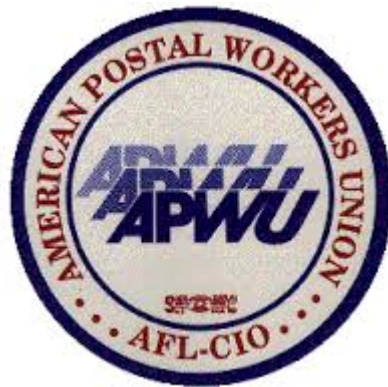


**CONSTITUTION AND BY-LAWS**  
Together with  
**Standing Motions**  
OF THE  
**AMERICAN POSTAL WORKERS UNION**

**Springfield, MA Area Local #497**



As amended **October 2018**

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## PREAMBLE

We, the Postal Workers of America, in order to form a more perfect union establish this Constitution.

We, who come from the diverse crafts and divisions, believe that in unity there is strength.

We believe that all members of labor have the right to economic, political and social justice.

That all men and women have the inherent right to earn a living and to be justly paid for the services they perform.

That all workers have the right to expect to have decent shelter, food and clothing.

That they have the right to see that their children have the best education. The investment of the workers's lifeblood in giving service gives him that right.

We further believe that all men and women are created equal with the right to determine their own destiny and to participate in the forces and events that affect them.

We believe that all workers have the right, regardless of race, color, creed, sex, sexual orientation, nationality, handicap, political affiliation, age or religion to hold their heads high and to have respect for themselves as individuals.

We believe, therefore, that in the spirit of the Declaration of Independence and the U.S. Constitution, all men and women are free and the right to come together to promote the common cause of all.

We also believe that all members have a certain basic rights within our Union and shall be secure in those rights. In order to give life to the Preamble to this Constitution, and the Constitution itself, the Members' Bill of Rights has been established.

## OFFICERS' OATH OF OFFICE

I, (name), having been duly elected to office in the Massachusetts Local 497 of the American Postal Workers Union, AFL-CIO, do solemnly pledge to uphold the Constitution and Bylaws of the American Postal Workers Union, AFL-CIO and of the state of Massachusetts Local 497.

I further pledge to perform the duties of my office to the best of my ability. I promise that at the conclusion of my term of office, I will turn over to my successor all books, papers, records, and documents that are the property of the APWU Massachusetts Local 497.

And I further pledge that once I no longer hold an office with the American Postal Workers Union and am no longer a bargaining unit employee, I will never testify in support of the United States Postal Service in any United Postal Service arbitration or administrative hearing about internal Union discussions and/or decisions that are made by the Union or Union leaders in regard to the American Postal Workers Union's contractual positions and/or American Postal Workers Union's internal policies.

I further subscribe and affirm that if I resign or enter into an EAS position, whether detailed or permanent within one year of resignation or completion of term of office, I will subject myself to full reimbursement to the American Postal Workers Union for any and all training I received during the preceding year whether National, State, or Local.

Last but not least, I promise to purchase only union made articles, whenever available. Failure to perform any of the above will mark me as an individual devoid of honor and destitute of integrity.

## MEMBERS' BILL OF RIGHTS

1. Every member has the right to be respected as a human being.
2. Every member has the right to be respected as a brother or sister of this Union.
3. Every member has the right to freedom of speech and the right to be heard.
4. Every member has the right to the freedom to listen.
5. Every member has the right to the freedom of the press.
6. Every member has the right to participate in the activities of this Union.
7. Members shall not be denied the right to seek any office or the right to vote in this Union because of race, color, creed, sex, sexual orientation, nationality, handicap, political affiliation, age or religion.
8. Every member has the right to support the candidate of his/her choice and to participate in that right with others.
9. Every member has the right to a fair trial, to be represented by an individual of his or her choice and to proper appeal procedures.
10. Every member has the right to be secure in his or her basic rights without fear of political, economic, physical or psychological intimidation.

## **ARTICLE I**

This organization shall be known as Springfield Mass. Area Local 497 of the American Postal Workers Union, AFL-CIO, hereafter referred to as the Local.

## **ARTICLE II**

The objectives of this Local shall be to secure through collective bargaining a better standard of living and the protection of its members.

## **ARTICLE III**

The Local claims jurisdiction in all instances where jurisdiction is claimed by the American Postal Workers Union, AFL-CIO.

## **ARTICLE IV – Membership and Dues**

**Section 1.** Any present or former postal employee at any installation under the jurisdiction of this Local shall be eligible for membership.

**Section 2.** Membership shall be divided into three classes. They are ACTIVE, ASSOCIATE, and RETIRED.

- A. An ACTIVE member shall be one who is employed in a non-supervisory capacity in this Local's bargaining unit.
- B. An ASSOCIATE member shall be one who works in another bargaining unit, a supervisor, or a member who has retired and does not desire to pay full dues. ASSOCIATE members shall have neither voice nor vote.
- C. A RETIRED member is a former ACTIVE member who is retired, who wishes to pay full per capita taxes to the APWU, plus Local 497 dues. They shall retain the same right to vote in all matters they had immediately before retiring from service.
- D. A retiree who relocates their primary residence to Local 497 jurisdiction may, after one year, transfer their union membership to Local 497. Proof of residency applies and transfer must be in accordance with Local 497 Constitution and Bylaws. Local 497 will receive their dues.
- E. Retirees whose full dues/per capita payments have lapsed due to extenuating circumstances may appeal for reinstatement to the national Secretary-Treasurer. Retirees who desire to become members of the Retirees Department shall pay thirty six (36.00) per year per capita tax to the national Union.

**Section 3.**

Application for membership shall be voted on at a regular membership meeting and must be accepted by a majority vote. Any member may call for a secret vote and majority of those present may so stipulate.

**Section 4.**

- A. Regular dues shall be \$24.07 per pay period (added 1/12), subject to increase when the National increases its per capita tax or when the membership votes to do so at a regular membership meeting (by secret ballot vote).
- B. Federal –Classified, EAS, Mail Handler, Carrier, Rural Carrier and tribal or tribal organization employees may be accepted as Associate Members for Health Plan participation only. They shall pay (\$35.00) per annum for this privilege, five dollars (\$5.00) of which shall go to Local 497.
- C. Any proposed dues increase must be made at one meeting and then posted to the membership for at least ten (10) days, and will be voted on at the following monthly meeting, by secret ballot vote. (Passed 3/15/92)
- D. Any National or Local assessment shall be paid by all members.
- E. Members arrears on their dues shall be notified by certified mail, return receipt, specifying date money is due. If payment is not made by the specified date national APWU will be notified for removal from membership. Exception shall be found in Article 3, Section 1 of the National Constitution.

**Section 5.** All other matters in regard to membership and dues shall be determined by the National Constitution.

**Section 6.** This Local shall pay the Accident Benefit Association of the APWU for all dues paying members.

**ARTICLE V – Officers**

**Section 1.** The Officers of this Local shall be elective or appointive.

**Section 2.** The elective officers of this Local shall consist of President, Executive Vice President, Secretary, Treasurer, Editor, Clerk Craft Director, Maintenance Craft Director, MVS Craft Director, Support Services Director (added 10/15/00/), Research and Education Director, Hospital Plan Representative, Volunteer Benefit Plan Representative (added 1/88), three (3) Trustees, two (2) Sergeant- At- Arms, Legislative Director, Safety and Health Representative (added 2/94) and Webmaster (added 9/12).

**Section 3.** All appointive officers shall be by the President with the consent of the Executive Board.

**Section 4.** The term of officers shall commence on June 1<sup>st</sup> of the election year and expire on May 31<sup>st</sup> three (3) years later, or until the succeeding officers are elected and installed. This shall begin with the next election (6/10/90).

**Section 5.** The installation of officers shall be held prior to the June meeting of the year in which elected.

## **ARTICLE VI – Duties and Salaries of Officers**

**Section 1.** The President shall be chairperson of all membership meetings of this Local or shall name another officer to be chairperson, if the President wishes. The President shall be a member of all committees except the Ballot committee. The President shall fill vacancies in this Local by and with the consent of the Executive Board. The President shall appoint all committees not otherwise provided for. The President or his/her designee shall be a delegate to all functions to which the APWU is entitled to be represented. The President shall attend the National Convention as a delegate of the Local. The President shall be the Chief Steward or name another officer to be Chief Steward. The President shall countersign all checks and notify the Executive Vice President of all expected absences. The President will fill out a voucher and state whether leave used is to be charged to sick leave or annual leave and submit this voucher to the Treasurer. The President shall be full time. The President's salary shall be equal to the top step of the highest level employee represented by the Springfield Area Local. (passed 05/02). The President shall be responsible for his/her share of the Civil Service Retirement premium, FEGLI, health benefits premium and FICA. The President, whether currently employed by the USPS or as a retiree, (passed 1/15) shall be paid for the same amount of sick or annual leave that he/she would earn in the USPS. Any leave not used at the end of his/her term shall be "bought back" by the Local at the rate of one hour of base pay for one hour of annual leave (not to exceed 80 hours) and one half hour of base pay for one hour of sick leave (not to exceed 104 hours) (passed 1/15). The President's union dues will be paid by the Local.

**Section 2.** The Executive Vice President shall perform the duties of the President in the President's absence or during the President's inability to perform the duties of the position. In case of a permanent absence or during the President's inability of the President, the Executive Vice President shall perform the duties of the President and shall be paid in accordance with Article 6, Section 1. The Executive Vice President shall be a member of the labor-management and negotiation committees. The Executive Vice President shall attend the National Convention as a delegate of this Local and the national APWU All Craft Convention. (passed 10/18). The Executive Vice President will perform all duties as directed by the President. Salary shall be \$1,600.00 per year.

**Section 3.** The Secretary shall keep a current record of all proceedings at the regular special meetings of this Local and conduct all assigned correspondence on behalf of this Local. The Secretary shall be a member of the labor-management and negotiation committees. The Secretary shall have charge of all non-current books and records of this Local. Within thirty (30) days of the close of the fiscal year, all officers and committees shall deliver to the Secretary their respective books and records for the previous year. The basic records shall be preserved for a period of five (5) years. Salary shall be \$1200 per year.

**Section 4.** The Treasurer shall keep a record of all monetary transactions of the Local receiving all of the financial obligations of the Local. The Treasurer shall deposit all monies received in a bank or the Post Office Employees Credit Union, as directed by the Executive Board. All monies shall be deposited in the name of the Local, and all bills shall be paid by check. The Treasurer shall submit a report to the membership at each regular meeting giving an itemized statement of all monies received and spent for the previous period and three (3) months after the close of the fiscal year, the Treasurer shall submit an annual



report. The Treasurer shall receive all dues, keeping an individual account of all members. The Treasurer shall submit the per capita tax in accordance with the assessment of the APWU Accident Benefits Association at Portsmouth, New Hampshire. The Treasurer will be responsible for obtaining a CPA to conduct an annual audit, and prepare form LM-2 report in the month immediately following the close of the fiscal year and sending the completed and signed LM-2 report by certified mail or electronically to the Labor Department no later than ninety (90) days from the last day of the fiscal year. (passed 04/04) The Treasurer will be responsible for completing and sending, by certified mail, to the IRS form 990 within five (5) months of the end of the fiscal year. The Treasurer shall maintain payments to any Worker's Compensation and Insurance policies purchased by this Local. The Treasurer shall notify any member who is two (2) months in arrears on dues that they will be suspended if they fall three (3) months in arrears. The Treasurer shall send a copy of such notice to the President. The Treasurer may attend one Secretary-Treasurer's Seminar each calendar year. (passed 04/05/92) The Treasurer's report shall include photocopies of all pages of all credit card bills received by the Local since the last Treasurer's report was completed. Copies of past Treasurer's reports, up to three years old, will be provided to any dues paying member who requests such reports in writing, within two weeks of the date the requests is received. (added 03/29/01). Salary shall be \$2,000.00 per year.

#### **Section 5.**

- A. The Editor shall be a member of the Postal Press Association with annual dues paid by the Local.
- B. The Editor shall be a delegate to the National Convention and State Convention and the APWU PPA National Convention.
- C. The Editor shall be responsible for editing all copies submitted for libel, spelling, grammar, length, violations of Federal laws and regulations. At no time shall the Editor change the motive or direction of the contributor's letter.
- D. The Editor must make every effort to be objective in reporting, editing and writing.
- E. The Editor shall have the authority to appoint an Associate Editor if the Editor determines the need for one. The Associate Editor will follow the same ethical standards and guidelines as the Editor. Salary for the Associate Editor will be \$75.00 per issue.
- F. The Editor will produce six issues of the paper each year. Three of these issues will be placed on the web site exclusively and the other three will be mailed to each member in a hard copy form. All issues of the paper will be placed on the web site. Members who request a hard copy of any issue produced on the web site will be given a hard copy.
- G. The Editor shall be paid \$250.00 per issue. (passed 04/07).

**Section 6.** The Director of the Clerk Craft, elected by the clerk craft only, shall perform such duties as assigned by the President. The Director of the Clerk Craft shall be a member of the labor-management and negotiation committees and delegate to the National Convention and any nationally sanctioned Clerk Craft Convention. Salary shall be \$1400.00.

**Section 7.** The Director of the Maintenance Craft, elected by the Maintenance Craft only, shall perform such duties as assigned by the President. The Director of Maintenance Craft shall be a member of the labor-management and negotiation committees and a delegate to the National Convention and any sanctioned Maintenance Craft Convention. Salary shall be \$1,100.00 per year (amended 6/2017).

**Section 8.** The Director of the Motor Vehicle Craft, elected by the Motor Vehicle Craft only, shall perform such duties as assigned by the President. The Director of the Motor Vehicle Craft shall be a member of the labor-management and negotiation committee and a delegate to the National Convention and any nationally sanctioned MVS Craft convention. Salary shall be \$1,100.00 per year (amended 6/2017).

**Section 9.** Support Services Director, elected by the support service craft only, i.e. (private sector members), shall perform such duties assigned by the President. The Director of the Support Division shall be a member of the Private Sector Membership Negotiating Team. Salary shall be \$750.00 per year. (added 10/15/00)

**Section 10.** The Research and Education Director shall be charged with the responsibility of conducting research and administering educational programs at the local level. He/she shall be responsible to work with the President and the Craft Directors in the training of Stewards and shall perform other duties as assigned by the President. The Research and Education Director may attend up to two (2) APWU National or State sanctioned training classes or courses per year. Attendance to classes or courses shall be approved by the executive board. (amended 2/ 2018). Salary shall be \$500.00 per year.

**Section 11.** Trustees have a fiduciary responsibility to the Local. The Trustees shall audit the books of the Treasurer within thirty (30) days of each calendar quarter and shall report their findings at the next regular meeting of this local. At the time of the audit, a Trustee must review all expense vouchers submitted during the previous quarter and acknowledge such review by initialing. Salary shall be \$400.00 per year.

**Section 12.** The Voluntary Benefit Plan Representative shall be responsible for all aspects of each program segments, from recruitment to claims submission. The representative will maintain appropriate segment rosters and monitor payments made by the local. The VBP Representative shall perform other duties related to the programs as assigned by the General President, program segments which are, not limited to the following:

- |                              |                       |
|------------------------------|-----------------------|
| Accident Benefit Association | Short Term Disability |
| Long Term Disability         | Group Legal Services  |
| Group Life Insurances        | Group Master Card     |

As new segments are added by the National APWU, the VBP Representative will be responsible for dissemination of the information to the membership. Salary shall be \$600.00, effective December 1, 2015. (entire section passed 11/15).

**Section 13.** The Sergeant-At-Arms shall have charge of the meeting room and shall maintain order at the meeting. They shall see that only active and retired members in good standing attend meetings of this Local. They shall eject from the meeting any person or persons who attempt to disrupt the meeting on, instructions from the Chair. Salary shall be \$200.00 per year.

**Section 14.** The Legislative Director shall be responsible for directing all activities of the Local with regard to legislation of interest to the members and their families. The Legislative Director shall develop publicity programs and work in cooperation with the AFL-CIO and other National and International unions with regard to legislation. The Legislative Director shall be one of the Local's delegates to the Pioneer Valley AFL-CIO. The Legislative Director shall be this Local's Representative in dealing with the National Legislative Department of the APWU. The legislative Director shall be this Local's representative to legislative seminars put on by the national APWU. Salary shall be \$400.00 per year.

**Section 15.** Stewards shall be appointed by the Director of the craft involved after consultation with the President. Their duties shall involve the prompt handling of all grievances arising in their section at Step 1 of the grievance procedure. If unable to secure a resolve favorably to the grievant at Step 1, they will forward the grievance to the Chief Steward. Any steward found bypassing the National or Local Agreement, or Article 12 of the Local Constitution shall be immediately removed as a steward. Stewards will be paid only for "lost time" (that is, time lost from their regular scheduled work week, at their base hourly rate) for attending stewards meeting. If more than one (1) meeting per month is called, stewards shall be paid for attending the additional meeting(s) at their regular hourly base rate. Salary shall be \$180.00 per quarter and alternate stewards \$90.00 per quarter. (passed 02/96)

**Section 16.** The Safety and Health Representative shall be responsible for directing all activities of the Local regarding safety and health. He/she shall be responsible to work with the President and Craft Director on all safety matters and with consultation with the President appoint committee members when needed in regard to safety issues. The Safety and Health representative shall be this Local's representative in dealings with the National Safety and Health department of the APWU. Salary shall be \$600.00 per year.

**Section 17.** Any Officer of this Local shall be compensated for lost time (that is, time lost from their regular scheduled work week) at their base hourly rate of pay and be entitled to reasonable expenses when serving as a representative of the Local at labor-management meetings negotiations or hearings. Any compensation for anyone else shall be approved at a regular or special meeting. Delegates to the National Conventions, National Craft Conventions or conferences will be paid for leave used and reasonable expenses. No one will be paid if they are on the clock and being paid by the USPS. Receipts shall be turned into the Treasurer to substantiate all expenses and the President and Executive board shall be empowered to rule whether expenses reported are considered to be excessive. Receipts shall not be required when the membership votes to allow a per diem for food not to exceed \$25.

**Section 18.** No elected or appointed officer or steward of this Local shall act in a supervisory position.

**Section 19.** All Craft Directors shall submit to the Treasurer an updated list of stewards to be paid. These lists shall be submitted two (2) weeks prior to the end of each quarter. If the steward is appointed during that quarter his/her effective date shall be included in the list.

**Section 20.** Any elected Officer who absents themselves from three (3) meetings in a calendar year, unless prevented by sickness or excused by vote of the Local, shall have their office declared vacant and a successor appointed by the President with the approval of the Executive Board. (passed 02/03).

**Section 21.** The Webmaster shall maintain Springfield MA Local 497s' website. He shall be the administrator and ensure that all posted content represents the ethics and standards of Local 497. The Webmaster shall receive and post informational updates from the President, Executive Vice President, and each craft director. He shall have the ability to develop ongoing web content with the Executive board approval. He shall have the authority to refuse any matter directly relating to the Local's elected positions (excluding posting of the election issue of *The Rifle*). The Webmaster salary shall be \$500.00 per year. (added 9/12).

## **ARTICLE VII – EXECUTIVE BOARD**

**Section 1.** The Executive board shall be empowered to conduct and act in all matters for the betterment of the Local between meetings.

**Section 2.** The Executive board shall consist of the President, Executive Vice President, Secretary, Treasurer, Clerk Craft Director, Maintenance Craft Director, Motor Vehicle Craft Director, Safety and Health Representative (added 9/2017), Research and Education Director, Editor (added 02/24/2000) and two (2) Executive Board members at-large, at least one (1) from an installation with fifty (50) or less APWU members.

**Section 3.** The Executive board shall meet at least once a month at a time and place determined at the previous meeting, by call of the President, or by call of a majority of the members of the board. The President shall be the chair of the board. The Secretary shall serve in that capacity on the board. Five (5) members shall constitute a quorum.

**Section 4.** The Executive board shall act as the editor policy committee for the Local's newspaper and shall be responsible for:

- A. Resolving any questions brought to them by the Editor regarding any articles that may be considered questionable in the area of libel or in violation of the integrity or moral principles of the Union, or which may be in conflict with Federal laws or regulations.
- B. They shall determine, subject to approval at a membership meeting, and prior to nominations for Local, State and National APWU elections, the specific criteria for articles to be published pertaining to candidates in the elections. Examples of this criteria are:
  1. Whether to accept articles from candidates for publication in the Local's paper.
  2. Whether to publish articles at regular advertising rates or to provide free but equal space for candidates. If there are no advertising rates, to

determine specific rates. If rates are charged, all candidates shall be charged the same rates.

3. To determine if the publication will be available to all candidates for all offices, or all candidates for certain offices. (Federal law allows this determination.)
4. To restrict letters to the Editor column during the election if the letters are meant only for the purpose of supporting candidates for office. (Federal law defines this as violating the intent of the law.)
5. To restrict comments in support of candidates in regular Officers columns, special editorials, or articles other than news features which reflect the actions taken at a membership meeting. (This is in compliance with Federal Law.)

### **ARTICLE VIII – GOOD OF THE ORGANIZATION**

**Section 1.** Any member of this Local who causes disciplinary action to be brought against a fellow member of the Local or takes disciplinary action against a fellow member while acting as a member of management shall be subject to a \$500.00 fine for each instance. This applies to active members of the Local and only applies in cases other than theft of the mails, destruction of postal property, or violations of Federal law. It is intended to apply in cases of maintaining the efficiency of postal operations as stated in Article III of the National Agreement.

**Section 2.** Officers or stewards who are suspended by the Postal Service as a direct result of their representation of the members of this Local or union shall be reimbursed by this Local for the period of the suspension. They shall repay the Local when their grievance is sustained or through arbitration.

**Section 3.** Any officer of this Local who is fired as a result of his or her union activities on behalf of this Local shall continue to represent this Local and hold his or her position until they have exhausted legal steps to be reinstated. Such an officer shall be entitled to run for re-election until his or her case is finally adjudicated.

### **ARTICLE IX – MEETINGS**

**Section 1.** The monthly meeting shall normally be held on the third Thursday of the month at 6:30 p.m. If for reasons of bad weather or other circumstances which make it unrealistic to have the meeting on this date, the President may reschedule the meeting to another date. (passed 01/2004)

- A. Because of vacations, no meetings shall be held during the months of July and August.
- B. Because of heavy overtime, there will be no meeting in the month of December.
- C. Only active and retired members in good standing may attend membership meetings of the Local.
- D. Any motion put before the membership present a meeting of this Local must contain the cost before it can be voted on.

- E. Any motion which would cost more than \$750.00 must be discussed at the meeting at which it is first proposed and then posted on all bulletin boards of the Local ten (10) days before the next meeting to be voted upon at that time. This shall not apply to the grievance/arbitration procedure or legal action in support of the grievance/arbitration procedure. The notice posted on all bulletin boards shall contain the purpose of the expenditure and simply state that if passed; the cost of the motion will exceed \$750.00. (added 03/88)
- F. Roberts Rules of Order, Current Edition, shall be the authority on all questions not covered by the Constitution. (passed 11/87)
- G. Any person going to school and unable to attend a union meeting because of the school should get credit for being at the union meeting, provided that he/she was at the meeting prior and the meeting after the school is over.

**Section 2.** A special meeting may be called by the President of twenty-five (25) members in good standing. Members requesting the special meeting must be in attendance at said meeting or the meeting will be adjourned. Special meetings must be posted in the usual manner of regular meetings at least three (3) days in advance of the date of which the meeting is to be held. The purpose of the meeting must be stated in the posting and no other business may be conducted or discussed at such meeting.

## **ARTICLE X ELECTION**

**Section 1.** Election of officers and delegates to the State Convention shall be held bi-annually in April of odd number years. Election of additional delegates to the National Convention (if voted for under Article XI Section 1 of this constitution) and delegates to the State Convention shall be held in the year of the National Convention. This special election shall be held in the same manner as regular elections.

Members must attend seven (7) of nine (9) meetings to be eligible to be a candidate to run for State delegate. (added 05/88)

- A. In even numbered years, when a National Convention is not held, the delegates to the State Convention shall be determined by secret ballot vote at the April membership meeting.

**Section 2.** The final result of the election of officers and any additional delegates to the National Convention shall be recorded in the minutes of the meeting in May of the year in which the election is held.

**Section 3.** Nominations for all elective offices and any additional delegates to the National Convention (if voted for under Article XI Section 1) shall be made at the March meeting in the year the election takes place. Any member wishing to seek elective office shall submit his or her name to the ballot committee at this meeting.

- A. Special Elections. Notice of meeting for the purpose of submission of names for candidates in a special election must be posted at least fifteen (15) days in advance of the meeting.
- B. All Candidates must be treated fairly as to the submissions of articles in this Local's paper. They shall be permitted to examine membership list within

thirty (30) days prior to the election. Any privilege extended to one candidate must be extended to all.

**Section 4.** The Ballot committee shall be chosen at the February meeting by the membership present. Any member whose name is to appear on the ballot may not be a member of the ballot committee. The Ballot committee shall receive the nominations of all candidates, have ballots printed and distributed to all members and post a sample ballot on all bulletin boards in all installations. They shall provide for the return of ballots to the Local's bank and count all ballots returned.

- A. In the event of a special election the chairman of the ballot committee shall be appointed by the President. The remaining members of the committee shall be appointed at the meeting for the nominations for such elections.
- B. If no ballot committee is appointed due to lack of volunteers, the Executive board shall hire an outside firm the elections in compliance with our Constitution and By-Laws.

**Section 5.** Ballots shall be distributed by mail to all eligible voters with printed return envelopes, fifteen (15) days prior to the closing of the elections. Two (2) days will be allowed for the delivery of the ballots. The closing date of the elections shall be seventeen (17) days from the mailing date of the ballots. Exceptions shall be undeliverable ballots which are mailed out a second time. Ballots shall be counted on the date of the closing and the results shall be posted promptly thereafter.

- A. Regular election ballots must be mailed in the month of April.
- B. Special election ballots must be mailed out in the month following the nominations.
- C. The term eligible voter, which appears in Section 5, shall be defined as all active and retired members who have paid their dues two (2) months prior to the elections.

**Section 6.** No member shall be eligible to be a candidate for officer or convention delegate unless he or she has been a member in good standing for at least one (1) continuous year prior to the nomination meeting, except that a candidate for the office of the President must have been a member in good standing for at least two (2) continuous years prior. No supervisor shall be eligible to hold an elective or appointive position nor shall they be a delegate of this Local if they acted in a supervisory capacity within the year prior.

**Section 7.** No member may be a candidate for more than one (1) elective office in this Local.

**Section 8.** Any defeated candidate may have a recount of the ballots for the position for which he or she was running. All such request must be made to the chairman of the ballot committee.

**Section 9.** In the event that the President of this Local dies or resigns, the Executive Vice President shall serve out the remainder of the President's term.

## **ARTICLE XI – REPRESENTATION**

**Section 1.** The March meeting shall determine whether any delegates will be sent to the National Convention in addition to the officers named in Article VI of this constitution. The March meeting shall also determine the number of delegates to be sent to the State Convention. If these issues are not brought up at the March meeting, they may be brought up at any subsequent meeting.

**Section 2.** In representing the Local at any conferences, etc., delegates will be obligated to return monies and salaries for non-attendance of any business session.

## **ARTICLE XII – SENIORITY**

**Section 1.** Seniority shall prevail at all times.

## **ARTICLE XIII – AMENDMENTS**

**Section 1.** This Constitution and By-Laws shall not be amended except by two-thirds (2/3) vote of those members present and voting on the proposed amendment at a regular or special meeting. Such proposed amendments must be given in writing and read at a previous meeting. Proposed amendments must have attached the signature of at least twenty (20) members in good standing. All proposed amendments must be posted on all local bulletin boards at least ten (10) days prior to the meeting at which the vote is to be taken. Amendments must provide for the deletion of conflicting existing language in the Constitution and By-Laws to be in order. A proposed amendment or amendments may be amended at the meeting which it will be voted, in accordance with the Current Edition of Roberts Rules of Order.

## **ARTICLE XIV – NON SUSPENSION**

**Section 1.** This Constitution and By-Laws shall not for any reason, be suspended during a regular meeting, except as specified in Article I, Section 2 of the By-Laws.

## **ARTICLE XV – SAL BUILDING**

**Section 1.** APWU Local 497 shall be responsible for building loan payments for real estate owned by SAL 497 Realty LLC only to the extent that SAL 497 Realty LLC has insufficient funds from rents received to make timely payments. (passed 05/06)



# **BY-LAWS**

## **ARTICLE I**

### **Section 1.** The Order of business

1. A moment of silence for our departed members
2. Pledge of Allegiance (passed 06/99)
3. Roll call of Officers
4. Roll call of members present (changed 1989)
5. Reading of the minutes of the previous meeting
6. Reading of roll call for new members (changed 1992) and new non-members (added 02/15/01)
7. President and Craft Officers report (for informational exchange and not to discuss personal grievances)
8. Committee reports
9. Unfinished business
10. Reading of bills and Treasurer's report
11. New business
12. Business for the good of the organization
13. Adjournment

**Section 2.** The order of business may be changed or suspended at any meeting by a two-third (2/3) vote of the members present and voting.

**Section 3.** Any member desiring to speak on a subject under consideration must stand and address the chairman and such member shall not proceed until recognized by the chair. Any member who does not abide by this section and is ruled out of order by the chair at least three (3) times in the same meeting may be ejected from the meeting at the option of the chairman. Any member removed for this reason shall have their name removed from the record of attendance for that meeting.

**Section 4.** No member shall speak twice on the same subject before the meeting unless all other members present who wish to speak are provided the opportunity first.

**Section 5.** All motions before the meeting must be read by the chair before they can be debated.

## **ARTICLE II**

**Section 1.** For all regular membership meetings, and for special membership meetings called by the President, the presence of twelve (12) active or retired members in good standing will constitute a quorum (passed 10/11). For special meetings called by the membership, the presence of twenty-five (25) members who called the meeting will constitute a quorum.

**Section 2.** During the temporary absence of any officer, the President may appoint a replacement to fill the vacancy until the absent officer returns to fill his or her position.

**Section 3.** Members must notify the Treasurer of any change of address.

**Section 4.** The following are procedures that shall apply in the event that charges are brought against any member, officer or steward of the Local.

1. The member preferring the charges shall do so by writing specific and detailed charges and presenting these charges to the President.
2. The President shall appoint a hearing committee consisting of three (3) members who are in good standing, with the consent of the Executive Board. (changed 06/91)
3. The Hearing committee shall provide the person being charged and the person bringing the charges an opportunity to present their case.
4. The Hearing committee shall report their findings at the next regular meeting after they have arrived at such findings.
5. The members present at the meeting at which the committee's findings are made known will vote to accept or reject the committee's findings.
6. This decision may be appealed under Article XX of the National Constitution. Administrative assistance or advice for this appeal shall be provided by the Local if requested.
7. In the event that charges are brought against the President, the charges will be submitted to the Executive Vice President who will appoint a Hearing committee with the consent of the Executive Board.

### **Article III**

**Section 1.** Travel reimbursements and expenses will be paid in accordance with Local 497's Travel and Expense Policy. Subsequent to initial approval, any changes to the policy shall be by a committee of not less than 5 members of the Executive Board. Changes to the Travel and Expense Policy shall be presented at a regular membership meeting for approval prior to inclusion in the travel and Expense Policy. (Entire section passed 11/15).

## STANDING MOTIONS

*(Revised March 2017)*

1. **September 16, 1979** – Union to get a frame for the charter and it will be kept in the Secretary's possession.
2. **September 16, 1979** – To drop the progressive door prize and have one (1) \$20.00 Stop and Shop gift card door prize drawn and awarded at each regular membership meeting beginning in January 2017 (amended 1/2017).
3. **September 16, 1979** – Send letters to the retirees suggestion they join the Auxiliary.
4. **March 16, 1980** – In the future, when a new constitutional change is made, the membership should have a chance to vote yes or no on each article.
5. **April 13, 1980** – There will be no smoking during meetings and to have a smoke break if meetings last more than one (1) hour.
6. **May 18, 1980** – Each delegate give a three (3) minute speech giving their opinion as to what transpired at the National Convention.
7. **January 18, 1981** – Anyone invited to our meeting to sell anything will speak after the meeting is adjourned.
8. **June 28, 1981** – Recording Secretary include at the end of the monthly meetings notices: Members must be present for roll call to receive credit for the meeting.
9. **October 18, 1981** – As soon as possible (after local negotiations), copies of the LMOU and amended Constitution and By-laws are available for members online, at the Berkshire office and stewards office at the plant.(amended 3/2017).
10. **May 16, 1982** – local join the MassCosh @ \$100.00 per year.
11. **March 19, 1984** – List candidates for the convention and office by lottery drawing but not alphabetically.
12. **May 19, 1985** – any member, who files a grievance, will be given a copy of each step decision.
13. **May 19, 1985** – Post a list of all non-union members in all the Springfield Area Local bulletin Boards monthly, beginning on July 1, 1985.
14. **May 19, 1985** – Local continue sending \$25.00 (amended 1/2017) for a mass card to members/families when there is a death in the family.
15. **January 1986** – If the Secretary is unable to attend a meeting, they shall have copies of the previous meeting minutes made and ensure these copies are at the meeting they are unable to attend.
16. **Mary 16, 1986** – Prohibit any union representative from granting any extension of time limits more than seven (7) calendar days for any of the employees step 2 grievance, (exception: with prior approval of the executive board).
17. **September 21, 1986** – To hire a WNEC law student @\$50.00 per week to follow up on OWCP cases, (not to exceed the \$750.00 limit).
18. **April 12, 1987** – Craft reports and president's report to be limited to five (5) minutes with the total not to exceed thirty (30) minutes.
19. **June 14, 1987** – this local to hire a secretary.
20. **September 20, 1987** – When a constitutional amendment is read, that at least twenty-five (25) copies are available for members attending the meeting.
21. **October 18, 1987** – Local to join the state AFL-CIO and pay the per capita tax.

22. **October 18, 1987** – The National news service and executive board meetings be posted by the president/designee. (Also post at the AO's)
23. **January 10, 1988** – When a member of the Local passes away, the Local will buy a floral arrangement.
24. **March 27, 1988** – Any member missing a membership meeting due to union business will be excused.
25. **April 17, 1988** – The Local accept the Executive Board's recommendation that members representing the Union at all APWU events may change their schedules so that APWU and postal work hours do not exceed forty (40) hours.
26. **June 26, 1988** – If any member wishes the Union to endorse a candidate, it should be posted first and voted on at the next meeting.
27. **January 15, 1989** – Officers and stewards of the Local will be reimbursed for lost annual and sick leave due to LWOP (leave without pay) incurred in the service of the Local.
28. **January 23, 1997** – The Local will belong to the ILCA (International Labor Communications Association) with authorization to pay annual dues at an annual cost not to exceed \$100.00.
29. **November 19, 2009** – The Local will give \$25.00 gift certificates from Stop & shop or other union store instead of a turkey to those members who have attended at least five (5) membership meetings. Attendance at the November meeting is not required.
30. **January 17, 2008** – The local shall continue the past practice of providing pizza and beverages at O'Brien's beginning with the February meeting.