

2018 TPWU Constitution

AS AMENDED AT THE

2018 TPWU CONVENTION

ARTICLE 1

Title

This body shall be known as the Tennessee Postal Workers Union AFL-CIO, hereinafter referred to as the TPWU and shall be the state branch of the American Postal Workers Union hereinafter referred to as APWU.

ARTICLE 2

Objectives

It shall be the objective of the TPWU to unite Clerk, Maintenance, Motor Vehicle and Support Services Division employees in one brotherhood for their social and economic advancement, and to assist all members in distress.

ARTICLE 3

Membership

Section 1 - Any local of the APWU in the State of Tennessee in good standing with the National Organization, or any member-at-large in good standing, shall be eligible for membership.

Honorary Members

Section 2 - Any person may be elected to honorary membership subject to the convention. Local unions have full power to confer honorary membership in their respective localities.

Section 3 - Any TPWU member that has retired from the Postal Service may be elected to lifetime membership in the TPWU and he/she will be permitted to vote and hold office. The member must pay State and National dues.

ARTICLE 4

Conventions, Seminars and Meetings

Section 1 - The State Convention shall convene annually. The location and date of the State Convention may be in conjunction with annual Tri-State Seminar with Mississippi and Alabama pending available accommodations. Announcement of the dates should be no later than December 1 in the year prior to the Convention.

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The Host and/or location of the State Convention shall be determined by a majority vote of the delegates assembled at the annual convention. If the convention is held in conjunction with the Tri-State Seminar, the host will be responsible to work with the host of the Tri-State Seminar in coordinating lodging, meeting rooms, banquet facilities, COPA fundraising and entertainment etc. Business sessions shall be three days with the first day beginning at 1:30pm and the second and third day beginning at 9:00am and/ or as determined by the Executive Board.

The Executive Board will meet prior to the start of the Convention for a meal and Executive Board meeting. The TPWU will pay for the expense of the meal. The minutes of the Executive Board shall be presented on the morning of the second day of the Convention. The Host of the State Convention shall determine when the banquet dinner will be held.

Section 2 Money spent by the convention cities for entertainment of visiting delegates shall be limited to comfort necessary for the business sessions of the convention.

Section 3 - The registration fee for the Convention shall be forty dollars (\$40.00) to be paid by each delegate. A ticket to the Banquet Dinner, a copy of the TPWU Constitution and an itinerary for the Convention shall be provided to each delegate upon registration. The TPWU will pay all registration fees for the Executive Board to conventions and seminars.

Section 4 - Up to Two thousand five hundred dollars (\$2,500.00) may be allotted to any local in the State of Tennessee for receipted convention expenses when the Local members hold the Annual State Convention.

Section 5 - The TPWU will participate in a Tri-State training seminar to be held each year. The seminar will consist of all areas of training.

If an Executive Board meeting needs to be held during the Tri-State Seminar, it shall not be held during the scheduled hours of training classes.

The Tri-State Seminar is to be held on a rotating basis among the three States. The year it is Tennessee's turn to host the Tri-/State Seminar, it will be determined at the State Convention what Local will host the seminar and year. The State President will then coordinate with the State Presidents of Alabama and Mississippi as to providing assistance to the host Local.

The registration fee for the Tri-State Seminar shall be \$35.00 to be paid by each attendee.

Section 6- Any of the above provisions would be contingent upon available funds and approval of the President and Secretary-Treasurer.

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ARTICLE 5

Representation

Section 1 - Each Local Union and Area Local shall be entitled to representation to the State Convention of one (1) delegate and one (1) vote for each ten (10) members or fraction thereof.

Section 2 - Each year in the Tennessee Postal Worker which contains the "Official Convention Call," the Editor shall, in the January and April issues, run an official Credentials Form to be mailed to the State Secretary-Treasurer stating names of Local delegates elected to attend the State Convention. If this form is not available, a letter from the Local (with signature of the President attached) shall be sufficient.

Locals must make every effort to provide APWU State Convention credentials to the TPWU Secretary-Treasurer and a copy to the host local at least one month in advance.

Section 3 - No Local shall be represented by proxy. A delegate must be a member in good standing of the Local he represents. Each Local, or MAL, with one or more accredited delegates will vote the full number of votes allowed by Section 1.

Section 4 - No State officer attending, paid by the State, shall have more than one vote in Convention and shall not be permitted to vote by proxy for his/her Local.

Section 5 - Alternate delegates may be seated in the absence of the regular delegates upon presentation of proper credentials provided they are already in compliance with Section 2 and the list of alternate delegates is submitted with the original credentials.

Section 6 - Members-at-large who attend the Convention shall be entitled to one vote each, provided that no office so represented shall have more than one vote.

Section 7 - State representation at the National Convention shall be determined by UN-represented members on the basis provided for by the National Constitution. All delegates will have equal voting power when there is a roll call vote taken at the National Convention. (Example: Ten Delegates and the State have 50 votes, each delegate votes 5 votes.)

Section 8a - The Executive Board shall be automatic delegates to the National Convention. In the event that there are more than the entitled numbers of delegates wanting to represent the TPWU at the National Convention, the members of the Executive Board, other than the President and the Secretary/Treasurer will be chosen by having their names drawn from a hat.

8b - If other delegates are deemed financial feasible by the Executive Board, they shall be elected by the membership assembled at the Convention by majority votes. Any dues-paying member may be nominated to represent the TPWU at the National Convention, provided they are either present at the nomination or have submitted in writing a letter to the President or Sec/Treasurer prior to the start of the State Convention

Section 9 - In the event alternate state delegates to the National Convention are

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deemed necessary, the next delegate(s) shall be nominee(s) receiving the next highest number of votes. In regard to small offices, this shall be done in compliance with Article 5, Section 6.

ARTICLE 6

Executive Board Officers and Duties

Section 1

A. The Executive Board of the TPWU shall consist of the following: President, one Vice- President from each area within the State of Tennessee, one Director for Maintenance Craft, one Director for Motor Vehicle Craft, a Secretary-Treasurer, a Legislative Director, and Editor of the State Publication. The Executive Board shall supervise all this Union's business not otherwise provided for. Such officers shall be elected by the duly accredited delegates at each Convention.

B. Any TPWU 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 and if such resignation is not forthcoming, the TPWU Board shall, upon conclusive evidence, declare said office vacant and appoint a successor.

C. Each Vice-President shall be elected or assigned to a designated area. A Vice-President shall be a TPWU retiree or a TPWU member from a local or a member at large. The Executive Board shall have the power to adjust area boundaries where needed. The President shall have the authority between conventions to assign any Vice- President additional offices outside their elected or assigned area as needed. Craft Directors shall be responsible for organizing and representing their respective crafts within the State.

D. The Executive Board members of President, Vice-Presidents, Craft Officers, Secretary-Treasurer, Legislative Director and Editor of the State Publication shall ex-officio constitute the Board of Trustees. Their several duties shall be to administer all the personal property of the TPWU other than funds of the treasury, with full power in conjunction with the other trustees, or a majority of them, to administer the estate of the TPWU for the sole use thereof, and benefit of the TPWU. The Executive Board will decide where records should be kept.

E. In the event of a vacancy in the office of the President, the Secretary-Treasurer shall perform the duties of the President. The Secretary-Treasurer shall call a meeting of the Executive Board within fifteen (15) days to fill the vacancy. Said vacancy shall be filled by a member of the Executive Board.

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Section 2 - It shall be the duty of the President to preside at all conventions and meetings of the Executive Board. He/she shall be a member of all committees. He/she shall appoint the necessary committees at each convention. He/she shall sign all orders drawn on the Treasury and sign all contracts and other documents authorized by TPWU. He/she shall fill all vacancies for any cause whatsoever, until such vacancy is filled by election. He/she shall submit to each convention a written report of his/her official acts during his/her term in office. He/she shall perform such other duties as this Union may require from him/her. The President shall receive salary of **five** hundred dollars (**\$500.00**) a month plus FICA to be paid quarterly.

Section 3 - The Secretary-Treasurer shall keep a record of all proceedings and other records of this Union. He/she shall be the custodian of the Official seal. He/she shall keep a record of the number of members in each Local Union and name and address of each member-at large. He/she shall submit a written report to the State Convention showing the number of locals and members and a written report of his/her official acts during his/her term of office. The Secretary-Treasurer shall receive and deposit all monies from all local unions and members-at large. He/she shall also be the official custodian of all monies of this union. The Secretary-Treasurer shall have the authority to expend funds for necessary expenses for State organization. He/she shall disperse all monies by check. He/she shall submit a written report to the State Convention of all monies received and disbursed. Bond for the Secretary/Treasurer shall cover the last three (3) years average liquid assets of the Tennessee Postal Workers Union. The Secretary-Treasurer shall submit the books of the organization to the Finance Committee at the State Convention. The State Secretary-Treasurer shall be permitted to use the services of a CPA or qualified bookkeeper to assist in maintaining the upkeep of state income tax forms and records. The Secretary-Treasurer shall receive a salary of **\$475.00** a month plus FICA to be paid quarterly.

Section 4 - The Vice-Presidents and Craft Directors shall be responsible to the President. They shall under the supervision of the President, advise and assist in organizational and legislative matters, and other such duties as may be assigned by the President. The Vice-Presidents can utilize part of his/her organizational days to attend the Tri-State training seminar, if he/she feels this will best serve his/her members.

Section 5- The Legislative Director shall be responsible for all matters concerning the political welfare and interest of the State Organization. He/she shall submit an article for publication in the State paper.

Section 6 -

A. The Editor of the State Publication will be paid a salary of **six** hundred dollars (**~~\$600.00~~**) plus FICA quarterly to cover the time spent to publish and distribute the State Publication. The funds will be paid if he/she complies with Section 6 B.

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B. The State Publication shall be the official publication of the TPWU and shall be issued 4 times annually to each member. The deadline for articles will be the 10th of March, June, September and December.

C. The Editor will accept all political ads from candidates of APWU at a fee set by him/her. The Editor will list all new MAL members in the State Publication (every issue) and shall receive this list from the Secretary-Treasurer for publication.

D. For the purpose of maintaining an updated mailing list for TPWU only, the state Editor shall be authorized to receive from the National Union, the complete membership lists of all locals and MAL's within jurisdiction of Tennessee Postal Workers Union.

ARTICLE 7

Committees

Section 1 - The Finance Committee shall consist of three members appointed by the President. Its duty shall be to audit the accounts of the officers. It shall approve the President the bonds of the officers.

Section 2 - The Memorial Committee shall consist of three members appointed by the President or General President of the host Local prior to each State Convention. Their duties shall be to compile and submit to the Convention a list of all deceased members including honorary members, during the past year and to provide proper memorial services as the first order of business of the State Convention. The chairman of the Memorial Committee will lead the State Convention in the Pledge of Allegiance to the Flag of the United States of America. Information relative to deceased members shall be forwarded to the State Secretary-Treasurer for action by the Memorial Committee.

ARTICLE 8

Revenues and Charters-Fiscal Year

Section 1 - The reporting period to IRS and Department of Labor shall be a calendar year January 1 through December 31.

Section 2 - All locals and area locals shall be members of the TPWU state organization in accordance with the National Constitution and By-Laws. Each local and area local shall pay dues based on their full membership. Dues for each member shall be seven dollars (\$7.00) for each year, payable in advance. All Locals and members failing to pay TPWU State dues by the first day of the Convention shall have no vote on any business or Election of Officers. MAL's dues will increase in compliance with ARTICLE 16.2 of the National Constitution and By-Laws. The 2% will go to the State organization.

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Section 3-

A. Any local or area local must be a dues paying member and member(s) in good standing for at least one (1) convention year before its members will be eligible to become delegates to a National Convention at State expense.

B. Assessments

Special assessments may be levied by the Executive Committee when it becomes absolutely necessary to carry on organizational work of not more than fifty cents (\$.50) per member in any one year.

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Section 4 - Local unions organized under and subordinate to TPWU shall have the right to make Constitution and by-laws, provided that such constitution and by-laws do not conflict with the parent body.

ARTICLE 9

Officer and Delegate Expenses While Doing Business for the State

Section 1 - The expenses of the State delegates to the National Convention and/or All Craft Conference shall be paid by the State Union. The amount paid to each delegate for per diem will be the GSA Rate for the Convention city. The first day and the last day will be at 75% for meals and incidentals. The Secretary-Treasurer will advance delegates the GSA Rate for meals, incidentals and airfare in accordance with IRS guidelines in advance to attend the National Convention and/or All Craft Conference. A copy of the confirmation purchase of the airline ticket and airline ticket insurance must be submitted with the expense voucher. The State will not pay for priority seating. The delegate must submit a voucher and receipt for ground transportation to and from the airport to the convention. Airline baggage fee (2 bags not exceeding weight limits), airport parking, and mileage to and from the delegates home to the airport, must be submitted within 30 days after the convention. A copy of Mapquest or equivalent must be submitted for payment. Lodging shall be paid at the rate not to exceed that rate set for the Host hotel plus tax provided that a voucher with a receipt is submitted within 30 days of return.

The Secretary-Treasurer will verify receipts and determine if additional payment is due the delegate. Lodging taxes will be paid as a miscellaneous travel expense on your voucher. This tax is limited to the taxes on reimbursable lodging cost. After the National Convention, you must submit a voucher with a copy of the hotel bill showing lodging taxes to be reimbursed.

Section 2 - Each delegate elected to attend any function of the Tennessee Postal

Workers Union, whereas they receive monies, shall be required to attend all meetings or reimburse the Tennessee State Treasurer for time not in attendance unless justifiable reason could be shown.

Section 3 - The Executive Board shall be paid the IRS mileage rate over the shortest route to and from the State and Tri-State Conventions. A copy of Mapquest or equivalent must be submitted for the mileage. The Executive Board will be paid the GSA Rate for meals and incidentals for the city in which convention is held. The first and last days will be at 75% for meals and incidentals. Lodging shall be paid not to exceed that rate set for the Host hotel plus tax and parking if applicable provided that vouchers with receipts are submitted within 30 days of return.

Organizational and Training Expenses While Doing Business for the State

Section 4 - The President shall be allowed to use organizational days to attend the State Conventions of our sister states of Alabama and Mississippi. The President shall be allowed to attend the Presidents Conference and /or any other union related functions/meetings. This provision shall also apply to the Secretary-Treasurer for any related union business. The President/Secretary-Treasurer will be paid the same rate as the Executive Board is paid to attend our State Convention. The President shall be paid actual cost of submitted phone bills for Union related business.

- A. Each officer shall be paid up to \$50.00 per month for internet service.
- B. Members of the Executive Board and appointed outside Stewards will be paid mileage at the current IRS rate when performing Union business for the TPWU.
- C. When an overnight stay is required by an Executive Board member while doing business for the TPWU, there has to be prior approval by the President for lodging. And if approved, will be reimbursed by the Secretary/Treasurer for lodging and GSA Rate for per diem provided that lodging receipts and a voucher are submitted within 30 days of return.
- D. Each Officer will be paid for postage, copies, office supplies, etc. used for Union business. All the above (A) mentioned must be fully receipted and attached to an expense voucher for payment.
- E. Each Officer may be reimbursed for fully receipted State and National dues

Section 5- Salary (TAXABLE)

1. Members of the Executive Board or appointed outside Stewards in their assigned area doing Union business will be paid **\$190.00** per day.
2. Allotted days per convention to convention 30 per Year.

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A. Each Executive Board member will be allowed thirty (30) days to attend to Union business including making trips to Post Offices in assigned areas. The President and Secretary-Treasurer shall have the authority to approve up to a total of an additional 30 days for doing Union business by officers and/or designated representatives from convention to convention. Any additional days above the 30 days approved by the President and Secretary-Treasurer must be approved at the Convention by the convention body.

B. Executive Board members may attend the Tri-State, All Craft Conference or other appropriate training as approved by the President and Secretary-Treasurer as part of their 30 days. Those days are to be paid at the same rate contained in Art 9 Section 5.1.

C. Executive Board members may attend the State and National Convention in addition to their 30 days. Those days are to be paid at the same rate contained in Art 9 Section 5.1.

Section 6 - Rental Car Expenses/ Other
Rental Car Expenses will not be reimbursed. The State Union will not reimburse for movies, or pay channels on TV, or entertainment on the hotel bill such as spa treatments, gift shops or any resort activities.

Section 7 - The President will be allowed to expend up to \$7,000.00 dollars a year with the approval of a majority of the Executive Board to carry on the business of the State between conventions.

Section 8 - The TPWU shall allocate three (\$.03) per member monthly to the Auxiliary of the TPWU. This monetary allocation shall remain in effect as long as the TPWU deems necessary, and may be changed only by Convention action. The State Auxiliary President will give a Financial Report at each State Convention.

Section 9 - Funds not to exceed fifteen thousand dollars (\$15,000.00) will be provided to cover the cost of the publication and distribution of the State Publication.

Section 10- Any of the above provisions would be contingent upon available funds and approval of the President and Secretary-Treasurer.

ARTICLE 10

Eligibility, Nominations and Elections

Section 1- No person shall be eligible to hold office or to membership on any committee unless he/she is a member in good standing. They shall hold office for their term or until their successors are elected, qualified and installed.

Section 2 - The term of office for all officers of the TPWU shall be for three (3) years.

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Section 3 - Any postal employee eligible to be a member of the American Postal Workers Union 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 American Postal Workers Union (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.

Section 4 - 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 Agreement shall withdraw such application prior to acceptance of nomination for any office in the APWU.

Section 5 - Any postal employee who voluntarily, after August 31, 1984, holds, accepts or applies for any managerial or supervisory position, EAS or the PASS Program, for any period of time, whether one day or a fraction thereof, either detailed, acting, probationary or permanent shall immediately vacate any office 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.

Section 6 - No member holding membership in any post office organization or Union whose ostensible aims are identical with the APWU can be seated as a delegate to a convention or elected as an officer in the TPWU.

Section 7 - Nominees shall voice their acceptance as a candidate at the time of nomination to have their names placed on the election ballot. A letter acknowledging acceptance as a candidate may be presented in lieu of voiced acceptance provided such written acceptance is signed by the Nominee and presented to the State President prior to nomination for the office.

Section 8 - A majority upon written secret ballot shall be necessary to elect.

Recall

A majority vote of the members of four (4) or more Locals who have sufficient proof on hand that a State Officer or officers have acted dishonestly or otherwise detrimental to the best interest of the rank and file member, can file a petition for recall with the Executive Board. A copy of the charges shall be made in duplicate form, and shall be submitted with the petition for Recall.

The Executive Board shall send one copy of the charges to the officer against whom the charges have been preferred. The officer who has had Recall proceedings filed against him/her shall be given the opportunity for defense.

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Fifteen (15) days shall be allowed him/her to reply to the charges, same to be in writing. If after fifteen (15) days the Executive Board has failed to receive a reply, they will proceed with Recall election.

Copies of the charges and the reply shall be sent out with each ballot. The charges and reply to be sent out with each ballot shall contain no more than one thousand words each.

ARTICLE 11

Amendments

Section 1 - This Constitution shall not be amended except by a two-thirds vote of all delegates present at any State Convention, or by a referendum of the whole membership.

Section 2 - All proposed amendments to this Constitution must be submitted in writing to the Secretary-Treasurer by **COB (close of business)** on day **one** of the State Convention.

Section 3 - All delegates shall be furnished a copy of each proposed amendment to be reviewed by the Committee and to be voted on by the delegates of this and every TPWU State Convention. The Local, hosting the Convention, shall provide copies to be passed out to the delegates.

By-Laws

Article 1

Section 1 - Order of Business

1. Memorial Committee
2. Roll call of officers
3. Report of Credentials Committee
4. Roll call of delegates
5. Adoption of minutes
6. Reports of officers
7. Nomination of candidates for office
8. Report of Finance Committee
9. Reports of Special Committees
10. Unfinished Business
11. Reports of Standing Committees
12. New Business
13. Naming place of next Convention
14. Election of Officers
15. Adjournment

Section 2 - The order of business may be transposed at any time by a majority vote of delegates in Convention.

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ARTICLE 12

Quorum

Fifteen (15) delegates shall constitute a quorum.

ARTICLE 13

Robert's Rules of Order

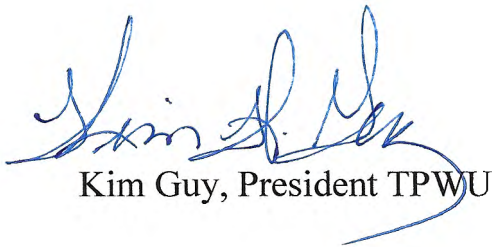
In the absence of other authority, the deliberations of this Union shall be governed by Robert's Rules of Order.

A Parliamentarian shall be appointed by the President at the beginning of each convention from duly registered delegates in attendance.


ARTICLE 14

Amendments to By-Laws

Amendments to by-laws may be made in the same manner as prescribed for amendments to the Constitution.



Kim Guy, President TPWU



Billy Keeton, Secretary/Treasurer TPWU