

*South Carolina
American Postal Workers
Union*

Constitution and By-Laws

Amended June, 2000

**CONSTITUTION AND BY-LAWS OF THE SOUTH CAROLINA AMERICAN
POSTAL WORKERS UNION, AFL-CIO**

AS REVISED JUNE 1998

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ARTICLE 1.

TITLE

This organization shall be known as The South Carolina American Postal Workers Union (throughout this Constitution shall be called the SCAPWU) and shall be the State Branch of The American Postal Workers Union, AFL-CIO.

ARTICLE II.

OBJECTS

SECTION 1. The objects of the SCAPWU shall be to unite the postal employees in one brotherhood for their social and economic advancement and to aid in the perfection of the Postal Service. It has been demonstrated by past experience that the trade movement, as exemplified in the AFL-CIO, is the best and most practical method for advancing the interest of all wage earners. Therefore, we desire to be and to remain in full affiliation with that body.

SECTION 2. SCAPWU is established as an industrial union. Included in its membership are postal workers of all crafts who are not classified as supervisors.

SECTION 3. All postal crafts shall be established on a departmental basis within the structure of the SCAPWU. Each craft department shall be headed by its own director and other necessary officers who shall be members of that particular craft and shall be elected by members of that craft only. The following established crafts are Clerk, Maintenance and Motor Vehicle.

ARTICLE III

ELIGIBILITY

SECTION 1. Any local of the American Postal Workers Union in the state of South Carolina, in good standing with the national organization, shall be eligible for membership.

SECTION 2. MEMBERS-AT-LARGE

Any postal employee eligible for membership in the American Postal Workers Union may become a member-at-large, however, no such membership is to be granted from post offices where a local exists. Such member shall pay the regular per capita tax.

SECTION 3. HONORARY MEMBERS

A person may be elected to honorary membership by a majority vote of the convention. Such membership does not entitle one to either voice or vote.

SECTION 4. RETENTION OF MEMBERSHIP

Members of this organization who retire from the Postal Service may retain full membership with all rights of such membership by continuing to pay full per capita tax to the organization and local dues that may be required by their local union.

SECTION 5.

Any postal employee eligible to be a member of the American Postal Workers Union who voluntarily holds a manager or supervisory position or a position 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 in the SCAPWU. They shall not be a delegate to any convention held by the SCAPWU or any subordinate body of the SCAPWU, 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.

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 SCAPWU.

ARTICLE IV.

CONVENTIONS AND MEETINGS

SECTION 1. The State Convention of this union shall convene in even numbered years at 10:00 AM on any Friday in June at such time and place as shall be determined by a majority vote of the delegates in the previous convention. The session on the second day of the convention shall start at 9:00 AM.

SECTION 2. The registration fee shall not exceed \$30.00 per delegate.

SECTION 3. The Secretary shall take minutes of all business sessions. This shall not consist of a verbatim report but shall be limited to pertinent action taken by the convention.

SECTION 4. The Executive Board of the SCAPWU, state branch of the American Postal Workers Union, AFL-CIO, shall not be empowered to change the date of the convention unless this information is given to affiliated locals at least ninety (90) days prior to the convention date.

SECTION 5. Monies spent by the convention for entertainment of delegates shall be limited to comfort items necessary for business sessions of the convention. No monies from the treasury shall be spent for intoxicating beverage of any type.

SECTION 6. There will be an annual spring meeting consisting of two days. SCAPWU shall give training sessions as requested by locals with approval of the State Executive Board. The President shall solicit approval of the Executive Board by phone or letter.

SECTION 7. Postal employees and locals who are not members of the SCAPWU shall not be seated as visitors or delegates to any convention, training sessions or joint meetings without specific approval of the State Executive Board.

ARTICLE V REPRESENTATION

SECTION 1. Each local union shall be entitled to representation at the state convention on the following basis: 1 – 25 members, 1 delegate and 1 vote. Each additional 25 members or fraction thereof, 1 additional delegate and 1 additional vote.

SECTION 2. No local shall be represented by proxy. A delegate must be a member in good standing of the local he or she represents.

SECTION 3. METHOD OF VOTING

One or more delegates shall cast the full number of votes to which his or her local is entitled, but no delegates shall be seated with less than one full vote. The Secretary/Treasurer shall prepare ballots and shall retain ballots for one full year.

SECTION 4. PER CAPITA TAX

Representation shall be based on the average **amount** of per capita tax paid monthly by each local during the preceding year. Any local whose charter in the American Postal Workers Union has not been in existence for one year is entitled to representation at the convention based on the average per capita tax paid monthly since its admission.

SECTION 5. Alternate delegates may be seated in the absence of regular delegates upon presentation of proper credentials.

SECTION 6. Each member-at-large attending a state convention shall be entitled to one vote.

SECTION 7. Representation to the National Convention shall be governed by the National Constitution. A delegate from the SCAPWU is prohibited from serving as a delegate from his or her local. The state delegates to the National Convention shall represent only the absent members-at-large and the locals not represented at the National Convention. The SCAPWU shall be represented by two delegates. The order of precedent shall be as follows: President, Vice President, Secretary/Treasurer, Craft Directors in numerical order of membership and Area Representatives No. 1, No. 2, No. 3, No. 4.

SECTION 8. The necessary expenses of the state delegates to the National Convention shall be paid by SCAPWU.

SECTION 9. The state delegates to the National Convention shall file expense accounts with the Secretary/Treasurer within then (10) days after close of the convention.

ARTICLE VI
OFFICERS AND COMMITTEES
NOMINATION AND ELECTION

SECTION 1. On the afternoon of the first full day of the convention, the President shall declare the convention open for nominations of candidates for the various offices. Nominations will be accepted for the city in which the next convention shall be held. Newly elected officers shall assume office on the day following the close of the convention.

SECTION 2. The Executive Board of the SCAPWU shall consist of the following:

President
Vice-President
Secretary/Treasurer
Director Clerk Craft
Director Maintenance Craft
Director Motor Vehicle Craft
Area Representative No. 1 – 290, 291, 298
Area Representative No. 2, - 293,296
Area Representative No. 3, 295,297
Area Representative No. 4 – 294,299

SECTION 3. A candidate for any craft position must be a member from such **craft**. Each local shall be entitled to the number of votes that is equal to the number of dues paying members in that craft of the local.

SECTION 4. No member of the SCAPWU Executive Board shall hold more than one (1) position on the SCAPWU Executive Board.

ARTICLE VII
DUTIES OF OFFICERS

SECTION 1. PRESIDENT

It shall be the duty of the President to preside at all conventions and call meetings and Executive Board meetings. The President shall be a member on all committees. The President shall fill all vacancies for any cause whatsoever, with the approval of the Executive Board, until such vacancy is filled by election. The President shall submit to each convention a written report of his or her official acts during the term of office. The President shall sign all orders drawn on the treasury and shall perform such other duties as the SCAPWU may require. The President may approve any expenditure, for the good of the union, not to exceed five hundred dollars (\$500.00) per **annum**. The President shall receive four thousand two hundred dollars (\$4200.00) per year for the performance of his or her duties. He or she shall be a delegate to the APWU National Convention and to the South Carolina AFL-CIO State Convention.

SECTION 2. VICE-PRESIDENT

It shall be the duty of the Vice-President to perform the duties of the President in case of the President's absence or inability to attend to the duties of his or her **office**. The Vice-President shall be the Director of Research and Education. In the event of death or resignation of the President the Vice-President shall automatically assume the duties of the office of President. The Vice-President shall, at the direction of the President, assist in handling the business of the SCAPWU. For the performance of his or her duties, the Vice-President shall be paid two thousand four hundred dollars (\$2400.00) per year salary. The Vice-President shall be a delegate to the APWU National Convention.

SECTION 3. SECRETARY/TREASURER

The Secretary/Treasurer shall keep a record of all proceedings and all other records of this **union**. The **Secretary/Treasurer** shall prepare **sufficient** copies of the record of business sessions of the convention and send copies to all state officers and local secretaries within thirty (30) days after close of the convention. The **Secretary/Treasurer** shall maintain **any equipment that** is required by this office. He or she shall receive and deposit all monies from local unions and members-at-large. The Secretary/Treasurer shall be the official custodian of all monies of the SCAPWU. The Secretary/Treasurer shall cosign all checks disbursed by this organization. He or she shall submit a written report to the state convention of all monies received and disbursed. The Secretary/Treasurer shall receive three thousand six hundred dollars (\$3600.00) per year salary.

SECTION 4. CRAFT DIRECTOR.

Craft Directors shall be responsible for all problems pertaining to their respective crafts and **maintaining** all necessary records. The President shall appoint the Directors of Legislation, **Human Relations** and Organization from **the** Executive Board.

SECTION 5. AREA REPRESENTATIVE

The Area Representative shall keep in contact with the offices in their area by correspondence. He or she shall promptly acknowledge receipts of all communications from the state and national officers, from locals in their area and members-at-large and furnish all the desired information. All monies collected by Area Representatives for the SCAPWU and/or the American Postal Workers Union shall be turned over to the Treasurer. He or she shall be required to attend the convention of the SCAPWU **and** to submit a report, in writing, of his or her activities during the past year. He or she shall perform **any** other duties assigned by the President. A **candidate** for **any** Area Representative must be a member from such area **and** shall be elected by delegates within **that** area only.

SECTION 6. EXECUTIVE BOARD

The Executive Board shall supervise all of the unions' business not otherwise provided for. The Executive Board shall hold a minimum of one meeting per year. The **meeting** shall be held and additional meetings, if needed, at the discretion of the President. Members of the Executive Board attending meetings shall be given mileage as allowed by the IRS, plus necessary expenses. The Executive Board shall **ex officio** constitute the Board of Trustees. The Executive Board shall administer all personal property of the SCAPWU other than funds from the treasury with full power to administer the estate of **the** SCAPWU for **the** sole use and benefits of the SCAPWU.

SECTION. REPORTS OF OFFICERS

Reports of officers concerning their work shall be given at the state convention

SECTION 8. SUBMISSION OF RESOLUTIONS

All resolutions, if practical, shall be submitted to the Secretary/Treasurer thirty (30) days prior to the convention. The Secretary/Treasurer shall prepare **sufficient** copies for use at the convention.

SECTION 9. IMMEDIATE ACTION COMMITTEE

The Immediate Action Committee shall consist of three (3) Area Representatives appointed by the President. The duties of the committee shall be to take immediate action for the convention in matters where time is of the essence.

SECTION 10. Any officer of the SCAPWU who has more than one unexcused absence from the Executive Board meetings during their term of office may be removed from office. The Executive Board shall take any action.

ARTICLE VIII.
REVENUE

SECTION 1. FISCAL YEAR

The fiscal year of the SCAPWU shall begin **January** 1 and end December 31

SECTION 2. REVENUE

The revenue of the union shall be derived as follows: One dollar (\$1.00) per member per pay period from member-at-large and members of **affiliated** locals that do not maintain a treasury. All **affiliated** locals that maintain a treasury shall pay seventy-five cents (\$.75) per member per month.

SECTION 3. REPORT OF CONVENTION EXPENSES

A detailed report of convention expenses shall be included in the convention minutes and in the Treasurers' report at the following convention. Any surplus monies remaining from funds received shall be turned over to the Treasurer of the SCAPWU.

SECTION 4. A majority vote, upon written ballots, shall be necessary to elect officers. A state officer **shall** have no more than one vote in the convention and shall not be permitted to vote by proxy of his or her local. All officers shall be elected from the members present at the convention for two years or until their successors are elected or appointed

SECTION 5. FINANCE COMMITTEE

The Finance Committee shall consist of three (3) members to be appointed by the President with the approval of the delegates assembled at the convention.

SECTION 6. ELIGIBILITY OF OFFICE

No person shall be eligible for office or serve on any committee unless he or she is a member in good standing.

SECTION 7.

SCAPWU will be represented by no more than three (3) delegates at all conferences. The members of the Executive Board, in order of precedent as follows, will attend the conferences: President, Vice-President Secretary/Treasurer, Craft Directors in numerical order of membership and Area Representatives No. 1, No. 2, No. 3 and No. 4.

SECTION 8. DELINQUENT LOCALS AND MEMBERS-AT-LARGE

Any local or member-at-large **affiliated** with this union who fails to pay its per capita tax within **fifteen** (15) days after receipt of check or fails to pay an assessment within six months after it is levied, shall be notified by the Treasurer. If at the end of three months thereafter they are still in arrears, they shall become suspended from membership. Any local remaining suspended for six months shall surrender its charter to the Secretary and forfeit all privileges in this union.

SECTION 9. SUSPENDED LOCALS AND MEMBERS-AT-LARGE

A suspended local or member-at-large may be reinstated in this union upon payment of dues and/or assessments.

ARTICLE IX. RECALL

SECTION 1.

A majority vote of the members of four or more locals who have **sufficient** proof at hand to show that a state officer or officers have acted dishonestly or otherwise in a manner detrimental to the interest of

the rank and file members may file a petition for recall with the Executive Board. A copy of charges, which shall be made in duplicate form, shall be submitted with the petition recall. The Executive Board shall send a copy of the charges to the officer or officers against whom the recall proceedings have been filed and he or she shall be given the opportunity for defense. Fifteen (15) days shall be allowed in which to reply to the charges, same in writing. If, after fifteen (15) days, the Executive Board has failed to receive a reply, it shall proceed with the recall election. Copies of the charges and reply shall be sent with each ballot. The charges and reply to be sent with each ballot shall contain not more than one thousand (1000) words.

SECTION 2. APPEALS SYSTEM WITHIN THE STATE

The following are procedures that shall apply in the case that charges are levied against any officer or member. The protests on state elections shall be handled with the same procedure with the Election Committee being substituted for the Hearing Committee unless charges are against the Committee.

1. The person referring the charges shall do so by writing specific and detailed charges and presenting those charges to the Hearing committee.
2. The President shall appoint a Hearing Committee consisting of three members that are not involved in any way with the incident.
3. After a reasonable time to prepare a defense, the Hearing Committee shall conduct a full and fair hearing.
4. The Hearing Committee shall report their findings to the next meeting of the state and the members shall accept or reject the committees' decision.
5. The decision may be appealed under the provisions of Article XIV of the National Constitution. Administrative assistance or advice for the appeal shall be provided by the state if requested from the appellant.

ARTICLE X.

All officers or designees/appointees of the SCAPWU shall be allowed normal and necessary expenses while attending to business of this union. Normal and necessary expenses shall be defined as: Air travel or mileage as allowed by the IRS, whichever is lesser, lodging, meals, registration fees and supplies, plus postal service wages or seventy-five dollars (\$75) per day, whichever is greater.

ARTICLE XI AMENDMENTS

SECTION 1. This constitution may be amended by two-thirds (2/3) of the SCAPWU members voting in the convention or by mail referendum by all members in good standing.

SECTION 2. Before circulating such petition, the Secretary shall, if practical, be notified in writing of such action and be furnished with a copy of a draft of the proposed amendment, question or resolution. If such petition is subscribed to be a majority vote of four locals, the Secretary shall submit such question, resolution or amendment to the constitution as a referendum.

SECTION 3. It shall require a majority of votes cast to decide all questions, other than amendments to the constitution, which shall require a two-thirds(2/3) affirmative vote.

ARTICLE XII. STATE PUBLICATION

SECTION 1. The President shall be ex officio of the state publication

SECTION 2. The Secretary/Treasurer shall supply to the Editor a complete and current statewide mailing list of all members.

SECTION 3. The Editor shall be chosen by a majority vote of the Executive Board and may be removed from office by a two-third (2/3) vote of the board.

SECTION 4. The publication must solicit a statement of candidacy from all candidates for any state union office in the April issue each election year. All statements received by May 1st must be printed in the June issue.

SECTION 5. The Editor, consistent with existing laws and the best traditions of trade unionism and journalism will determine editorial policy of the publication. The Executive Board thereof, shall review that policy, or any alleged violation, and its judgment in each instance shall be binding.

SECTION 6.

The Editor shall be charged with the responsibility of editing all copy submitted for libel, spelling, grammar, length or violation of Federal laws and regulations.

SECTION 7. At no time shall the Editor change the motive or direction of the contributors' article.

SECTION 8. The Editor shall be reimbursed necessary expenses for seminars and conventions that he or she attends.

SECTION 9. The Editor shall serve at the discretion of the Executive Board. The Editor shall be a member of the APWU Postal Press Association with annual dues paid by the state. The Editor shall attend meetings, seminars and conventions as approved by the Executive Board.

SECTION 10. At any time there is no publication, Section 8 shall not be in effect and any state expenses shall be authorized by the Executive Board.

BY-LAWS

ARTICLE I.

ORDER OF BUSINESS

SECTION 1.

1. Roll call of officers.
2. Report of committees on credentials.
3. Roll call of delegates.
4. Reports of officers.
5. Report of **financial** committee.
6. Report of special committee
7. Unfinished business.
8. Report of standing committee.
9. Nomination of officers.
10. New business.
11. Naming place of next convention.
12. Election of officers.
13. Adoption of minutes.
14. Adjournment.

SECTION 2. The order of business may be **transposed** at any time by a majority vote of delegates in convention with the exception that the election of officers shall always precede the reading of the minutes, which in turn shall immediately precede adjournment.

ARTICLE II.

QUORUM

Twenty delegates shall constitute a quorum.

ARTICLE III.

OTHER AUTHORITY

In the absence of other authority, Robert's Rules of Order, Newly Revised, shall govern the deliberations of this union

ARTICLE IV.

AMENDMENTS

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