prior to January 1.
- 28. Oct. 2004 By Laws Article II, Change quorum definition to 11 members.
- 29. Oct. 2004 Article V, Allow Ex Bd. to expend up to \$10,000 up from \$1,500.
- 30. Oct. 2004 Article V, Section 12, Strike entire section and renumber.
- 31. Oct. 2005 Article XV, Strike Board New Article
- 32. Oct. 2006 Article V, Section 2, 1,200 dues paying members change.
- 33. Oct. 2006 Article VI, Remove Saturday in January meeting, and allow a meeting to be suspended by majority vote at one meeting.
- 34. Oct. 2006 Article V, Salaries corrected as of January 2007.
- 35. Sep. 2007 Article V, insert (and remove) after shall appoint.
- 36. Sep. 2007 Article VII, Insert New Section 2.
- 37. Sep. 2007 Article V, Salaries corrected as of January 2008.
- 38. Oct. 2008 Article IV, Replace Section 8 Attendance at meetings
- 39. Oct. 2008 Article V, Section 13, Attendance requirement for salary.
- 40. Oct. 2008 Article XI, Expenses for National Convention.

CONSTITUTION

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CONSTITUTION

ARTICLE I

Title

The name of this organization shall be the Des Moines, Iowa Area Local, American Postal Workers Union, AFLCIO, hereinafter known as DMI Area Local APWU. (1988)

ARTICLE II

Objectives

Section 1. It shall be the objective of the DMI Area Local APWU to secure through collective bargaining and legislative effort a better standard of living for the members of the DMI Area Local APWU and their families. (1988)

Section 2. The DMI Area Local APWU affirms its belief in a single union of all postal workers in non-supervisory levels. The DMI Area Local APWU will make every effort to bring into being a single union of all postal workers by mergers with other postal unions, and initiating intensive all-out organizing campaigns reflecting the DMI Area Local APWU philosophy. (1988)

Section 3. The DMI Area Local APWU will vigorously oppose any labor unions outside the Postal Service moving into the Postal Service union field. (1988)

Section 4. The DMI Area Local APWU will continue to organize the unorganized. (1988)

Section 5. To unite within one organization, regardless of race, color, creed, sex, sexual orientation, nationality, handicap, political affiliation, age or religion, all employees under the jurisdiction of the DMI Area Local APWU. (1993)

Section 6. To educate our membership in the history of the Labor Movement and to develop and maintain an intelligent and dignified membership; to vote and work for the election of candidates who favor the passage of improved legislation in the interest of all labor. To work for the repeal of laws which are unjust to labor and to the Postal Workers such as the denial of the right to strike and the denial of the right to support political candidates of their choice; and to educate all members in the area of economic, political and social justice. (1980)

Section 7. To engage in legislative, political education, civic welfare and other activities which further, directly or indirectly, the joint interest of the members of the DMI Area Local APWU in the improvement of general economic and social conditions in the United States of America. (1980)

Section 8. To work as an autonomous union affiliated with the American Federation of Labor-Congress of Industrial Organizations (AFL-CIO), together with other local and state unions for the solidification of the entire Labor Movement and to have the same rights and benefits, which include the right to strike. (1980)

Section 9. To support, affiliate with and participate in the activities of all related organizations such as State Federations, Local Central Body, AFL-CIO, and Iowa Federation of Labor, as directed by the DMI Area Local APWU membership. (1980)

ARTICLE III Membership and Dues

Section 1. Any person within the jurisdictional claim of the DMI Area Local APWU employed in a non-supervisory position is eligible for active membership. No person eligible under the above provision, shall be denied membership because of their race, color, creed, sex, sexual orientation, nationality, handicap, political affiliation, age or religion. (2001)

Section 2. Application for membership in the DMI Area Local APWU shall be made by the submission of the appropriate dues withholding form to the Recording Secretary for presentation to the DMI Area Local APWU. A majority vote of those present and voting shall be sufficient to accept the applicant into membership. No member currently paying dues by cash shall lose his/her rights or membership because of this article. If such member becomes delinquent in dues and is suspended, then he/she must comply with this article for reinstatement to membership. Any person may become a member in good standing and remain a member in good standing by remitting upon application and continuing to pay six months or more dues by advance payment. (1988)

Section 3. There shall be four (4) categories of members in this local: Active, Associate, Retired and Honorary. (1980)

- a. Active membership (voting member) shall be any person employed in a non-supervisory position under the union's jurisdiction. (1980)
- b. Associate membership shall be federal classified employees or employees in supervisory positions. (1980)
- c. Retired membership shall be retired employees. (1980)
- d. Honorary membership shall be any person nominated and accepted to honorary membership by the DMI Area Local APWU. (1980)
- e. Associate, Retired and Honorary members shall not be eligible to vote, hold office or represent this local as delegates. (1980)
- f. Any member leaving the Postal Service because of union activity with organizations to whom DMI Area Local APWU pays per-capita tax shall be considered an active member upon receipt of full dues. (1980)

Section 4. Amount of Dues.

- a. Active members shall pay 100% of the dues set by DMI Area Local APWU, except those active members classified PS- 1 through PS-3, part-time regulars (PTR's) (May 15,1995) and all Transitional Employees until there is pay equity with career employees (August 6, 1994) shall pay 75%, including those active members retired from the Postal Service. This amount shall include 100% National per capita tax. (1980)
- b. Associate members shall pay \$35.00 per annum directly to the National Headquarters for Health Plan participation only, \$5.00 of which shall be rebated to the DMI Area Local APWU. (1993)
- c. Retired members who wish to retain active status will pay dues at the same rate as PS- I through PS-3, payable monthly. (1988)
- d. Honorary members shall pay no dues. (1980)
- e. Bi-weekly dues shall be changed only by majority vote of the members present at two (2) consecutive regular meetings. (1980)

Section 5. Collection of Dues.

- a. Dues shall be due and payable at the end of each bi-weekly pay period. (1988)
- b. A member's good standing status shall not be affected by reason of the fact that his/her paycheck for the payroll period in which his/her dues deductions are made is insufficient to permit such dues deductions, by reason of illness, injury, pregnancy leave, lay-off, strike, lockout, or disciplinary suspension. (1993)
- c. Increase shall be in accordance with the National Constitution, Article 11, Section 2. (1980)
- d. Special Assessments shall be imposed with the recommendation and approval of the DMI Area Local APWU Executive Board who shall then post the proposition for fifteen (15) days and then call a Special Meeting of the general membership for a two-thirds (2/3) approval with the vote to be held by secret ballot. No assessment shall run for more than six (6) months from the time it is assessed. (1980)

ARTICLE IV
Officers and Delegates:
Their Election and Qualifications

Section 1. Officers of the Local shall consist of a President, Vice-President Financial-Secretary-Treasurer, Recording Secretary, Editor, Sergeant-At-Arms, a Board of Trustees consisting of three (3) members, Director Clerk Craft Division, Director Maintenance Craft Division, Director Motor Vehicle Craft Division, and Support Services Craft Division. All the above shall be voting members of the Executive Board of the DMI Area Local APWU. (2001)

Section 2. The nomination meeting of this local will be the Saturday meeting in March of each election year starting in 2003. All candidates for elected office and elected delegates shall be nominated for a two (2) year term. Terms of office will start in April of the election year. The election shall be completed not less than twenty-one (21) days succeeding the nomination meeting. The outgoing officers shall relinquish their office within thirty (30) days of the official posting of the winning candidates by the Election Committee. (2001)

Section 3. No nominated member may be a candidate for more than one elective office in this union. (2001)

Section 4. Election shall be by secret ballot conducted by mail. No members shall vote by proxy. (1980) In the event of a tie vote, candidates for the office in question shall draw a card from a poker deck with the jokers removed. The candidate drawing the highest card shall be declared the winner. (March 17, 1999)

Section 5. All officers shall be elected by the general membership except Craft Directors, who shall be elected only by their respective crafts. (1980)

Section 6. Delegates to all conventions shall be nominated at the nomination meeting of the local. The President, by virtue of his/her office, shall attend all conventions including craft conventions as a delegate. The Editor, by virtue of his/her office, shall attend all conventions specified in Art 24.2 of the National Collective Bargaining Agreement as a delegate. The Craft Directors by virtue of their office shall attend the Iowa State Postal Workers Union Convention and the National American Postal Workers Union Convention as a delegate. These automatic delegates will be noted on the ballot. The number of delegates at large to be decided at the meeting prior to the nomination meeting. (2003)

- a. Any member in good standing and fulfilling the requirements stipulated in Art IV, Section 7, shall be eligible for nomination and election as delegate to the APWU State and National Conventions. (2001)
- b. Only a member of the respective craft shall be eligible for nomination and election as a delegate to Craft Conventions. (1980)

- c. Alternate delegates shall be nominated and elected from each craft to attend State and National Conventions in absence of elected Craft Directors. In the event that an elected delegate at large cannot attend the convention the member receiving the next highest number of votes shall be designated as the alternate delegate. (1980)

Section 7. Any Local Officer making application, in writing, for a position of management shall within ten (10) days of that application resign his/her position with the APWU. If such resignation is not forthcoming, the Local Executive Board shall, upon conclusive evidence, declare said office vacant and appoint a successor. (1993)

- a. Any postal employee eligible to be a member of the DMI Area Local APWU who voluntarily holds a managerial, supervisory, or EAS position with responsibility for issuing or recommending discipline, or applying or interpreting the National Agreement for the equivalent of one pay period in a year shall be ineligible to hold office at any level of the DM I Area Local APWU or to be a delegate to any convention held by the APWU or any subordinate body of the APWU, so long as the employee continues to serve in such position and for a period of one (1) year from the time the employee vacates such position. (1993)
- b. Any postal employee who has submitted an application to a managerial, supervisory, or EAS position with responsibility for issuing or recommending discipline or for applying or interpreting the National or Local Agreement shall withdraw such application prior to acceptance of nomination for any office in the DMI Area Local APWU. (1993)
- c. Any postal employee who shall voluntarily, after August 31, 1984, holds, accepts or applies for any managerial or supervisory position, or EAS position, for any period of time, whether one day or a fraction thereof, either detailed, acting, probationary or permanently, shall immediately vacate any position (March 4, 1996) held by that member in the national, local, area local, district council, state or regional organization, any department of the APWU, the Postal Press Association, or any subordinate body of the APWU which received financial support or uses the name of the American Postal Workers Union. (1993)

Section 8. Any member who is absent from a regular meeting for reasons of sickness, Military duty, emergencies, formal postal training or on authorized union business during the hours of the regular meeting, upon written application to the Recording Secretary before the next meeting, shall be credited with being in attendance, subject to the majority vote of the members present at the next regular meeting following the absence. Any member with proof of denied leave will be credited with attendance. In absence of a quorum, signatures in the sign-in book will be credited with attendance.

ARTICLE V
Duties of Officers and Compensation

Section 1. The President, Vice-President, Financial Secretary-Treasurer, Recording Secretary, Editor, Sergeant-At-Arms, Board of Trustees, Director Clerk Craft Division, Director Maintenance Craft Division, Director Motor Vehicle Craft Division, and Director Support Services Craft Division shall constitute the voting members of the Executive Board of the DMI Area Local APWU. (2001) The Executive Board shall be the highest governing body of the DMI Area Local between meetings and shall meet at least monthly and/or at the call of the President. The Executive Board shall have charge of all Union affairs during the interim between meetings of this local. (October 20, 1999) The Executive Board shall have the authority to approve expenditures up to \$10,000, when necessary, with full reporting at the next regular membership meeting. (2004)

Section 2. It shall be the duty of the President to have charge of the general welfare of the Local, and to promote its interests in such ways as seem to him/her advisable, or as he/she may be directed by the Local. He/she shall preside at all meetings of the local (General and Craft) and of the Executive Board. He/she shall have charge of the access to all papers, records, documents and electronic equipment of the local. He/she shall appoint all stewards after consulting Executive Board as to their recommendations for appointment. He/she shall appoint all committees with full reporting at the next meeting. (October 20, 1999) He/she shall be a member of all committees. He/she shall fill all vacancies from any cause whatsoever until such vacancy is filled by election. He/she shall countersign all checks drawn on the treasury by the Financial Secretary Treasurer. He/she shall have the authority to approve an expenditure up to \$500.00 when necessary, with full reporting at the next regular membership meeting.

He/she shall assume office if voted full time, part time or half-time within thirty (30) days after results electing him/her to full time, part time or half time, or as soon as all arrangements can be made to assume such duties. The President shall be full time, part time or half time when voted by a majority of the members by a referendum vote or a special meeting called by 20% of the active members for that purpose. He/she may be voted from full time, part time or half time by a majority of the members or a referendum vote called for that purpose.

- a. The salary for the President, if he/she is to be a full time officer, shall be established at a special meeting called for that purpose and shall be passed by a majority of those present and voting. (March 4, 1995) The salary of the President normally will be paid from the General Operating Fund (Checking); however, if the financial need arises, this position may be funded from

Contingency Fund with the approval of the Financial Secretary and the President with full reporting at the next Regular Meeting. (added August 5, 1995)

- b. The President, if not full time, shall be paid the yearly salary of \$4,858.00, to be paid quarterly.
- c. The President, if full time, shall be in a leave without pay status from the USPS. This position shall be salaried, based on 40 hours per week, Monday through Friday. Said salary shall be equal to Level 10 RC plus 15%). In addition, all cola and contract pay increases shall be automatically granted at this same rate. Any and all benefits normally paid by the USPS shall be assumed by the DMI Area Local. All Leave will be credited as annual leave and advanced at the beginning of each yearly anniversary. On the yearly anniversary of the President's installation, the maximum amount of leave that may be carried over to the next year shall be 600 hours. Any leave in excess of 600 hours shall be paid at the current rate of pay. Pay days and paid holidays shall coincide with those of the USPS. In the event that the President is unable to serve or is incapacitated for a period exceeding 30 days, the Vice President shall assume his/her position. Travel to and from authorized conventions will be limited to 1 day preceding and 1 day following said conventions. The President will use the time clock when working at the local union hall.

This full time position shall be maintained until such time as the local membership falls below 1,200 dues paying members for 3 consecutive months or until voted otherwise per Article 5 Section 2. (March 4, 1995)

Section 3. The Vice President shall perform the duties of the President in the latter's absence or disability and shall be an assistant to the President. He/she shall perform such other duties as the President may direct. He/she shall serve as the Chief Steward for the local. He/she shall be responsible for all stewards training. He/she shall be responsible for the organizational activities of the local. He/she shall work with all Craft Directors. He/she shall be responsible for review of all Step 2 appeals prior to being discussed at Step 2. He/she shall review all Step 3 appeals prior to them being sent to Step 3 when possible. He/she shall assist the Craft Directors when necessary with all Step 2 discussions. He/she shall be an arbitration advocate for the Local when necessary. The Vice President shall be paid the yearly salary of \$2,241.00, to be paid quarterly.

Section 4. The Financial-Secretary-Treasurer shall be the custodian of the funds assets and financial records (March 4, 1995) of the DMI Area Local APWU. He/she shall countersign with the President all checks drawn on the treasury. He/she shall have charge of the collection of all dues of the local. He/she shall submit a detailed report of the financial condition of the local, including a report of all LWOP paid and all expenses incurred, at each regular meeting and at such other times as directed by the membership or the Executive Board. He/she shall perform such other duties as the President may direct. He/she shall have the authority to issue checks for all normal

operating expenses of this local including but not limited to utilities, taxes, repairs and maintenance, supplies, per capita taxes, payroll, insurance, postage, etc. The Financial Secretary Treasurer shall be paid the yearly salary of \$2,230.00, to be paid quarterly.

Section 5. The Recording Secretary shall keep a correct record of all members and attendance of all meetings. He/she shall keep an accurate record of the proceedings of all regular, special, craft, and Executive Board meetings. He/she shall notify the members of meetings of the local. It shall be his/her responsibility to take care of the official correspondence, mailing list, and all mailings of the Local. He/she shall perform such other duties as the President may direct. He/she shall make sure that all official minutes are properly recorded and prepared for the next meeting. He/she shall make sure there are copies of the previous regular and Executive Board meeting minutes available to the members at the next regular meeting. He/she shall read the roll call of the stewards at the regular meeting. He/she shall be responsible for the official posting of all information on the bulletin boards. (March 4, 1995) The Recording Secretary shall be paid the yearly salary of \$783.00, to be paid quarterly.

Section 6. The Editor shall be in charge of the mailing and printing of the paper. He/she shall be responsible for the maintenance and update of the official mailing list. (March 4, 1995) He/she shall be responsible for the legislative activities of the local. (deleted from Art. V, Sect. 3, March 19, 1997) He/she shall perform such other duties as the President may direct. The Editor of the DMI Area Local APWU paper shall be paid the yearly salary of \$1,325.00, to be paid quarterly.

Section 7. The Sergeant-At-Arms shall be responsible for preparing the local hall both before and after all regular and special meetings. (March 4, 1995) The Sergeant-At-Arms shall be stationed at the door during meetings to see that no one but members in good standing are admitted without the consent of the local. He/she shall perform such other duties as the President may direct. The Sergeant-At-Arms shall be paid the yearly salary of \$421.00, to be paid quarterly.

Section 8. The Craft Directors shall have charge of the welfare of their respective crafts. They shall be members of the Local Negotiating Team in regards to their respective crafts (includes general welfare items). They shall assist the Vice-President in stewards training programs and shall take an active part in the regular monthly stewards meetings. The Craft Directors, with respect to their own craft, shall be responsible for all step 2 discussions and their appeals, with the assistance of the President, and Vice President. They shall be responsible for the maintenance and update of the bids of their respective crafts, with the exception of the clerk craft. (March 4, 1995) They shall perform such other duties as the President may direct. The Clerk Craft Director shall be paid the yearly salary of \$1,588.00, to be paid quarterly. The Maintenance Craft Director, Motor Vehicle Craft Director, and Support Services Craft Director shall be paid the yearly salary of \$1,414.00, to be paid quarterly.

Section 9. The Board of Trustees shall present an audit report at least once in each six (6) months at the next regular meeting following the audit. The audit shall be conducted

by the Board of Trustees or by a private auditor as directed by the membership. The Board of Trustees shall keep a current accurate record of all property of the local. They shall be responsible for the maintenance of the hall rentals and rental property. They shall make recommendations to the membership concerning the foregoing and perform other duties as directed by the President. The Trustee receiving the most votes will be considered the Chief Trustee, effective upon completion of the current election. (May 21, 1997) Each member of the Board of Trustees shall be paid a yearly salary of \$697.00, to be paid quarterly.

Section 10. The Executive Board shall appoint (and remove) all positions in this section. All appointees in this section shall be paid a salary equal to that of a Steward. (October 20, 1999)

- a. The APWU Health Plan Representative shall assist members with their dealing with the APWU Health Plan. He/she shall perform such other duties as the President may direct.
- b. The Clerk Craft Bid Coordinator will be responsible for the maintenance and update of clerk craft bid records, and shall perform such other duties as the President may direct.
- c. The Systems Administrator shall be responsible for the maintenance and upkeep of the computer system, including weekly back-up, virus check, purging old files, training, maintaining system software and hardware documentation, password/security administration and troubleshooting/maintenance. He/she shall perform such other duties as the President may direct. (March 4, 1995)
- d. The Injury Compensation Specialist shall assist members with the dealing with on-the-job injuries. (May 15, 1996)
- e. The Director of Education shall be charged with the responsibility of conducting educational programs as directed by the President. (October 20, 1999)
- f. The Director(s) of Organization shall be responsible for the orientation of new employees, and direct the organization of the unorganized. (October 20, 1999)

Any member appointed to any of the above appointed positions may be removed from such appointed position by majority vote of the Executive Board.

Section 11. Stewards are responsible for investigating and filing all grievances in a timely manner. Stewards are expected to enforce all rights of their stewardship in order to fulfill their obligations to represent the membership. They shall perform such other duties as directed by the President. Stewards will only be removed by petition signed by a majority of the employees in the section(s) they represent, by the President with Executive Board approval, or per Article 4 Section 7C. (March 4, 1995) The Stewards shall be paid the yearly salary of \$697.00 each, to be paid quarterly.

Section 12. All future salary increases shall be determined by the percentage of salary increase during the first year only, of all future National Agreements, and shall remain at

that level for the life of that agreement, without regard to any additional raises in the agreement. (March 17, 1999)

Section 13. Any officer, steward, delegate, committee member or any other person in a compensated position missing four (4) consecutive regular meetings will result in forfeiture of their quarterly pay until the member attends three (3) regular meetings. The member will also not be eligible for travel pay to any conferences, conventions or training. The member shall have appeal rights to this provision in accordance with Article 15 of the national American Postal Workers Union Constitution. (2008)

ARTICLE VI Meetings

Section 1. There shall be at least two (2) regular meetings of the local during the months of October through April, excluding December. There will not be a Wednesday meeting in the month of December, or a Saturday meeting in January. There shall be at least one (1) regular meeting of the local during the months of May through September. Any regular meeting may be suspended by majority vote of the members present and voting at one regular meeting. (See By-Laws, Article II, Quorum)

Section 2. Special meetings shall be called by the President or on a petition signed by at least 25 members in good standing, the purpose of the meeting to be stated in the petition and the business of the meeting to be confined to the purpose as stated in the petition. Such petition shall be prominently posted upon the official DMI Area Local APWU bulletin board(s) for a period of at least forty-eight (48) hours before such meeting is to be called, dating from the time it is called. (1980)

Section 3. The two (2) regular monthly meetings (October through April) shall be held per the following schedule: First Saturday of the month at 10:00 a.m. and the third Wednesday of the month at 7:00 p.m. (October 5, 1996)

Section 4. The succession for presiding officers of all meetings of the DMI Area Local will be President, Vice President, Secretary-Treasurer, Recording Secretary, Editor, or Trustee. If none of the aforementioned are available or willing, the President may appoint a presiding officer for a specific meeting(s). If the President is not available or capable of appointing a presiding officer, the Executive Board will then appoint one for specific meeting(s). (May 21, 1997)

ARTICLE VII Criticism Prohibited

Section 1. No criticism, reflection, argument or debate concerning any member's race, color, creed, sex, sexual orientation, nationality, handicap, political affiliation, age or religion shall be allowed at any meeting of the DMI Area Local APWU. (1993)

Section 2. All members will be treated with dignity and respect by all elected and appointed union officials.

ARTICLE VIII Recall

Refer to National APWU Constitution Articles XIV and XV. (2004)

ARTICLE IX Inspection of Records

All records of the DMI Area Local APWU shall be subject to inspection at any time, either by a committee appointed by the President, or by a committee elected by the members at a regular or special meeting. (1980)

ARTICLE X Constitution Amendments

This constitution shall stand as the supreme authority of the DMI Area Local APWU, and shall not be amended or annulled except as follows.

Amendments to this constitution shall be submitted in writing, and may be submitted to the Constitution Committee, or introduced as a Motion for Consideration at a regular meeting. If the Motion for Consideration is passed by a simple majority of those present and voting at the regular meeting, it shall be referred to the Constitution Committee for consideration.

Amendments proposed necessitating immediate action shall be submitted to the Executive Board. If a 2/3 majority vote to approve the amendment, then the January 1st effective date will be waived. (2004)

The Constitution Committee shall meet as often as is deemed necessary by the President, or the Chair of the committee, but in no case, not later than September 1st of each year, for the purpose of considering all proposed amendments submitted to the committee, and all motions for consideration passed by the membership.

At the September regular meeting, the committee shall report on all proposed amendments and motions for consideration. A recommendation of concurrence by the committee shall be considered a motion to adopt the proposed amendment and may be approved by a simple majority of the members present and voting at that meeting.

Upon approval by the membership, the proposed amendment(s) shall be posted on the official DMI Area Local bulletin board(s) for a period of not less than two weeks after approval, and before a final vote is taken.

The final vote shall be by secret ballot, and shall be taken at a regular meeting in October, and shall require a 2/3rd majority of the members present and voting at that meeting to be adopted, and shall become effective on the following January 1st.
(March 17, 1999)

ARTICLE XI Conventions

All officers and members duly elected to go to a National Convention shall be required to use their own Annual or LWOP (at own expense). Compensation for meals, lodging, and travel expenses will be paid by DMI Area Local APWU upon presentation of receipts, **in compliance with Article V. (2008)**

ARTICLE XII PERSONAL LIABILITY OF OFFICERS (Adopted August 5, 1995)

An officer of this organization shall not be personally liable for the organization's debts or obligations, except for a breach of the duty of loyalty to the organization, for acts or omissions not in good faith or which involve intentional misconduct or knowing violation of the law, or for a transaction from which the person derives an improper personal benefit. The officers of this organization have agreed to serve as officers in reliance upon the provisions of this Article.

ARTICLE XIII INDEMNIFICATION OF OFFICERS (Adopted August 5, 1995)

This organization shall indemnify any director to the fullest extent possible under Iowa Code ~~§§504A.4(14), 490.850-490.858~~ (1991 edition). The officers of the organization

Comment [MFF1]:

have agreed to serve as officers in reliance upon the indemnification assurances contained in those provisions of the Iowa Code.

ARTICLE XIV
401(k)
(Adopted October 20, 2004)

Section 1. The DMI Area Local shall participate in the APWU Nationally Sponsored 401(k) Retirement Plan. All employees (those who receive salaries or LWOP) shall be eligible.

Section 2. The DMI Area Local will make a matching contribution for each Participant's Elective Deferral Contributions during each pay period, up to:

FERS Employees: Five percent (5%) of the Participant's compensation each month.

CSRS Employees: Zero percent (0%) of the Participant's compensation each month.

Secretarial or Professional Staff: Five percent (5%) of the Participant's compensation each month.

ARTICLE XV
Strike Board
(Adopted October 19, 2005)

Section 1. The Strike Board's purpose is to authorize the expenditure of funds in the DMI Strike Fund. This board will consist of the President, Treasurer, Support Services Craft Director, and a member from each unit represented by the DMI Area Local to be appointed by the President. More members may be added with a majority vote of the existing members.

Section 2. This board shall require a majority vote of all members to disburse funds and shall report all such disbursements at the regular meetings of the DMI Area Local APWU.

BY-LAWS

ARTICLE I Order of Business (1993)

1. Roll call of officers.
2. Reading of the minutes of the previous meeting (Regular, Special, and or Executive Board.)
3. Reading of the Financial Statement by the Financial Secretary-Treasurer.
4. Reading of correspondence.
5. Propositions for membership.
6. Reports of Officers and Representatives. (March 4, 1995)
 - (a) President
 - (b) Vice-President
 - (c) Financial-Secretary-Treasurer
 - (d) Recording Secretary
 - (e) Editor
 - (f) Trustees
 - (g) Craft Directors
 - (h) Sergeant-At-Arms
 - (i) Bid Coordinator (March 4, 1995)
 - (j) System Administrator (March 4, 1995)
 - (k) APWU Health Plan Representative (March 4, 1995)
7. Reports of Committees.
8. Good and Welfare of the Union.
9. Unfinished Business.
10. New Business.
11. Adjournment - (All meetings shall be limited to two (2) hours duration unless two-thirds (2/3) of members present vote to continue.)

ARTICLE II

Quorum

Eleven members shall constitute a quorum, but less than that number may adjourn to meet at a specified time. If there is no quorum within 10 minutes after the meeting is scheduled to begin, then that meeting is canceled. (2004)

ARTICLE III Rules of Order

In the absence of other authority the deliberations of shall be governed by the current Robert's Rules of Order. (1980)

ARTICLE IV Amendments

Amendments to these By-Laws may be made in the same manner as prescribed for amendments to the Constitution. (1980)

ARTICLE V Rules Governing Debate

The Following Rules May Be Used To Govern Debate (1980)

Rule 1. On motion, the regular order of business may be suspended by a two-thirds (2/3) vote of the meeting at any time to dispose of anything urgent.

Rule 2. All motions (if requested by the chair) or resignations must be submitted in writing.

Rule 3. Any conversation, by whispering or otherwise, which is calculated to disturb a member while speaking, or hinder the transaction of business, shall be deemed a violation of order.

Rule 4. Sectarian discussion shall not be permitted in the meetings under any circumstances.

ARTICLE VI Motions

Rule 5. A motion to be entertained by the presiding officer must be seconded, and the mover as well as seconder, must rise and be recognized by the chair.

Rule 6. The maker of a motion may decide to withdraw the motion and ask permission of the chair to withdraw the motion. The chair puts the questions before the members. If there is an objection, the question of withdrawal must be put to a vote. It requires no

second. It cannot be debated. It then takes a simple majority to be withdrawn. (March 4, 1995)

Rule 7. A motion to amend an amendment shall be in order, but no motion to amend an amendment to an amendment shall be permitted.

Rule 8. In the event of a motion that would reverse the decision of a passed motion at the previous meeting, while the results of such a motion would hold precedent, the motion must be presented to the secretary to be posted not less than five (5) days prior to the next regular meeting. This rule will not apply to Constitutional Amendments. They will be governed by Article X, Constitutional Amendments. This rule will not apply to Article VI, Section 2, Special Meetings.

Rule 9. A motion shall not be subject to debate until it has been stated by the chair.

Rule 10. When a member wishes to speak he/she shall rise and respectfully address the chair, and if recognized by the chair, he/she shall be entitled to proceed.

Rule 11. If two (2) or more members rise to speak at the same time, the chair shall decide which is entitled to the floor.

Rule 12. Each member when speaking shall confine himself/herself to the question under debate and avoid all personal, indecorous or sarcastic language.

Rule 13. No member shall interrupt another while speaking, except to a point of order, and he/she shall definitely state the point, and the chair shall decide, the same without debate.

Rule 14. If a member, while speaking, be called to order, he/she shall take his/her seat until the point of order is decided, when, if decided in order, he/she may proceed.

Rule 15. If any member shall feel himself/herself personally aggrieved by a decision of the chair, he/she may appeal to the body from the decision.

Rule 16. When an appeal is made from the decision of the chair, the Vice-President shall then act as chairperson; said appeal shall then be stated by the chairperson to the meeting in these words: "Shall the decision of the chair be sustained as the decision of this Union?" The member will then have the right to state the grounds of appeal, and the chair will give reasons for his/her decision, thereupon the members will proceed to vote on the appeal without further debate and it shall require a majority vote to sustain such an appeal.

Rule 17. No member shall speak more than twice on the same subject until all the members desiring the floor shall have spoken, not more than three (3) times without majority consent, nor more than three (3) minutes at any one time without consent of

the majority vote of members present. Officer's Reports will be limited to three (3) minutes, unless extended by majority vote of members present.

Rule 18. The presiding officer shall not speak on any subject, unless he/she retires from the chair, except on points of order, and in case of a tie vote he/she shall have the deciding vote.

ARTICLE VII Privileged Questions

Rule 19. When a question is before the meeting, no motion shall be in order, except:

1. To adjourn;
2. To lay on the table;
3. For the previous question;
4. To postpone to a given time;
5. To refer or commit;
6. To amend; and these motions shall have precedence in the order herein arranged. The first three of these motions are not debatable.

Rule 20. If a question has been amended, the question on the amendment shall be put first, if more than one amendment has been offered the questions shall be put as follows:

1. Amendment to the amendment;
2. Amendment;
3. Original proposition.

Rule 21. When a question is postponed indefinitely it shall not come up again except by a two-thirds (2/3) vote.

Rule 22. Before putting a question to vote the presiding officer shall ask "Are you ready for the question?" Then it shall be open for debate. If no member rises to speak, the presiding officer shall then put the question in this form: "All in favor of this motion, say 'aye' " and after the affirmative vote is expressed. "Those of the contrary opinion say 'no' ". After the vote is taken he/she shall announce the result in this manner; "It seems to be carried (or lost); it is carried (or lost) and so ordered."

Rule 23. Before the presiding officer declares the vote on a question, any member may ask for a division of the house, then the chair is in duty bound to comply with the request, and standing vote shall then be taken, and the Recording Secretary shall count the same.

Rule 24. When a question has been decided it can be reconsidered only by a two-thirds (2/3) vote of those present.

Rule 25. A motion to reconsider must be made and seconded by two (2) members who voted with the majority.

Rule 26. A member being ordered to take his/her seat three (3) times for just cause by the chair without heeding, shall be debarred from participating in any further business at that session.

Rule 27. All questions, unless otherwise provided, shall be decided as a majority vote may direct.

The foregoing is a true and corrected copy of the Constitution and By-Laws of DMI Area Local APWU, as adopted on the **4th of October 2008**.