

July 2, 2019

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Veronica Contigiani, President
AFSCME Local 3104

Dear Sister Contigiani:

We have completed our review of the proposed amendments to the Local 3104 Constitution, which you submitted. The amendments have been approved with the following revisions:

1. Article II. We have retained the state body of the AFL-CIO, which was inadvertently dropped.
2. Article IV, Section 3. We have revised the dues-rate language to reflect the local's current rate which you provided.
3. Article IV, Section 4. We have updated this section to comply with Article III, Section 5, of the *International Constitution*.
4. Article VI, Section 1. For clarity, we have added a phrase to the new officer terms you submitted: "All other officers shall be elected for a term of two years, in odd-numbered years, beginning in 2019."
5. Article VIII, Section 3. We have updated your reference to *Robert's Rules of Order* because the old language is obsolete.

Enclosed are two complete copies of the local constitution, as amended, with my signature of approval on the final page. Should the local amend this constitution in the future, please submit the amendments for approval after they have been adopted by the membership.

In solidarity,



LEE SAUNDERS
President

LS/FC:nd

Enclosures

cc: Mike Sukal, Director, Organizing and Field Services
Dorothy Townsend, Southern Regional Director
Jana Weaver, Area Field Services Director
Christina L. Fernandez, Recording Secretary, AFSCME Local 3104

American Federation of State, County and Municipal Employees, AFL-CIO

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Constitution
for
West Coast, Florida, Area State Employees
Local 3104

Preamble

We, the brothers and sisters of Local 3104, Florida Council 79, of the American Federation of State, County and Municipal Employees, believe that government employees are not, and should not be treated as second class citizens. Knowing that it is practically impossible for one individual to effectuate change for the betterment of all employees we, therefore, unite in brotherhood to collectively obtain better wages and working conditions and human dignity. We, the members of Local 3104, Florida Council 79, of the American Federation of State, County and Municipal Employees adopt this constitution and the International Bill of Rights of AFSCME.

Article I
Name

The name of this organization shall be West Coast, Florida, Area State Employees Local Number 3104 of the American Federation of State, County and Municipal Employees, AFL-CIO.

Article II
Affiliations

This local union shall be affiliated with Florida Public Employees Council Number 79 of the American Federation of State, County and Municipal Employees; the Florida AFL-CIO; and the appropriate central body of the AFL-CIO.

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 Florida state administrative and clerical, career service, human services, operational services and professional employees working in the following counties: Charlotte, Citrus, Collier, DeSoto, Glades, Hardee, Hendry, Hernando, Highlands, Lee, Manatee, Pasco, Pinellas, Sarasota and Sumter, 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. 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 monthly membership dues of the local shall be \$39.58 per member.

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 lose their good standing status and stand suspended. Provided, however, that any person who is paying dues through a system of regular payroll deduction, bank draft, or similar system, shall for so long as such person 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 \$25.00 plus the current month's dues.

Article V Meetings

Section 1. Regular meetings of this local shall be held at least quarterly, at a time and place to be fixed by the membership or the local executive board.

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 20% of the members of the local. Special meetings may also be called by the International President or by an authorized representative of the International President.

Section 3. The quorum for meetings of this local shall be the president or vice-president with eight (8) percent of the membership in good standing.

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 odd-numbered years, beginning in 2019.

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 make nominations, but whether or not such nominating committee is used, nominations shall be permitted from the floor at the nomination meeting. All regular elections shall be held in the month of October.

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 conducted so 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, caused by death, continued illness, resignation or failure to attend three consecutive meetings in office shall be filled for the remainder of the unexpired term by vote of the executive board. No member shall be eligible to hold two elective offices in this local.

Section 7. 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 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. be a delegate to all conventions.

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, preside at all meetings and perform all duties otherwise performed by the president.
- c. be chairman of the membership committee.
- d. be chairman of the condolence committee.

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. upon approval by 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.
- d. 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 any two officers: president, recording secretary, 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, when applicable, 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. give a surety bond for an amount to be fixed by the executive board of the local union, at the expense of the local union and through the International 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. be a delegate to all conventions.

Section 5. The trustees shall make or cause to be made at least semi-annually an audit of the finances of the local, including the finances concerning any health and welfare, pension, insurance

or other benefit programs covering members of such local, 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.

Article VIII 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. The rules contained in the current edition of 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 this constitution and special rules of this local union or of the American Federation of State, County and Municipal Employees.

Section 4. As stated in Article VII, Section 1 and Section 4, the president and secretary-treasurer respectively shall be delegates to all conventions. All other delegates and/or alternates shall be elected by the membership at a regular or special local meeting.

Article IX 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 made 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.

Approved by:



LEE SAUNDERS
President

Approval Date: July 2, 2019