

CONSTITUTION

FOR

NEW YORK CITY

MUNICIPAL

HOSPITALS

EMPLOYEES

LOCAL 420

PREAMBLE

We hold that the members of this local organize in order to secure better wages and better working conditions, to participate forcefully, and effectively in collective bargaining, to exert our concerted effort in the education of members, and to dedicate ourselves individually and together to exert ourselves in the political arena.

Therefore, we the members of Local 20, adopt this

BILL OF RIGHTS FOR UNION MEMBERS

No person eligible for membership of this local shall be denied because of race, creed, color, national origin, sex, political belief or religion.

Members shall suffer no impairment of freedom of speech concerning the operations of this local. Discussions shall be encouraged and protected within this local.

Members shall have the right to fair and democratic election at all levels of the local

Members shall have an equal right to run for and hold office subject only to constitutionally specified qualifications, uniformly applied to this local.

Members shall have a right to a full and clear accounting of all union funds at all levels. The accounting shall be made periodically by appropriate fiscal officers and independent auditors selected for that purpose and not otherwise connected with this local.

Members of this local shall have the right to full participation through discussion and vote, in the decision-making processes. All members shall have an equal right to vote and each vote cast shall be of equal weight. No member of this local shall carry more than one vote.

ARTICLE 1

NAME, AFFILIATION, AND HEADQUARTERS

Section 1. The name of this organization shall be New York City Department of Hospital Employees, Local Number 420 of the American Federation of State, County and Municipal Employees, AFL-CIO.

Section 2. The headquarters for this local shall be in the New York City Metropolitan area.

ARTICLE II

AFFILIATIONS

Local 420 shall be affiliated with New York City District Council #37 of the American Federation of State, County and Municipal Employees; the New York State AFL-CIO; and the New York City Central Labor Council, AFL-CIO.

ARTICLE III

OBJECTIVES

Section 1. The objectives of this local union shall be to carry out on the local basis, the objectives of the American Federation of State, County and Municipal Employees;

Section 2. To provide educational services and activities, to disseminate knowledge of the labor movement and to increase understanding of its aims and purpose to all members of the local;

Section 3. To cooperate and work with our brother and sister locals of District Council 37, in accordance with District Council policies, in order to improve the conditions of life and work in our city.

ARTICLE IV

MEMBERSHIP, ELIGIBILITY AND DUES

Section 1. All employees of New York City Department of Hospitals are eligible for membership in this local union, subject to the requirements of the Constitution of the International Union and District Council 37.

Section 2 Application for membership shall be made on a standard application form. Unless such form includes a valid authorization for payroll deduction of dues, the application shall be accompanied by the current month's dues.

Section 3. The dues of this local shall be \$26.00 bi-weekly per member.

Section 4. Membership dues shall be payable monthly in accordance with the provisions in this constitution. Any member who fails to pay dues by hand for two (2) successive months shall stand suspended and shall not be entitled to full benefits of this local; 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. All part-time employees working 20 hours or less shall pay dues of \$13.00 bi-weekly.

ARTICLE V

CHARGES, TRIALS, DISCIPLINARY ACTION, PENALTIES, APPEALS

Procedures on trials, charges, disciplinary action, penalties and appeals shall be in accordance with the applicable Article of the International Constitution in effect at

the time of the adoption of this constitution and as amended from time to time.

ARTICLE VI MEETINGS

Section 1. Regular membership meetings of this local shall be held bi-monthly except during July and August at a time and place to be fixed by the president.

Section 2. Special meetings of the local may be called by the president, the executive board, or by a petition filed with the president and signed by 100 local members. Such petition shall call for a special meeting. Upon receipt of such petition, the president will call a special meeting which shall be no earlier than 10 days or later than 20 days subsequent to the day of filing of the petition. The purpose of the meeting shall appear in the meeting notice mailed or otherwise distributed to the general membership. A special membership meeting may also be called by the International President or his authorized representatives.

Section 3. A quorum shall consist of 75 or 100 members in good standing for regular or special membership meetings, respectively, of the local.

ARTICLE VII OFFICERS AND TRUSTEES, NOMINATIONS AND ELECTION

Section 1. The officers of this local shall be a president, a first vice president, a second vice present, a secretary-treasurer and a recording secretary. In addition, there shall be elected three (3) members who shall serve as trustees.

Officers and trustees shall be elected for a term of three (3) years, beginning in 1975. A trustee is not a local officer.

Section 2. Nomination and election of officers and trustees of this local shall be held every three years. Nominations shall be conducted at the January membership meeting, the year in which the election of local officers is to take place. At least 15 days' advance notice shall be given to the membership prior to the nomination meeting. A candidate may be nominated for no more than two offices of the local, and fifteen (15) days before the election shall accept nomination for only one such position, in writing. An election committee may be elected or appointed by the president prior to the January general membership meeting.

Section 3. To be eligible for office or to be elected as trustee in the local a member must be in good standing in the local for one year immediately preceding the election. Any member elected to a local office or to a position of trustee cannot serve in the capacity of a chapter officer.

Section 4. Officers and trustees shall be elected by secret ballot vote in the month of February of the election year, at a time and place to be fixed by the election committee. The balloting shall be conducted by mail so as to afford all members a reasonable opportunity to vote. At least 15 days' advance notice shall be given the membership prior to the holding of the election. At the cost of the local union, all officers of this local shall be bonded for the amount of 10% of the assets handled annually in the local.

Section 5. Vacancies in a local office or in position of trustee shall be filled for the remainder of the unexpired term by a majority vote of the executive board.

Section 6. Every local officer and trustee upon assuming office shall be obligated to take the oath of office and to fulfill all duties and functions of his office. Any officer or

trustee, who is absent without excuse from three consecutive meetings can, upon the recommendation of the local executive board, be removed from office by a majority vote at a membership meeting.

ARTICLE VIII DUTIES OF OFFICERS, EXECUTIVE BOARD AND TRUSTEES

Section 1. The president shall preside at all meetings of the local union and of the executive board and committees. He shall be a member of all committees. He shall countersign all checks drawn against the funds of the local. He shall appoint all standing committees except the Finance Committee, and all special committees of the local subject to the approval of the executive board. He shall report periodically to the membership regarding the progress and standing of the local and regarding his official acts.

Section 2. The first vice-president shall assist the president in the work of his office. In the absence of the president, the first vice-president shall preside at all meetings. In the event that the president is permanently unable to serve by reason of resignation, removal, death or illness, the first vice-president shall preside at all meetings. In the event that the president is permanently unable to serve by reason of resignation, removal, death or illness, the first vice-president shall perform all duties otherwise performed by the president until the executive board fills the position of president. Within 30 days of the assumption of the president's duties by the first vice-president, the executive board shall meet and vote to fill the position of president. He may, with the approval of the 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 second vice-president shall assist the president in the work of his office. In the absence of the president and the first vice-president, the second vice-president shall preside at all meetings. He shall further report to the president, from time to time, on the activities of the shop stewards in the various chapters. He may, with the approval of the 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 4. In the absence of the first vice-president or in his inability to serve, the second vice-president shall have the power to carry out all duties described in Section 2 of this Article.

Section 5. The recording secretary shall keep a record of the proceedings of all executive board meetings, shop steward meetings, and all general membership meetings. He shall prepare minutes of a meeting within eight (8) days following each meeting. He shall carry on the official correspondence of the local except as the executive board may direct and copies of minutes of all meetings shall be given to the executive board. He shall perform such other duties as the executive board may require.

Section 6. The secretary-treasurer shall receive and issue receipt for all monies of the local union. He shall deposit all monies 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. He shall prepare and submit the monthly membership report to District Council 37 and the International Union office and see that payment is made of the local's per capita tax each month to the District

Council and the International Secretary-Treasurer. He shall keep an accurate record of receipts and disbursements and shall, at each general membership meeting submit to the membership a monthly operating statement of the financial transactions of the local. He shall have custody of all properties of the local union. He shall, at the expenses 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.

Section 7. The executive board shall be composed of the officers of this local and the chapter chairmen of the various chapters. The executive board shall be the governing body of this local union except when a general membership meeting of this local is in session. All matters affecting the policies, aims and means of accomplishing the purposes of this local not specifically provided for in this constitution or by action of the Membership at a regular or by the action of membership at a regular or special meeting shall be decided by the executive board. The executive board shall refer all matters concerning expenditures in excess of \$5,000 to the general membership. The board shall meet at the call of the president or of a majority of members of the executive 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 members of the executive board shall be required for a quorum. An Executive Committee of the executive board may be established and shall be composed of all the elected officers of this local. The Executive Committee shall meet at the call of the president in an emergency situation when a meeting of the executive board cannot be held in sufficient time to cope with a special situation. All actions of the Executive Committee shall be promptly reported to the executive board at a special meeting called for that purpose as soon as a meeting of the executive board can

be convened. The executive board shall elect three sergeants-at-arms to serve for a term that shall expire upon a new executive board being elected in the next general membership meeting. Any member in good standing for one year is eligible to run for sergeant-at-arms. A person elected to the position of sergeant-at-arms does not become a member of the executive board, and can be removed for good cause during his term by the executive board.

Section 8. The trustees shall make or cause to be made at least semi-annually an audit of the local's finances, and shall report to the membership on the results of such audit. Trustees may not hold any local or chapter office.

Section 9. There shall be such number of delegates elected to the District Council 37, AFSCME, AFL-CIO and such other bodies as this local may be affiliated with, as are permitted to this local. Such election shall take place at the same time as the election of local officers.

Section 10. Shop stewards for the local shall be appointed or elected as hereinafter provided.

Section 11. The following standing committees shall be established:

- (a) Legislative and Political Action
- (b) Civil Rights
- (c) Education
- (d) Cultural
- (e) Finance Committee

The Finance Committee shall be comprised of the president, secretary-treasurer, and five other members of the executive board, elected by the board.

Section 12. The Finance Committee shall be comprised of the president, secretary-treasurer, and five other members of the executive board, elected by the board.

The Finance Committee shall meet at least once a month. At each regular monthly meeting of the Finance Committee, the treasurer shall submit a report of the local's financial condition and its income and expenses together with any comments or suggestions to treasurer deems necessary. The Finance Committee shall appoint one member of the Committee, other than the president or treasurer, who shall review and approve the expense reports of the local's president. The president shall review and approve the expense reports of the other officers.

Section 13. The Annual Budget. The president, with the assistance of the treasurer, shall prepare the annual budget. Such budget shall be presented to the executive board together with the comments of the treasurer, for its approval. The Budget, once approved by the executive board, shall be submitted for consideration of the membership at the next general membership meeting. Once approved by the general membership meeting, the president and treasurer are authorized to spend monies in accordance with the categories of budgeted expenditures as set forth in the annual budget, authorization will be obtained from the executive board or the general membership as required under this and AFSCME's constitution.

Section 14. 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.

ARTICLE IX CHAPTERS, CHAPTER STRUCTURE AND ELECTION OF CHAPTER OFFICERS

Section 1. There shall be a chapter in each Municipal Hospital, each long term care facility and each Central Laundry. All employees working in each chapter location shall be members of the chapter located at each such location. No member can be a member of more than one chapter. Chapter officers shall be: Chairman and Vice Chairman.

The reporter and secretary shall be appointed from the shop steward body by the chapter chairman. Chapter officers and shop stewards shall be nominated at a chapter membership meeting which shall take place within 30 days after the election of the local officers. Chief Steward shall be nominated and elected by the shop steward body at the call of the chairman. Notice of a nominating meeting for chapter officers and shop stewards shall be distributed at least fifteen (15) days prior to the nominating meeting. Nomination shall be made at a special meeting held at each chapter from 11:00 a.m. to 7:00 p.m. Election of chapter officers and shop stewards shall be held from 7 a.m. to 7 p.m., time and date to be set by the Election Committee, which shall be no less than 15 days or more than 30 days after the nominating meeting. In situations where because of the geographic location of the membership, chapters are required to meet centrally, nominations and elections can take place at the same meeting. The conduct of all elections of this local and its chapters shall be subject to the International Constitution Appendix D.

Only members in good standing in the local for one year preceding the chapter election shall be eligible to run for chapter officer. The elected chapter officers shall be installed

at a special chapter meeting to be called within 14 days after the election of such officers; or its nominations and elections take place at the same meeting. Installation of officers shall take place at this meeting. The chapter officers shall serve for the same period of time and under the same conditions as the officers of this local. No officer of the local or any District Council representative or grievance representative shall hold a chapter officer position. Chapter officers and shop stewards, upon assuming office, shall be obligated to take the oath of office.

Section 2. Chapter meetings shall take place every two (2) months. Chapter shop stewards' meetings shall be held once a month at the call of the chapter chairman. A minimum of 7 days' notice shall be given for all chapter meetings. A chapter quorum shall consist of 10 members in good standing of the chapter. A quorum for a shop steward meeting shall be five (5). Special meetings of the chapter may be called by the local president, the chapter chairman, the local executive board, or by petition filed with the president and signed by 25 members of the chapter. Special meetings of the chapter may also be called by the International President or his authorized representatives.

Section 3. The chapter chairman shall preside at all meetings of the chapter membership and shop steward meetings. He shall give guidance to the chapter in carrying out local policies. He shall appoint such committees as in his discretion may be necessary for the proper functioning of the chapter, and be a member thereof. The chapter chairman shall, with the approval of the executive board, appoint a shop steward whenever a vacancy occurs, or when at his discretion such appointment may be necessary for the proper functioning of the chapter.

The vice-chairman shall be a member of all committees. In the absence of the chapter chairman, the vice-chairman shall

perform all functions of the chairman, including the making of reports to the chairman concerning activities of committee meetings which are not attended by the chapter chairman. He shall take such other duties and responsibilities as may be delegated to him by the chapter chairman. He shall take such other duties and responsibilities as may be delegated to him by the chapter chairman.

The secretary shall keep the minutes of all chapter chairmen, including the duties of shop steward.

The reporter shall collect news items for publication and perform other related duties delegated to him or her by the chapter chairman, including the duties of shop steward.

Section 4. There shall be a minimum of five shop stewards elected in each institution or location with a membership of 275 or less. For every additional 75 members, there shall be one additional shop steward elected. There shall be, however, no more than thirty shop stewards elected in any institution or location. Chief Stewards will be elected on the basis of shift, title and work location whenever possible. Nomination and election of shop stewards shall be held on the same dates as the nomination and election of chapter officers. The duties of a shop steward shall include organizing new members, and local meetings. Shop stewards shall be responsible to submit to the chapter chairman a monthly activity report. Any shop steward, chief shop steward or vice chairperson who is absent without excuse from three consecutive meetings or who fails to attend a required Local 420 shop steward training course or for other good cause can be removed by the president subject to review by the local executive board. The president shall have the power to appoint stewards, chief shop stewards or vice-chairpersons to fill vacancies caused by an insufficient number being elected or which arise after the election is held.

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, and the Constitution of the American Federation of State, County and Municipal Employees.

Section 2. 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 or the Constitution of the American Federation of State, County and Municipal Employees, and District Council 37.

Section 3. All members of the local shall receive a copy of the local's constitution.

Section 4. Except to the extent specified in this constitution, no officer of the local 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.

ARTICLE XI AMENDMENTS

This Constitution may be amended, revised or otherwise changed only by a vote of two-thirds of the members present and 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 to be taken.

APPROVED BY:

Gerald W. McEntee
International President
September 17, 1954