

CONSTITUTION
FOR
ERIE COUNTY, PENNSYLVANIA, EMPLOYEES
LOCAL 2666

ARTICLE I
NAME

The name of this organization shall be Erie County, Pennsylvania, Employees Local Number 2666 of the American Federation of State, County and Municipal Employees, AFL-CIO.

ARTICLE II
AFFILIATIONS

This local union shall be affiliated with Pennsylvania Public Employees Council Number 13 and Northwestern Pennsylvania Public Employees District Council Number 85 of the American Federation of State, County and Municipal Employees; the Pennsylvania AFL-CIO; and the Central Labor Union and Industrial Union Council AFL-CIO of Erie County.

ARTICLE III
OBJECTIVES

The objectives of this local union 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 employees of Erie County, Pennsylvania, including those employed in the Courthouse, Departments of Health, Human Services and Public Safety, Erie, Airport Authority, Office of Children and Yourth, Prison System and Public Library, excluding those employees within the jurisdiction of Local 1771 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 and shall include a valid authorization for payroll deduction of dues.

Section 3. The monthly membership dues of all members effective July 1, 1988 shall be 1.5 percent of base salary, or such other amount as may be subsequently established by amendment to the Pennsylvania Public Employees Council 13 constitution.

Section 4. Membership dues shall be payable monthly in advance to the local secretary-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 his dues through a system of regular payroll deduction shall for so long as he continues to pay through such deduction method, be considered in good standing.

Section 5. 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 \$10.00 plus the current month's dues. A member returning from sick leave shall not be required to pay arrearages or reinstatement fees and shall become a member in good standing upon the first deduction of dues following such member's return to employment.

ARTICLE V MEETINGS

Section 1. Regular meetings of this local shall be held monthly at a time to be fixed by the membership or the local executive board. Ten (10) members shall represent a quorum for all regular meetings.

Section 2. Special meetings may be called by the local president, the local executive board, or by petition filed with the president and signed by ten (10) members of the local. Special meetings may also be called by the International President or his authorized representative.

Section 3. The president may cancel or reschedule meetings for just cause.

ARTICLE VI OFFICERS, NOMINATIONS, AND ELECTIONS

Section 1. The officers of this local shall be a president, a vice-president, a recording secretary, a secretary-treasurer, and three executive board members, and these seven shall constitute the local union executive board. In addition, there shall be elected three members who shall serve as trustees. The trustees shall be elected to three-year terms of office, except that in the initial election, one shall be elected for a one-year term, one for a two-year term, and one for a three-year term. All other officers shall be elected for a term of two years, in the even-numbered years.

Section 2. Nominations shall be made at a regular or special meeting of the local. At least fifteen (15) days' advanced notice by mail to the last known address shall be given the membership prior to the nomination meeting. Nominations shall be made from the floor at the nomination meeting. Nomination meeting shall be held in November, with elections held in December.

Section 3. To be eligible for office, a member must be in good standing for one year immediately preceding the election, except in the initial election held in this local; provided, however, that no retired member shall be a candidate for office.

Section 4. 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 fifteen days' advance notice shall be given the membership prior to the holding of the election.

Section 5. 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 6. Vacancies in office shall be filled for the remainder of the unexpired term by vote of the executive board.

Section 7. Every officer shall, upon assuming office, subscribe to the Obligation of an Officer contained in Appendix B of the International Union Constitution.

Section 8. No member of this local shall hold more than one (1) office of this local at any one time.

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 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 his/her official acts.

Section 2. The vice-president shall:

- a. assist the president in the work of his/her office.
- b. In the absence of the president or in his/her inability to serve, the vice-president shall preside at all meetings and perform all duties otherwise performed by the president.
- c. with the approval of the local executive board, be authorized to act as co-signer of checks drawn on the local funds in place of either the president or the secretary-treasurer.

Section 3. The recording secretary shall:

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

Section 4. The secretary-treasurer shall:

- a. receive and receipt for all monies of the local union.
- b. deposit all money so received in the name of the local union in a bank or banks selected by the executive board, and money so deposited shall be withdrawn only by check signed by the president and the secretary-treasurer.
- 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 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 of 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. review the local's finances and investments after each annual audit.
- j. determine any surplus (as defined by the Financial Guidelines Committee) and invest or reinvest existing Certificates of Deposits and surpluses in the best financial vehicle available that is consistent with the investment standards established in the AFSCME Financial Standards Code.
- k. insure that any maturity dates occur before the expiration dates of Erie County's labor contracts and no investment shall be renewed subsequently until both contracts are finalized. These savings accounts and investments shall constitute the strike fund (Article XII), and shall be available for that use, as outlined by the Financial Guidelines Committee's strike fund guidelines.
- l. make sure these funds are not to be restricted for use solely as a strike fund, and may be used for any other purpose, as needed, and as directed by the executive board or the membership.

- m. see that the employees of the Erie Airport Authority are eligible to compensation in the event of a strike, but because their numbers are significantly smaller than that of County of Erie employees, the maturity dates of the local's investments are not as critical in meeting those obligations.

Section 5. The trustees shall make or cause to be made at least annually an audit of the local's finances, and shall report to the membership on the results of such audit.

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.

- when circumstances make it infeasible to address an urgent issue on a timely basis in a regular, special or telephone conference meeting of the executive board, the board may utilize email to vote on an issue. Minutes of the meeting shall be taken and the president shall cause all email votes (replies) to be attached to the minutes of the next regularly scheduled executive board meeting.

ARTICLE VIII CHIEF STEWARD

The chief steward shall be nominated and elected to a two-year term of office in the even-numbered years coinciding with the term of the president. The executive board shall have the power to decide how many chief stewards are necessary to carry on the work of the union. If deemed necessary, additional chief stewards may be appointed by action of the board. Appointed chief stewards may be removed at will by the appointing authority. The chief steward shall take all grievances to the third and fourth step. The chief steward shall also act in the capacity of steward in the absence of the steward. He/she shall also be a member of the negotiating committee. Union stewards shall be elected by the people of the department they represent. They shall be elected for a term of two years in the even-numbered years coinciding with the terms of other elected officials.

ARTICLE IX 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 be the guide in all cases to which they are applicable and in which they are not inconsistent with this Constitution and special rules of this local union or of the American Federation of State, County and Municipal Employees.

Section 4. Delegates to Council 85 shall be elected for two-year terms, in the even-numbered years. The president shall be an automatic delegate to all conventions.

Section 5. The local shall provide each member, upon request, an updated revision of their local constitution and hereafter provide each new member an updated copy.

ARTICLE X AMENDMENTS

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

Section 1. When a representative of the union is engaged in activities in the interest of or for the benefit of the union and its members within the scope of his/her authority, the labor union shall pay the expenses incurred therein, or reimburse the representative upon receipt of itemized vouchers from him/her or the supplier of such services.

Section 2. If a member is entitled to a per diem reimbursement, per the parameters established by AFSCME International, the reimbursement shall be calculated using the current IRS allowable rates, and shall be based on quarter-day calculations. No quarter day shall be reimbursed if a meal was provided to the member during that quarter as part of the event. Quarter day reimbursement will be based on the following schedule, traveling any part of:

- 12:01 a.m. to 6:00 a.m.
- 6:01 a.m. to 12:00 noon
- 12:01 p.m. to 6:00 p.m.
- 6:01 p.m. to 12:00 midnight

Section 3. The local union shall utilize the current IRS allowable mileage rate to reimburse members who drive while performing authorized union duties.

ARTICLE XII STRIKE FUND

Section 1. The local hereby establishes a strike fund. The purpose of the fund is to compensate members in good standing while on a legally sanctioned strike, and who have supported that strike by picketing or by fulfilling other designated duties, at such times as are designated by the local's executive board and/or the negotiating team(s).

Section 2. The local's current savings account shall be used as the strike fund, for any strikes occurring as a result of Erie County labor contracts ending in 2010. Subsequently, the strike fund will consist of savings and investments which accumulate as outlined in Article VII, Section 4.

Section 3. At no time will any fund or investment be depleted to below four (4) months operating expenses of the local.

Section 4. If the strike fund is used, as above in Section 2, the local's treasurer shall insure that the savings and investments are fully refunded as outlined in Article VII, Section 4.

Section 5. The local's Financial Guidelines Committee will formulate guidelines detailing the procedures for dispersing funds during a strike. These guidelines will be presented to the membership for approval.

Section 6. In the event of a strike by any bargaining unit within the local, a strike fund committee will be established. The committee will be chaired by the local's treasurer, and will also include the president, and any other members as the executive board sees fit. It shall be the responsibility of the committee to disburse the funds to the eligible members according to the procedures established in Section 5 above.

Section 7. If any member cannot participate in a strike by picketing, due to physical limitations, that member shall be encouraged to support the effort with any alternate means available. In any event, said member shall be eligible for compensation from the strike fund in a manner prescribed by the Financial Guidelines Committee.

Section 8. No member will receive strike funds if he/she reports to work while the strike is in effect. Any member who receives strike funds and reports to work before the strike is called off will be assessed the full amount received from the fund while on strike.

ARTICLE XIII LOCAL UNION PROPERTY

All union property is the sole property of the union and is not to be rented, used or given away without the specific written consent of the executive committee.

ARTICLE XIV ORDER OF BUSINESS FOR LOCAL MEETINGS

1. President to call meeting to order and Pledge of Allegiance
2. Roll call of officers
3. Reading of minutes of last meeting
4. Initiation of new members
5. Reading of correspondence
6. Report of officers
7. Report of committees
8. Election of officers
9. Unfinished business
10. New business
11. Good and welfare
12. Adjournment meeting to order.

APPROVED BY:



GERALD W. McENTEE
International President
Approval Date: 11/01/2010