

Constitution
for
Macomb County, Michigan, Employees
Local 411

Article I
Name

The name of this organization shall be Macomb County, Michigan, Employees Local Number 411 of the American Federation of State, County and Municipal Employees, AFL-CIO.

Article II
Affiliations

This local union shall be affiliated with Michigan Council Number 25 of the American Federation of State, County and Municipal Employees; the Michigan State AFL-CIO; and the Metropolitan Detroit AFL-CIO.

Article III
Objectives

The objectives of this local shall be to carry out on a local basis the objectives of the American Federation of State, County and Municipal Employees.

Article IV
Membership and Dues

Section 1. All county employees of Macomb County, Michigan, except those employees within the jurisdiction of Locals 1917 and 2172, are eligible for membership in this local union, subject to the requirements of the Constitution of the International Union.

Section 2. Application for membership shall be made on a standard application form. Employees shall tender the initiation fee of \$25.00 unless previously in good standing from another AFSCME or AFL-CIO union.

Section 3a. The monthly membership dues of the local shall be \$39.85 (the current local share plus the monthly per capita tax to the International Union and Michigan Council 25). In January of each year, dues shall be automatically increased in accordance with the provisions of the International Constitution. To the extent possible, membership dues shall be payable in advance to the local treasurer and in any event shall be paid not later than the 15th day of the month in which they become due. Any member who fails to pay dues by the 15th day of the month in which they become due shall be considered delinquent, and upon failure to pay dues for two successive months shall stand suspended. Provided, however, that any person who is paying dues through a system of regular payroll deduction shall for so long as such person continues to pay through such deduction method, be considered in good standing.

Section 3b. Except for increases required by the provisions of Article IX, Section 6, of the International Constitution, the membership dues rate of the local may only be increased in accordance with the amendment procedure contained in Article XI of the local union constitution.

Section 4. A member suspended under the above section may be reinstated to membership in the local on payment of all arrearages or upon payment of a reinstatement fee of \$25.00 plus the current month's dues.

Section 5. In the event a member of Local 411 is transferred into a classification that has not been recognized as part of the bargaining unit, it is the member's responsibility to inform the personnel office, in writing, with a copy of that letter also sent to Local 411 to stop deduction of union dues from their salary.

Article V Meetings

Section 1. Regular meetings shall be held once each month, at a time and place to be fixed by the membership or the local executive board. Any decision to suspend a monthly meeting must be made independently for each monthly meeting.

Section 2. Special meetings may be called by the local president, the executive board, or by petition filed with the president and signed by 10% of the members of the local. Special meetings may also be called by the International President or his/her authorized representatives.

Section 3. The local union executive board shall meet monthly at a time and place to be fixed by the members of the executive board. Any decision to suspend a monthly meeting must be made independently for each monthly meeting.

Section 4. Special meetings of the local executive board may be called by the president, or a majority of the executive board. A special meeting of the executive board may also be called by the International President or his/her authorized representative.

Section 5. The quorum for this local shall be twenty (20) people of the membership in good standing.

Article VI Officers, Nominations and Elections

Section 1a. Officers. The officers of this local shall be a president, a vice-president, a recording secretary, a treasurer, a sergeant-at-arms, and six (6) executive board members elected at-large and these eleven (11) shall constitute the local union executive board. All officers shall be elected for a term of three (3) years beginning in 2016.

Section 1b. Trustees. In addition, there shall be elected three (3) members who shall serve as trustees. The initial election of trustees will be the following basis: One (1) trustee for a one (1) year term, one (1) trustee for a two (2) year term, and one (1) trustee for a three (3) year term. One (1) trustee shall be elected every February for a three (3) year term.

Section 2. Nominations shall be made at a regular or special meeting of the local. At least fifteen days' advance notice shall be given the membership prior to the nomination meeting. A nominating committee may be appointed or elected to oversee nominations, but whether or not such nominating committee is used, nominations shall be permitted from the floor at the nomination meeting. Upon acceptance by the nominees, a list of eligible candidates shall be posted and voted upon for each vacant office. All regular elections shall be held in the month of February.

Section 3. To be eligible for office, a member must be in good standing for one year immediately preceding the election. No retired member shall be a candidate for office.

Section 4a. Officers shall be elected by secret ballot vote, and the balloting shall be so conducted as to afford to all members a reasonable opportunity to vote. At least thirty (30) days' advance notice shall be given the membership prior to the holding of the election. Ballot boxes shall stay fixed in one place at the beginning to the end of the election unless otherwise designated by the election committee. Upon recommendation of the election committee, the membership shall vote to approve any alternate voting process that may be offered that adheres to the Elections Code.

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

Section 5. Vacancies in the office of the vice-president, recording secretary or treasurer shall be filled for the remainder of the unexpired term by vote of the executive board. In the event the office of president becomes vacant, the vice-president shall become president for the remainder of the unexpired term and the office of vice-president shall be filled for the remainder of the unexpired term by vote of the executive board. In the event that the office of unit executive board member falls vacant, the vacancy shall be filled for the remainder of the unexpired term by vote of the executive board in accordance with the requirements prescribed in Section 3 of this article.

Section 6. Every officer shall, upon assuming office, subscribe to the Obligation of an Officer contained in Appendix B of the International Union Constitution.

Article VII Duties of Officers and Executive Board

Section 1. The president shall:

- a. preside at all meetings of the local union and of the executive board;
- b. be a member of all local committees except election committees;
- c. countersign all checks drawn against the funds of the local;
- d. appoint all standing committees and all special committees of the local, subject to the approval of the executive board;
- e. report periodically to the membership regarding the progress and standing of the local and regarding the president's official acts;
- f. preside at all third and fourth step grievances and arbitrations;
- g. along with the treasurer, shall be the main contacts for all financial matters concerning the union; and
- h. appoint alternate stewards as required and such other duties as may arise.

Section 2. The vice-president shall:

- a. assist the president in the work of the president's office;
- b. in the absence of the president or in the president's inability to serve, the vice-president shall preside at all meetings and perform all duties otherwise performed by the president;
- c. be authorized to act as co-signer of checks drawn on the local funds in place of either the president or the treasurer;
- d. act as chief steward and be a member of the steward's committee; and

- e. perform such other duties as the executive board and/or the president may require.

Section 3. The recording secretary shall:

- a. keep a record of proceedings of all membership meetings and all executive board meetings;
- b. carry on the official correspondence of the local, except as the executive board may direct; and
- c. perform such other duties as the executive board and/or the president may require.

Section 4. The treasurer shall:

- a. receive and receipt for all monies of the local union in a financial institution insured by the Federal Deposit Insurance Corporation;
- b. withdraw money so deposited by check signed by the president and the treasurer, except as otherwise provided herein;
- c. prepare and sign checks for such purposes as are required by the constitution or are authorized by the membership or the executive board;
- d. prepare and submit the monthly membership report to the International Union office and see that a check is drawn in payment of the local's per capita tax each month and sent to the International Union Secretary-Treasurer;
- e. keep an accurate record of receipts and disbursements and shall, once each month submit to the membership a monthly operating statement of the financial transactions of the local for the previous month;
- f. act as custodian of all properties of the local union;
- g. at the expense of the local union and through the International Union give a surety bond for an amount to be fixed by the executive board by the local union;
- h. see that any financial reports required by the International Union Constitution to be submitted to the International Union are submitted in accordance with the International Union Constitution;
- i. keep all original financial records and/or correspondence in the local union business office, except as otherwise provided by the executive board; and
- j. perform such other duties as the executive board and/or the president may require.

Section 5. The sergeant-at-arms shall:

- a. maintain order at all executive board and general membership meetings, at the president's direction;
- b. at general membership meetings verify the membership; and
- c. perform such other duties as the executive board and/or the president may require.

Section 6. The executive board shall be the governing body of the local union except when meetings of the local union are in session. All matters affecting the policies, aims and means of accomplishing the purposes of the local not specifically provided for in this constitution or by action of the membership at a regular or special meeting shall be decided by the executive board. The board shall meet at the call of the president or of a

majority of the members of the board. A report on all actions taken by the executive board shall be made to the membership at the next following meeting. A majority of the members of the executive board shall be required for a quorum.

Section 7. Any officer or executive board member unexcused for three (3) consecutive meetings shall be automatically removed from office.

Section 8a. The trustees of this union shall make or cause to be made annually, in the month of January, an audit of the local's finances and shall report to the membership and the executive board on the results of such audit.

Section 8b. The trustees shall, among themselves, ensure that at least one (1) trustee shall be in attendance at each general membership meeting.

Article VIII Compensation

The officers and stewards shall be compensated at rates set by the executive board and approved by the membership. Any increase in compensation to officers and/or stewards rates must be approved by a majority of the membership in attendance at a regular general membership meeting. Notice of this issue being on the agenda must be given to the membership thirty days prior to a vote at a regular general membership meeting. Notice may be in the form of a newsletter.

Article IX Conventions, Conferences, Meetings and Delegates

Section 1a. Members attending conferences, conventions or meetings as delegates shall receive pay at their normal rate for lost wages.

Section 1b. Members attending conferences, conventions or meetings as delegates shall receive a per diem per day. Any expenses above and beyond those originally approved by the executive board shall be reimbursed upon submitting receipts for said expenses to the executive board for approval at the next regularly scheduled executive board meeting following the incurring of the expenses.

Section 2. By virtue of the office, the president shall automatically be a delegate to all conventions, state and national, and to special meetings of delegates.

Section 3. All reimbursements shall be subject to a vote of the executive board for approval.

Article X Miscellaneous Provisions

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

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

Section 3. Robert's Rules of Order Newly Revised shall govern this local union in all cases to which they are applicable and in which they are not inconsistent with the

constitution and special rules of this local union or of the American Federation of State, County and Municipal Employees.

Article XI Amendments

Section 1. This constitution may be amended, revised, or otherwise changed by a majority vote of the members voting on such proposed change and such proposed change and such amendment, revision, or change shall take effect only upon written approval of the International President.

Section 2. Proposed amendments to this constitution must be read at a regular or special meeting of the local union and read and voted on at a subsequent meeting of the local union, adequate and proper notice having been given to the membership prior to the date on which the vote is taken. A written copy of the proposed amendment shall be furnished to every eligible voter at the meeting at which the vote is taken.

Article XII Stewards

Section 1. The organization of stewards shall comply with the current labor agreement.

Section 2. Duties. (a) Represent members in their district in all contract grievance matters, according to the current labor agreement; (b) apprise the membership in their district of all union meetings and elections. Post all union correspondence and activities.

Section 3. Elections/Appointments. Stewards and alternate stewards for each district shall be appointed by the executive board. In the event of multiple candidates in respective district, an election shall be held. Only members in the district in good standing in the local shall be eligible to vote in this election.

Section 4. Removal of steward for just cause. A steward may be removed for just cause by vote of the executive board. Prior to removal, these steps must be taken:

- a. The chief steward will meet with the steward in an attempt to resolve the problem.
- b. The chief steward or an executive board member will assist the steward in their duties in an attempt to train the steward and/or resolve the problem.
- c. If steps #a and #b are not successful in resolving the problem, the executive board shall hold a meeting with the affected steward in a third attempt to resolve the problem. Said meeting will be held under executive session. The executive board will assist the steward in resolving the problem following the executive session.
- d. If the problem continues, the steward will be removed by vote of the executive board. The executive board must conclude the affected steward continues to be:
 - 1) negligent in his/her duties which is causing harm to member(s)
 - 2) and/or is not representing AFSCME Local 411, AFSCME Council 25 or the American Federation of State, County and Municipal Employees in their duties as a union steward by denying the membership fair representation or by not following the guidelines in the stewards handbook.

- e. The steward will be notified in writing by registered mail by the president of their removal.
- f. A steward's refusal to participate in any step in this process will automatically move to Step #d.
- g. Notification of meeting dates must be made by registered mail at a minimum of 15 days prior to the date of the meeting.

**Article XIII
Committees**

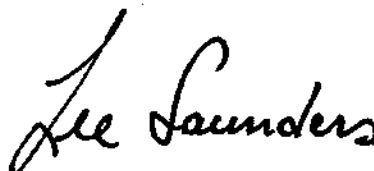
The standing committees of this local shall be:

- 1. Stewards
- 2. Bargaining

(a) This committee shall remain in effect throughout the term of the labor agreement which they negotiated.

(b) All other necessary committees shall be appointed by the president with the approval of the executive board.

Approved by:



LEE SAUNDERS
President

Approval date: January 21, 2016