



CONSTITUTION

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TABLE OF CONTENTS

Page No.

ARTICLE 1 DECLARATION, RIGHTS, OBJECTIVES/PRINCIPLES

1.01	Declaration.....	1
1.02	Bill of Rights for ASEA/AFSCME Local 52 Members.....	1
	A. Right to Membership.....	1
	B. Freedom of Speech.....	1
	C. Internal Union Affairs.....	1
	D. Democratic Elections.....	1
	E. Right to Hold Office.....	1
	F. Accounting of Funds.....	1
	G. Participation in Decisions.....	2
	H. Due Process and Recall.....	2
	1. Due Process.....	2
	2. Recall.....	2
1.03	Objectives.....	2
1.04	Principles.....	3

ARTICLE 2 NAME AND HEADQUARTERS

2.01	Name.....	4
2.02	Headquarters.....	4

ARTICLE 3 AFFILIATIONS

3.01	AFSCME International, AFL-CIO.....	4
3.02	Alaska State Federation of Labor, AFL-CIO.....	4
3.03	Other.....	4

ARTICLE 4 MEMBERSHIP

4.01	Eligibility.....	4
4.02	Staff.....	4
4.03	Retirees.....	5

ARTICLE 5 DUES

5.01	Dues Rate.....	5
5.02	Dues Increases.....	5

ARTICLE 6 GOVERNANCE

6.01	Governing Bodies.....	5
6.02	Sovereignty.....	5
6.03	Meeting Time, Place, Date.....	6
6.04	Special Convention.....	6
6.05	Convention Delegates.....	6
6.06	Vote.....	6

ARTICLE 7 GOVERNANCE -- STATE EXECUTIVE BOARD OFFICERS

7.01 State Executive Board..... 7
7.02 Election of State Executive Board..... 7
7.03 Eligibility..... 8
7.04 Nominations..... 8
7.05 Election Process..... 8
7.06 Terms of Office..... 9
7.07 Vacancies in Office..... 9
7.08 Unexcused Absence..... 9
7.09 Obligation of an Officer..... 10

ARTICLE 8 AUTHORITY AND DUTIES OF THE STATE EXECUTIVE BOARD OFFICER

8.01 Authority..... 10
8.02 Meetings..... 11
8.03 Duties as a Board..... 11
8.04 Duties of the President..... 11
8.05 Duties of the Secretary..... 12
8.06 Duties of the Treasurer..... 12

ARTICLE 9 BUSINESS MANAGER

9.01 Conditions of Hire..... 13
9.02 Duties..... 13

ARTICLE 10 CHAPTERS

10.01 Establishment of Chapters..... 13
10.02 Modification of Chapters..... 13
10.03 Structure and Eligibility..... 14
10.04 Meetings and Bylaws..... 14
10.05 Reporting..... 14
10.06 Per Capita..... 14

ARTICLE 11 JUDICIAL PROCEDURES

11.01 Composition..... 15
11.02 Structure..... 15
11.03 Eligibility..... 16

ARTICLE 12 COLLECTIVE BARGAINING

12.01 Collective Bargaining..... 16
12.02 General Government Bargaining Unit..... 16
12.03 Duties of the Elected Negotiators..... 17
12.04 Strike..... 17
12.05 Ratification..... 18
12.06 Other Bargaining Units..... 18

ARTICLE 13 MISCELLANEOUS PROVISIONS

13.01 Binding of the Union..... 18
13.02 Parliamentary Procedure..... 18

ARTICLE 14 AFSCME BIENNIAL CONVENTION DELEGATES

14.01 Delegates/Alternates..... 18
14.02 Nominations..... 19

ARTICLE 15 APPOINTED COMMITTEES

15.01 Class I Standing Committee..... 19

ARTICLE 16 CONSTITUTIONAL AMENDMENTS..... 19

APPENDIX A: DEFINITION..... 21

APPENDIX B: CHAPTERS..... 23

APPENDIX C: MODEL CHAPTER BY-LAWS..... 24

CONSTITUTION

FOR

ALASKA STATE EMPLOYEES ASSOCIATION
AFSCME Local 52, AFL-CIO

ARTICLE 1

DECLARATION, RIGHTS, OBJECTIVES/PRINCIPLES

1.01 Declaration.

We, the assembled delegates to the convention of the Alaska State Employees Association do hereby adopt this Constitution, including a Bill of Rights for ASEA/AFSCME Local 52 Members. We hereby direct that this Constitution, following its approval by the convention and members of ASEA/AFSCME Local 52, as required, and its approval by the AFSCME International President, along with the Articles of Incorporation and the Affiliation Agreement between ASEA/AFSCME Local 52 and AFSCME, shall be filed with all appropriate governmental bodies as the official governing documents of the Association.

1.02 Bill of Rights for ASEA/AFSCME Local 52 Members.

A. Right to Membership: No person otherwise eligible for membership in this Union shall be denied membership, on a basis of unqualified equality, because of race, creed, color, national origin, sex, disability, age, sexual orientation, marital or parental status or political belief.

B. Freedom of Speech: Members shall suffer no impairment of freedom of speech concerning the operations of this Union. Active discussion of Union affairs shall be encouraged and protected within this organization.

C. Internal Union Affairs: Members shall have the right to conduct the internal affairs of the union free from employer interference.

D. Democratic Elections: Members shall have the right to fair and democratic elections at all levels of the union. This includes due notice of nominations and elections, equal opportunity for competing candidates, and proper election procedures which shall be constitutionally specified.

E. Right to Hold Office: Members shall have an equal right to run for and hold office, subject only to constitutionally-specified qualifications, uniformly applied.

F. Accounting of Funds: Members shall have the right to a full and clear accounting of all Union funds at all levels. Such accounting shall include, but not be limited to, at least annual reports to the membership by the appropriate fiscal officers and periodic audits by independent auditors not otherwise connected with the union.

G. Participation in Decisions: Members shall have the right of full participation, through discussion and vote, in the decision-making processes of the union, and to pertinent information needed for the exercise of this right. This right shall specifically include decisions concerning the acceptance or rejection, prior to implementation of collective bargaining contracts, Memoranda of Understanding, or any other agreements affecting their wages, hours, or other terms and conditions of employment. All members shall have an equal right to vote, and each vote cast shall be of equal weight.

H. Due Process and Recall:

1. Due Process: Charges against a member or officer shall be specific and shall be only on grounds provided in Article X of the AFSCME Constitution. Accused members or officers shall have the right to fair trial with strict adherence to due process. The accused shall be considered innocent until proven guilty.

2. Recall: All elected officials shall be subject to recall by the membership.

a. A recall petition shall be presented to the ASEA/AFSCME Local 52 Judicial Panel, and the petitioners shall then have 90 days from the date of presentation to obtain the signatures of 25% of the members represented by that elected official who are in good standing, to be valid.

b. Rights afforded the subject of the recall petition shall be those specified in the AFSCME Constitution and in this Constitution.

c. The judicial panel shall have 14 calendar days to certify the petition of recall.

d. If the petition is valid, a mail-out ballot shall be sent to the membership within 30 days of certification. The membership shall have 30 days to vote on the recall.

e. If the recall petition is sustained by a majority vote of those voting, the vacancies shall be handled as provided in this Constitution.

1.03 Objectives.

This Union shall have as its primary objectives:

A. To provide forceful and effective representation of the interests of union members in all matters relating to the negotiations of wages and all other terms and conditions of employment without regard to race, creed, color, national origin, sex, disability, age, sexual orientation, marital or parental status or political belief.

B. To promote in the hearts of union members a constant dedication to the principles of constitutional democracy.

C. To promote fellowship, cooperation, and harmony among state employees.

D. To foster a recognition among our members of the great power which they, as union members, have to effect change in the workplace and society.

E. To protect and strengthen collective bargaining for public employees in Alaska.

F. To promote a cooperative and harmonious relationship between the Alaska State Employees Association and other labor organizations.

G. To engage in legal activities, research and educational activities, political activities, and any other activities appropriate for a labor organization to pursue in order to achieve the goals set forth above, and the principles set forth below.

H. To carry out the objectives of the American Federation of State, County and Municipal Employees, AFL-CIO, as set forth in Article II of the AFSCME Constitution, so long as those objectives do not conflict with the principles and objectives that are specific to ASEA/AFSCME Local 52; and

I. To foster high quality performance on the job.

1.04 Principles.

In carrying out its objectives, the union shall continually promote and protect the principles of democracy, with the union, and shall adhere to the following principles:

A. Representation shall be based upon the principle of one vote per member;

B. It shall be the policy of the union to accept and encourage free and open debate from all sides on all issues affecting the members or the union. No Bylaws, articles or official policies shall interfere with the members' rights to free speech or association;

C. The union shall encourage and assist members to associate and communicate among themselves regarding any matter affecting their jobs or the union;

D. All meetings of the union shall be open to all members at all times, except: a) to protect the privacy of individuals, and b) to protect the confidentiality of negotiations and/or litigation; and,

E. The union shall ensure due process protection at all times, in any matter pertaining to the union, for all members, subsidiary organizations, and officers.

**ARTICLE 2
NAME AND HEADQUARTERS**

2.01 Name.

The official name of this organization shall be the Alaska State Employees Association, Inc./AFSCME Local 52, (ASEA/AFSCME Local 52.)

2.02 Headquarters.

The headquarters of the union shall be in Anchorage, Alaska. The State Executive Board may provide for such additional offices as may be necessary to carry out the work of the Association.

**ARTICLE 3
AFFILIATIONS**

3.01 AFSCME International, AFL-CIO.

The Alaska State Employees Association shall be affiliated with the American Federation of State, County and Municipal Employees, AFL-CIO.

3.02 Alaska State Federation of Labor, AFL-CIO.

The Alaska State Employees Association shall be affiliated with the Alaska State Federation of Labor, AFL-CIO, and the appropriate central labor bodies of the AFL-CIO in the State of Alaska.

3.03 Other.

Any proposed affiliation with any other labor body, or with any AFSCME District Council, shall be ratified by a vote of the membership.

**ARTICLE 4
MEMBERSHIP**

4.01 Eligibility.

All full-time, part-time, seasonal, laid-off, and temporary employees of the State of Alaska who are in the General Government Unit, or persons who are employed by the State of Alaska or its related agencies, authorities, or commissions; and including employees of private contractors who perform services which were previously performed by such employees and including employees of the City of Sitka, Alaska, excluding those employees within the jurisdiction of Local 803, shall be eligible for membership in the union.

4.02 Staff.

Staff employees of the union shall be eligible for membership in the union. Such persons, however, shall not be eligible to hold office in the union or in any of its subordinate bodies. This provision shall not be interpreted to prevent such persons from being elected to serve as an ASEA/AFSCME Local 52 delegate to another labor organization.

4.03 Retirees.

Retired employees shall not be eligible for membership in ASEA/AFSCME Local 52. An ASEA/AFSCME Local 52 member who is holding an ASEA/AFSCME Local 52 office shall at the time of retirement immediately vacate the seat.

**ARTICLE 5
DUES**

5.01 Dues Rate.

Effective January 1, 2009, the dues rate for individual bargaining unit working members shall be \$5.00 per pay period plus 1% of the base wage earnings up to and including \$833.00; 1.05% of the base wage earnings above \$833.00 up to and including \$1,667.00; 1.10% of the base wage earnings above \$1,667.00 up to and including \$2,500.00; 1.15% of the base wage earnings above \$2,500.00 up to and including \$3,333.00; 1.20% of the base wage earnings above \$3,333.00 up to and including \$4,167.00; and, 1.25% of the base wage earnings that is greater than \$4,167.00 for that pay period.

5.02 Dues Increases.

Except as may be necessary for the union's dues rates to remain in compliance with the minimum dues provisions as set forth in Article IX of the AFSCME Constitution, the dues rates shall not be adjusted except by a simple majority vote of the members voting.

**ARTICLE 6
GOVERNANCE**

The union shall at all times be subject to the provisions of the International Constitution of the American Federation of State, County and Municipal Employees, AFL-CIO.

6.01 Governing Bodies.

The union shall be governed by the following bodies:
a) Convention, and b) State Executive Board.

6.02 Sovereignty.

A. All sovereign powers of the union shall be vested in the convention when in session. The convention is the superior governing body of the union and shall set the laws, rules, policies and goals of the union.

B. When the convention is not in session, all sovereign powers, except the power to amend the constitution, shall pass to and vest in the State Executive Board.

6.03 Meeting Time, Place, Date.

The convention shall meet at such time, place and date as shall be determined by the State Executive Board, provided, however, that the convention shall be held only during the months of February or March. The convention shall be held in every even-numbered year. The call to convention shall be issued no later than 90 days prior to the convention.

6.04 Special Convention.

A special convention may be called by a two-thirds (2/3) vote of the State Executive Board. A special convention also may be called by at least three chapters representing at least one-third (1/3) of the Association's membership. A special convention also may be called by the AFSCME International President. When a special convention is called, it shall be held as soon as physically possible.

6.05 Convention Delegates.

A. Allocation.

1. The basis of chapter delegates to the convention shall be determined by the formula defined in Article IV, Section 5, of the AFSCME International Constitution. Each chapter shall be entitled to delegates on the basis of membership as follows: one delegate for each 100 members or fraction thereof.

2. No less than ninety (90) days in advance of the convention, the ASEA/AFSCME Local 52 secretary shall notify each chapter of the number of delegates it is entitled to send to the convention.

B. Representation

1. A delegate must be a member in good standing of the chapter that member represents, both at the time of election and at the time the convention convenes. A delegate who at the time of election meets the criteria, but does not meet the criteria at the time the convention convenes, will be considered to have vacated the position.

2. For the purpose of providing representation at a convention, two or more chapters may combine to be represented by a single delegate. No delegate may represent more than four chapters, and such delegate must be a member of one of the chapters that is being represented pursuant to this provision.

6.06 Vote.

Regardless of the number of delegates, chapters shall be entitled to vote on the basis of one vote for each member or fraction thereof. Chapters entitled to more than one delegate may send fewer than their quota of delegates and the delegates present may cast the entire vote of the chapter on all recorded votes and elections coming before the convention. The number of votes shall be divided equally among the delegates, with any remaining votes to be cast by the chairperson of the delegation, as designated by the chapter. No fractional votes shall be permitted.

**ARTICLE 7
GOVERNANCE - STATE EXECUTIVE BOARD OFFICERS**

7.01 State Executive Board.

The officers of the union shall consist of a president, a secretary, a treasurer, and additional board members as specified in section 7.02.

7.02 Election of State Executive Board.

The officers of the State Executive Board shall be elected in the following manner:

A. The president, secretary, and treasurer shall be elected from all ASEA/AFSCME Local 52 members.

B. The five (5) regional board members shall be elected from the State GGU, in the regions described below:

1. Northern Region (Fairbanks area): The Northern Region shall consist of ASEA/AFSCME Local 52 members in Fairbanks - Northstar Borough.

2. Central Region (Anchorage area): The Central Region shall consist of ASEA/AFSCME Local 52 members in the municipality of Anchorage.

3. Southeast Region (Juneau area): The Southeast Region shall consist of ASEA/AFSCME Local 52 members in the City and Borough of Juneau.

4. Rural Region: The Rural Region shall consist of ASEA/AFSCME Local 52 members in all areas that are on a road system and not included in B.1, 2, and 3 above.

5. Bush Region: The Bush Region shall consist of ASEA/AFSCME Local 52 members in all areas that are not on the road system, but not included in B.1, 2, 3 and 4 above.

C. The four (4) Occupational Board Members shall be elected, one each, from the following State GGU occupational groups:

- 1 - Technical Employees
- 1 - Professional Employees
- 1 - Administrative Support Employees
- 1 - Class I Employees

D. There shall be assigned one dedicated seat on the State Executive Board for municipal employees organized under ASEA/AFSCME Local 52 for each 1,000 members, or fraction thereof. There shall be assigned one dedicated seat on the State Executive Board for state employees organized under ASEA/AFSCME Local 52, who are not classified as General Government Unit employees in the State of Alaska's system of classification for each 1,000 members, or fraction thereof.

E. Regional and Occupational classifications for Administrative, Technical and Professional employees shall be assigned in accordance with the employer's classification system, for voting and officer

eligibility purposes. The State Executive Board may develop and publish written criteria for deviation from the employer's classification system, to be uniformly applied. If the Board determines a deviation is necessary, it will send written notice of its findings and criteria to affected regional and/or job classes. Any member whose classification changes during an elected term of office shall serve out the remainder of their term.

7.03 Eligibility.

To be eligible to hold a State Executive Board office, a candidate must be employed and must be a member in good standing of the union for at least one year, except for the initial election of a new bargaining unit board member. Other than the President, Secretary, or Treasurer, the candidate must work in the regional, occupational, or other designated group that member represents.

7.04 Nominations.

Nominations shall be made by nominating petitions submitted to the elections committee. A member may be a candidate for only one State Executive Board office at any one time.

7.05 Election Process.

A. All elections shall be conducted in conformity with the AFSCME Elections Code, Appendix D of the AFSCME Constitution.

B. All elections shall be held during the month of March.

C. All elections shall be conducted by mail and at least thirty (30) days shall be allowed for the election.

D. All elections shall be conducted under the supervision of an elections committee, the members of which shall be appointed by the ASEA/AFSCME Local 52 President with the consent of the State Executive Board. No member of the elections committee shall be a candidate for election, or hold any other elected or appointed office in the Union, with the exception of stewards.

1. The elections committee shall be responsible for making all necessary arrangements for the elections, including the mailing of notices of nominations and elections and the mailing and counting of ballots.

2. The elections committee shall conduct elections in concurrence with the following timetable:

a. The elections committee shall establish a date, during the month of March, for the counting of ballots. This date shall be known as the election date.

b. The elections committee shall arrange to have ballots sent to all ASEA/AFSCME Local 52 members, at their last known address, at least thirty (30) days prior to the election date.

c. The elections committee shall establish a deadline for the receipt of nominations. Such deadline shall be sixty (60) days prior to the election date.

d. The elections committee shall mail, or cause to be mailed, a notice of nominations and elections to all ASEA/AFSCME Local 52 members at their last known address. The notice required by this section may be distributed through a separate mailing or by inclusion in an official publication of the union. Such notice shall be sent at least ninety (90) days prior to the election date and shall include the following information:

(1) Notice of the office(s) to be filled and the term of each office.

(2) Notice of the deadline for the receipt of nominating petitions.

(3) Notice that any member so nominated must file a written acceptance of the nomination with the elections committee. The notice of acceptance by the nominee shall be submitted with the nominating petition.

(4) Notice of the right of each candidate to submit a statement of their personal qualifications, to be limited to one 8-1/2" x 11" sheet of paper. Such statement, if submitted, will be distributed to the members of the elections committee.

(5) Notice of the date on which ballots will be mailed and the date for the counting of ballots.

7.06 Terms of Office.

The terms of office shall be three (3) years, with March of 2009 being the reference point to determine election years for the Secretary, Treasurer, and four (4) State Executive Board members; and March of 2010 being the reference point to determine election years for the President and the remaining State Executive Board members.

7.07 Vacancies in Office.

Vacancies in office shall be filled on a temporary basis by vote of the State Executive Board and the member so elected shall serve out the unexpired term unless the vacancy occurs in a time frame to be filled by the next regularly scheduled election. In that event, the membership shall then proceed to elect a member to replace the elected member and to serve out the balance of the unexpired term.

7.08 Unexcused Absence.

Any officer who misses three (3) consecutive, regularly scheduled meetings, without a satisfactory excuse, shall be declared to have vacated the office. Any officer who no longer meets the constitutional requirements established for an office shall be deemed to have vacated the office. Any vacancy so created shall then be filled by the State Executive Board, pursuant to Section 7.07 above.

7.09 Obligation of an Officer.

Every ASEA/AFSCME Local 52 member, upon assuming an office in the union, shall subscribe to the following Obligation of An Officer:

I, _____, promise and pledge that I will faithfully perform with honor the duties of the office which I now assume in the Alaska State Employees Association, AFSCME, AFL-CIO. As an officer of this union I will, at all times, act solely in the interests of our members, devote the resources of our union to furthering their needs and goals, work to maintain a union that is free of corruption, to preserve and strengthen democratic principles in our union, and to protect the members' interests in all dealings with employers. I will never forget that it is the members who put me here, and it is the members who I will serve. I further promise that I will, at all times, by example, promote harmony and respect the dignity of this union. I also promise that I will deliver to my successor in office all books, papers and other property of this Union which are in my possession at the close of my official term.

ARTICLE 8

AUTHORITY AND DUTIES OF THE STATE EXECUTIVE BOARD OFFICER

8.01 Authority.

A. The State Executive Board shall be the governing body of the union, except when conventions of the union are in session. All matters affecting the policies, aims and means of accomplishing the purposes of the union not specifically provided for in this Constitution or by action of the delegates at a regular or special convention shall be decided by the State Executive Board.

The specific duties of the State Executive Board shall include, but not be limited to:

1. Assigning all members of the union to the appropriate region for voting purposes;
2. At the request of a majority of subject members, modifying the jurisdiction of existing chapters by creating new chapters or consolidating existing chapters;
3. Appointing regional members of all standing committees; and,
4. Approving the budget and making recommendations to members regarding changes to dues or requests for special assessments.

B. When the ASEA/AFSCME Local 52 Biennial Convention or a special convention is not in session, only the State Executive Board may issue interpretations of this Constitution. The interpretations shall be binding unless amended by the delegates at the next regular or special convention. These interpretations are subject to an appeal to the AFSCME International President.

8.02 Meetings.

A. The State Executive Board shall meet at least quarterly. The board shall hold at least one meeting each year in the state's three principal urban areas and in one rural area. Additional meetings may be called by the president or by a majority of the State Executive Board.

1. Two-thirds (2/3) of the members of the State Executive Board shall be required for a quorum.

2. All meetings of the State Executive Board are open to observation by any member in good standing of the union. Meetings may be closed if the board decides by two-thirds (2/3) majority vote that it is necessary: (a) to protect the privacy of individuals; or (b) to protect the confidentiality of negotiations and/or litigation. The reason for the closed meeting shall be stated in the minutes.

3. Whenever, in the opinion of the president, a matter arises which requires the urgent attention of the State Executive Board at a time when the board is not in session, the president may contact the members of the board by letter, e-mail, fax or telephone and require them to vote on the matter. Any such action so taken by the members of the State Executive Board shall constitute action of the board as though it were in formal session, but the actions taken shall be reviewed at the next meeting of the State Executive Board and shall be part of the minutes.

8.03 Duties as a Board.

A. The State Executive Board shall hire a business manager who shall sit on the State Executive Board with a voice, but no vote.

B. In compliance with 1.02.F of the Bill of Rights for ASEA/AFSCME Local 52 members, the State Executive Board shall contract annually with a licensed, bonded Certified Public Accountant (CPA) for a complete independent audit of the finances of the union. The results of this audit shall be submitted to each chapter. Within thirty (30) days after the results of the audit have been submitted by the CPA, it shall be posted to the Union website and forwarded to chapter presidents.

8.04 Duties of the President.

The president of the union shall perform the following duties:

A. The president shall preside at all conventions of the union and at all meetings of the State Executive Board.

B. The president shall countersign all checks drawn against the funds of the union; provided that, with the approval of the State Executive Board, the president may designate a deputy to sign such checks.

C. The president, with approval of the State Executive Board, shall appoint all standing and special committees of the union, except as

otherwise provided for by this constitution. The president shall be an ex-officio member of all committees, except the elections committee.

D. The president shall report periodically to the State Executive Board, the chapters, and the convention on the affairs of the union.

E. In the vacancy of the president's position, Article 7.07 shall apply.

8.05 Duties of the Secretary.

The secretary of the union shall perform the following duties:

A. In consultation with other members of the State Executive Board and the Business Manager, establish the agenda for each meeting. Such agenda, along with the notice of the time, date, and place of general meetings of the State Executive Board, shall be mailed or otherwise delivered at least ten (10) days prior to each meeting of the State Executive Board and to each chapter president.

B. Maintain a record of the proceedings of all convention and State Executive Board meetings. The minutes of all board meetings shall be furnished to the chapter presidents within thirty (30) days of each board meeting.

C. In the absence of the president, the secretary shall preside over meetings. If a vacancy occurs in the office of president, the secretary shall assume the duties and responsibilities of the president until such time as the vacancy in office is filled as provided in this constitution.

D. If the treasurer is not available, then the secretary shall execute the duties of the office.

8.06 Duties of the Treasurer.

The treasurer of the union shall perform the following duties:

A. Receive, deposit, and disburse all funds of the union in accordance with the financial accounting requirements set out in the AFSCME Financial Standards Code.

B. Act as custodian of all properties of the union.

C. Sign all checks drawn against the funds of the union provided approval of the State Executive Board.

D. The treasurer shall report bi-monthly to the State Executive Board, chapters, and the convention on the financial condition of the union.

E. The treasurer shall make the books and records of the union available for inspection at reasonable times by the officers of the union, by duly authorized representatives of the AFSCME International President, and by members of the union.

**ARTICLE 9
BUSINESS MANAGER**

9.01 Conditions of Hire.

- A. The business manager shall serve at the discretion of the State Executive Board.
- B. The business manager is the union's administrative officer, and must give full time to the union.

9.02 Duties.

A. The business manager shall, under policies established by the State Executive Board, employ, terminate, fix the compensation and expenses, be responsible for conducting the day-to-day affairs of the union and direct the activities of such staff as are required to carry out effectively the functions of the union.

B. Fiscal Budget.

1. The fiscal year for the union shall begin on the first day of July and end on the last day of June.

2. No less than sixty (60) days prior to the beginning of each fiscal year, the business manager shall submit in writing to the State Executive Board a proposed budget for the coming fiscal year. The proposed budget shall establish the anticipated income and its sources and the anticipated expenditures and their purposes. The proposed budget may be revised by the State Executive Board which must approve a final budget no later than thirty (30) days prior to the beginning of the coming fiscal year. In convention years, the State Executive Board shall submit its recommended budget to the convention delegates fifteen (15) days prior to the convention for final approval by the convention.

**ARTICLE 10
CHAPTERS**

10.01 Establishment of Chapters.

A. The State Executive Board shall establish such chapters, by separate region and/or occupational group, as it deems necessary to provide for the most effective means of permitting the members of the union to participate fully in the affairs of the union.

B. The chapters set forth in Appendix B are hereby established.

10.02 Modification of Chapters.

A. The State Executive Board, by a two-thirds vote, at the request of a representative group of members, may modify the jurisdiction of an existing chapter by creating new chapters or consolidating existing chapters.

B. Chapters, at the request of a representative group of members, may establish subchapters or may modify existing subchapters by creating new subchapters or consolidating existing subchapters. Notice of such action shall be provided to the State Executive Board.

10.03 Structure and Eligibility.

A. Each chapter shall elect a president, secretary, and a treasurer who shall serve a term of office as prescribed within the chapter bylaws, but not to exceed three (3) years. Additional chapter officers may be established within a chapter's bylaws who shall serve terms of office not to exceed three (3) years. A member may be a candidate for only one chapter office at any one time.

B. To be eligible to hold a chapter executive board office, a candidate must be employed and must be a member in good standing of the Union. The member's bargaining unit designated workplace must be located in the chapter that member represents, as defined by the State Executive Board.

10.04 Meetings and Bylaws

Chapters shall meet at least annually and shall adopt bylaws for the conduct of their affairs. For this purpose, a chapter may use the model chapter bylaws set forth in Appendix C of the constitution. Alternately, a chapter may adopt its own bylaws provided they do not conflict with this constitution or the AFSCME Constitution.

10.05 Reporting.

A. A copy of the chapter bylaws shall be filed with the ASEA/AFSCME Local 52 headquarters.

B. A copy of the chapter meeting minutes shall be filed with the ASEA/AFSCME Local 52 headquarters.

C. A report reflecting the chapter's financial status shall be filed with the ASEA/AFSCME Local 52 headquarters each fiscal-year end of the union.

10.06 Per Capita.

The State Executive Board shall implement a program to provide financial support for chapter operations. ASEA/AFSCME Local 52 shall provide that four percent (4%) of the total dues and agency fees collected by the union shall be designated for chapter operations. If sufficient funds are available, each chapter shall receive a minimum allocation of \$1000 annually. If there are additional funds, they shall be apportioned between the chapters on the basis of their respective memberships.

**ARTICLE 11
JUDICIAL PROCEDURES**

11.01 Composition.

The judicial panel shall be composed of ASEA members excluding any paid staff and officers as defined in Article 7.01. It shall conduct its affairs according to Article X of the AFSCME Constitution. All trials shall be conducted with three (3) trial officials. Unless otherwise provided for in this article, it shall conduct judicial panel procedures in conformance with Article XI of the AFSCME Constitution.

11.02 Structure.

A. The Judicial Panel shall be composed of four (4) members and four (4) alternates who shall be elected from the respective areas as follows:

1. One (1) member from Anchorage for a three year term with March of 1994 being the reference point to determine election years.

2. One (1) member from Fairbanks for a three year term with March of 1994 being the reference point to determine election years.

3. One (1) member from Juneau for a three year term with March of 1995 being the reference point to determine election years.

4. One (1) member from the Rural/Bush area for a three year term with March of 1996 being the reference point to determine election years.

B. The person from the area to receive the most votes shall be the Judicial Panel member and the person with the second most votes shall be Alternate Judicial Panel Member.

C. The chair of the judicial panel shall be selected by a majority of the members and alternates who vote. The term of the chair shall be for one year, commencing each April and ending in March of each subsequent year.

D. The duties of the chair will be as follows:

1. To conduct official correspondence and representation on behalf of the judicial panel members with charging and accused parties, the State Executive Board and other trial bodies.

2. To convene and chair meetings of the judicial panel members for preliminary review of charges, the purpose of such review being the determination whether a charge will be accepted and filed, based on the judicial panel finding that a reasonable likelihood exists that a specific chargeable action or actions under Article X of the AFSCME Constitution may have occurred.

3. To coordinate the venue of trials and the assignment of judicial panel members to specific cases, assuring the fair and orderly rotation of assignments among members and alternates.

11.03 Eligibility.

No salaried employees of the union or any member holding any elective office in the union shall be eligible to serve on the Judicial Panel.

This provision shall not be interpreted to prohibit a judicial panel member from being elected to serve as an ASEA delegate to another labor organization.

**ARTICLE 12
COLLECTIVE BARGAINING**

12.01 Collective Bargaining.

In preparing for negotiations with the employer, a contract negotiating committee shall be assembled to ascertain the interests and needs of the members and to develop the bargaining unit's goals and objectives for negotiations.

12.02 State of Alaska General Government Bargaining Unit.

A. For the purpose of conducting negotiations with the State of Alaska, the union shall be represented by a contract negotiating committee consisting of seven (7) ASEA/AFSCME Local 52 General Government Unit members.

B. All negotiators and alternates must be elected and seated at least nine (9) months prior to the end of the expiring contract.

C. The contract negotiating committee shall consist of members in good standing elected from the following categories:

1. One negotiator and one alternate elected from the members in the Northern Region,

2. One negotiator and one alternate elected from the members in the Central Region,

3. One negotiator and one alternate elected from the members in the Southeast Region,

4. One negotiator and one alternate elected from the members in the Rural Region,

5. One negotiator and one alternate elected from the members in the Bush Region,

6. One negotiator and one alternate elected from Seasonal employees,

7. One negotiator and one alternate elected from Class I members.

D. Seasonal and Class I members are precluded from holding any regional position on the contract negotiating committee.

E. Vacancies

When a primary committee member vacates their seat on the Contract Negotiating Committee, the alternate for the chapter, region or class will assume the duties of the primary member. The person who is the next highest vote getter will fill the vacant position. When only two members originally ran for the primary and alternate seats, the State Executive Board will appoint a member to fill the vacant alternate seat. If deemed feasible and time restraints are not a factor, the State Executive Board will instruct the Business Manager to send an announcement of a vacancy to all members of the affected region, chapter, or class, asking for names of members interested in filling the alternate position. The State Executive Board will appoint an alternate from the names submitted. If no one submits names, that seat will remain vacant for the duration of the present contract negotiations. In such an event and when the primary committee member cannot participate in a meeting of the committee, at his/her earliest convenience, the Business Manager will inform the primary of any and all pertinent information disseminated during the meeting.

12.03 Duties of the Elected State of Alaska General Government Unit Contract Negotiating Committee.

Duties of the elected State of Alaska General Government Unit Contract Negotiating Committee are as follows:

A. The contract negotiating committee shall have the sole authority to negotiate with the State of Alaska.

B. Solicit membership input through such means as the State Executive Board, chapter presidents, stewards' networks, surveys, telephone interviews, and worksite meetings. In order to carry out its duties under this subsection, the Business Manager on behalf of the contract negotiating committee will establish a budget which it will submit to the State Executive Board for funding three (3) months prior to the onset of negotiations. The State Executive Board shall not unreasonably withhold funds as requested in the contract negotiating committee's budget.

C. The contract negotiating committee may solicit appropriate assistance from AFSCME and any other sources as deemed necessary.

D. Formulate contract proposals, based upon the information obtained through 12.03.B, legal advice, input from professional AFSCME negotiators, and input from the ASEA/AFSCME Local 52 Business Manager.

E. With Staff assistance, provide and disseminate timely reports on the progress of specific issues under negotiation, to all statewide officers, chapter presidents, all shop stewards, and the general membership. The Business Manager shall prepare an accounting of the expenses associated with negotiations to be reported monthly to the State Executive Board and Contract Negotiating Committee.

12.04 Strike.

Should members vote to strike, the contract negotiating committee shall participate in the leadership and coordination of strike activities by working closely with the ASEA/AFSCME Local 52 State

Executive Board, and the ASEA/AFSCME Local 52 Business Manager, in addition to utilizing AFSCME resources, to ensure the fullest member participation.

12.05 Ratification.

All collective bargaining agreements, letters of understanding, memorandums of understanding or other equivalent agreements, whether permanent or interim, which affect the wages, benefits, and working conditions of members, shall be subject to ratification, prior to implementation, by a simple majority of the affected members voting. This section shall apply at all times under all conditions for bargaining units within ASEA/AFSCME Local 52.

12.06 Other Bargaining Units.

Employee groups joining ASEA/AFSCME Local 52 as a separate bargaining unit will formalize in their bylaws the structure of their negotiating team, duties of their negotiators, and ratification procedures of their collective bargaining agreement.

**ARTICLE 13
MISCELLANEOUS PROVISIONS**

13.01 Binding of the Union.

Except to the extent specified in this Constitution, no officer of the Union shall have the power to act as an agent for or otherwise bind the Union in any manner whatsoever. No member or group of members or other person or persons shall have the power to act on behalf of, or to otherwise bind the Union, except to the extent specifically authorized in writing by the Business Manager of the Union or the State Executive Board of the Union.

13.02 Parliamentary Procedure.

Robert's Rules of Order, 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 AFSCME Constitution.

**ARTICLE 14
AFSCME BIENNIAL CONVENTION DELEGATES**

14.01 Delegates/Alternates.

A. The president, secretary, and treasurer, elected in accordance with Article 7 of this constitution, shall serve as delegates to AFSCME biennial conventions. The president shall be the first delegate, the secretary shall be the third delegate and the treasurer shall be the fifth delegate.

B. At-large delegates to the AFSCME biennial convention shall be elected from the general membership. The nominee with the most votes

shall be the second delegate. The nominee with the second-most votes shall be the fourth delegate. The nominee with the third-most votes shall be the sixth delegate. If sufficient funds are available to send a full delegation, the remainder of the delegates shall be elected from the general membership. The number shall not exceed the number allocated by AFSCME (see Article IV, Section 6, of the AFSCME Constitution).

C. Alternates shall be selected from the remainder of the nominees after the delegation has been selected. The first alternate shall be the nominee with the highest votes of those remaining. The second alternate shall be the nominee with the second highest votes of those remaining and so forth.

14.02 Nominations.

Nominations shall be made by nominating petitions submitted to the Elections Committee. To be nominated for delegate, one must be a member in good standing and must obtain the signatures of no less than ten (10) other members of the union (see Article IV, Sections 5 and 12 of the AFSCME Constitution).

ARTICLE 15 APPOINTED COMMITTEES

15.01 Class I Standing Committee.

Class I members represent a strike-ineligible class of state employees, the majority of whom work in 24-hour facilities and deal with unique situations in their workplaces on a daily basis. A Class I Standing Committee shall be established to assure that Class I members have a forum through which to communicate their unique concerns to the Union. The president of the State Executive Board, who shall be an ex-officio member of the committee, shall appoint eight (8) Class I members from different regions across the State of Alaska to serve as members of the committee. The elected Class I State Executive Board member shall serve as chairperson of the committee. The committee shall meet monthly unless the committee determines that less frequent meetings are sufficient to carry out the functions of the committee.

ARTICLE 16 CONSTITUTIONAL AMENDMENTS

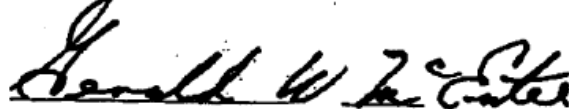
The ASEA/AFSCME Local 52 constitution may be amended as follows:

A. This constitution may be amended, revised or otherwise changed by a two-thirds (2/3) vote of the delegates to a regular or special convention, and such change shall take effect upon written approval of the AFSCME International President in accordance with Article IX of the AFSCME Constitution except that amendments to Article 5 must be ratified by a simple majority of the general membership voting.

B. Proposed amendments to this constitution shall be submitted in writing to the State Executive Board no less than forty-five (45) days prior to the regular or special convention at which a vote is to be taken. The State Executive Board shall review the proposed amendments and may make a recommendation to the delegates on whether the proposed amendment should be adopted or rejected.

C. In a year in which an ASEA/AFSCME Local 52 Biennial Convention is not held, this constitution also may be amended by a two-thirds (2/3) vote of the members voting in favor of a proposed amendment in a mail ballot referendum. Any such amendment must be submitted to the State Executive Board with signatures from at least one-hundred (100) members in good standing of the union representing at least five (5) chapters. The same timetable that applies to the annual nomination and election of officers shall be applicable to the submission of such proposed amendments. A statement explaining the purpose for the proposed amendment, which may not exceed two hundred and fifty (250) words in length, must be submitted with the proposed amendment. The proposed amendment and the explanatory statement shall be mailed to the members with a ballot in the same mailing used for the annual election of officers. If the State Executive Board opposes the adoption of the proposed amendment, it shall distribute to the members a statement setting forth its reasons for opposing the amendment. This statement, which shall not exceed two hundred and fifty (250) words in length, shall be included in the same mailing which is used to distribute the proposed amendment to the members. If adopted by the members, the change shall take effect upon written approval by the AFSCME International President in accordance with Article IX of the AFSCME Constitution.

APPROVED BY:



GERALD W. McENTEE

International President

Approval Date: 01/13/2009

**APPENDIX A
ALASKA STATE EMPLOYEES ASSOCIATION
AFSCME Local 52, AFL-CIO**

DEFINITION

Section 1. Unless the context clearly indicates otherwise, the terms "Association" and "Union" and the initials "ASEA" are used interchangeably in this Constitution to mean the "Alaska State Employees Association."

Section 2. Unless the context clearly indicates otherwise, the term "International Union" and the initials "AFSCME" are used interchangeably in this constitution to mean the "American Federation of State, County and Municipal Employees."

Section 3. The State Executive Board in resolving questions which may arise over the eligibility of any person to be a member of this organization shall be guided, to the extent possible, by the following definitions:

- A. Officers and Officials includes State Executive Board members, Contract Negotiating Committee members, Chapter Executive Board members, Judicial Panel Members, Stewards, and elected committee members.
- B. Full-Time Employee -- means any person who is employed on a full-time basis and is eligible for membership under 4.01 of the ASEA/AFSCME Local 52 constitution. Full-time means any person who works 60 hours or more per bi-monthly pay period.
- C. Part-time Employee -- means any person who is employed on a part-time basis and is eligible for membership under 4.01 of the ASEA/AFSCME Local 52 constitution. Part-time means any person who works less than 60 hours per bi-monthly pay period.
- D. Seasonal Employee -- means any person who is employed on a regular, reoccurring seasonal basis, in either a full or part-time position in their bargaining unit. Such persons shall be eligible to retain their membership and exercise full membership rights during the "off season" if they have a right to reclaim their position in the general government unit during the next season.
- E. Temporary Employee -- means any person who is employed in either a full or part-time position on a temporary basis in their bargaining unit.
- F. Laid-Off Employee -- means any person who has been laid-off from a full-time, part-time, seasonal or temporary position in their bargaining unit and who had been an ASEA/AFSCME Local 52 member while so employed. Such persons shall be eligible to retain their membership and exercise their rights of membership during the period they are in a contractually defined layoff status.

- G. Retired Employee -- means any person who has retired from employment with the State of Alaska in their bargaining unit. Retired employees shall not be eligible for membership in ASEA/AFSCME Local 52. An ASEA/AFSCME Local 52 member who is holding an ASEA/AFSCME Local 52 office shall at the time of retirement immediately vacate the seat.
- H. Staff Employee -- means any person who is employed by the union in any capacity whatsoever. Such persons are eligible for membership in the union but shall not be eligible to hold office in the union. For purposes of this membership category, a person whose primary basis for membership derives from employment in a bargaining unit represented by ASEA/AFSCME Local 52 shall not be deemed to be a staff employee of the union even though the person may be drawing a stipend or salary from the union on a temporary basis.
- I. Member in Good Standing -- A member who has paid dues on all pay periods in which compensation was earned and is not under union disciplinary sanction.
- J. Agency fee payers are not members in good standing and are not recognized as being eligible for membership in the Union under Article 4.01.
- K. Rural Region -- means members in all areas that are on the road system and not included in the Northern Region, the Central Region, and the Southeast Region. Rural includes Mat-Su, Seward, Cook Inlet, Tok, Glennallen, Valdez, Kachemak Bay, Delta/Buffalo and future new chapters established within the scope of the Rural Region guidelines.
- L. Bush Region -- means members in all areas that are not on the road system and not included in the Northern Region, the Central Region, and the Southeast Region or the Rural Region. Bush includes Ketchikan, Cordova, Petersburg, Sitka, Bethel, Dillingham, Nome, Kodiak/Aleutians and future new chapters established within the scope for the Bush Region guidelines.

The Bush Region will further not be defined in any way associated with the National Highway System to include the Marine Highway System.

The Bush Region is also defined as a region that cannot directly connect itself to the urban areas by the road system and to travel to the urban areas must include travel by aircraft, boat craft, or sled dog.

Section 4. In all elections conducted pursuant to this constitution, the outcome shall be determined by the ASEA/AFSCME Local 52 members actually voting in an election or referendum. Voided and blank ballots shall not be included in the tally of valid ballots. The elections committee shall make the final decision on any disputed election matter, subject to an appeal pursuant to the procedures set forth in the Elections Code of the AFSCME Constitution.

APPENDIX B
ALASKA STATE EMPLOYEES ASSOCIATION
AFSCME Local 52, AFL-CIO

<u>Chapters</u>	<u>Approximate Size*</u>	<u>No. Delegates*</u>
Anchorage Chapter	3,415	35
Cook Inlet Chapter (Kenai, Soldotna)	210	3
Cordova Chapter	52	1
Buffalo Chapter (Delta Junction)	24	1
Bristol Bay Chapter (Dillingham)	34	1
Midnight Sun Chapter (Fairbanks)	903	10
Glennallen Chapter	12	1
Juneau Chapter	1,620	17
Kachemak Bay Chapter (Homer)	53	1
Ketchikan Chapter	185	2
Kodiak/Aleutians Chapter	113	2
Mat-Su Chapter (Palmer, Wasilla, Willow)	373	4
Nome Chapter	96	1
Petersburg-Wrangell Chapter	27	1
Seward Chapter	54	1
Sitka Chapter	109	2
Alcan Chapter (Tok)	22	1
Yukon-Kuskokwim Delta Chapter (Bethel, Aniak, Kwigillingok and St. Mary's)	116	2
Valdez Chapter	18	1

* These are official figures for the 2008 ASEA/AFSCME Local 52 Biennial Convention. Chapters are notified by the secretary in advance of each Convention of the actual number of delegates they are entitled to elect, pursuant to Article 6.05.A.2 of the ASEA/AFSCME Local 52 Constitution.

**APPENDIX C
ALASKA STATE EMPLOYEES ASSOCIATION
AFSCME Local 52, AFL-CIO**

MODEL CHAPTER BYLAWS

ARTICLE I - NAME

The name of this organization shall be the _____
Chapter of Alaska State Employees Association/AFSCME Local 52, AFL-CIO.

ARTICLE II -- MEMBERSHIP

All members of ASEA/AFSCME Local 52 within the jurisdiction of this Chapter, as established by the ASEA/AFSCME Local 52 Board of Directors, are eligible for membership in this chapter.

ARTICLE III -- MEETINGS

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

Section 2. Special meetings may be called by the president, the executive board, or by petition filed with the president and signed by five percent (5%) of the members of the chapter. Special meetings may also be called by the ASEA/AFSCME Local 52 President, the AFSCME International President, or by an authorized representative of the AFSCME International President.

Section 3. The quorum for meetings of this chapter shall be five percent (5%) of the chapter's membership in good standing, unless the chapter has less than 150 members, in which case the quorum shall be seven (7) members.

ARTICLE IV -- OFFICERS AND ELECTIONS

Section 1. The officers of this chapter shall be a president, a secretary, a treasurer, and two executive board members, and these five shall constitute the chapter 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 one year.

Section 2. Nominations shall be made at a regular or special meeting of the chapter. At least fifteen (15) 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 during the month of _____. Nominations and elections may be held at the same meeting.

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 chapter; provided, however, that no retired member shall be a candidate for office.

Section 4. All matters concerning nominations and elections in this Chapter shall be subject to the provisions of Appendix D, entitled Elections Code, of the AFSCME Constitution.

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

Section 6. Every officer shall upon assuming office, subscribe to the Obligation of an Officer as set forth in Article VI of the ASEA/AFSCME Local 52 Constitution.

ARTICLE V -- DUTIES OF OFFICERS, EXECUTIVE BOARD AND TRUSTEES

Section 1. The President shall:

- A. Preside at all meetings of the Chapter and of the executive board.
- B. Be a member of all committees, except the elections committee.
- C. Countersign all checks drawn against the funds of the Chapter.
- D. Appoint all standing committees and all special committees of the Chapter, subject to the approval of the executive board.
- E. Report periodically to the membership regarding the affairs of the Chapter.

Section 2. The 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 Chapter, except as the executive board may direct otherwise.
- C. 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.
- D. Perform such other duties as the executive board may require.

Section 3. The Treasurer shall:

- A. Receive and receipt for all monies of the Chapter.
- B. Deposit all money so received in the name of the Chapter 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 Treasurer.

- C. Prepare and sign checks for such purposes as are required by these Bylaws or are authorized by the membership or the executive board.
- D. Conduct the financial affairs of the Chapter in accordance with the requirements of the AFSCME Financial Standards Code.
- E. Give a surety bond for an amount to be fixed by the executive board of the chapter, at the expense of the chapter and through the International Union.

Section 4. The executive board shall be the governing body of the chapter, except when meetings of the chapter are in session. All matters affecting the policies, aims and means of accomplishing the purposes of the chapter not specifically provided for in these Bylaws 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.

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

ARTICLE VI -- MISCELLANEOUS PROVISIONS

Section 1. This chapter shall at all times be subject to the provisions of the ASEA/AFSCME Local 52 and AFSCME Constitutions.

Section 2. Except to the extent specified in these Bylaws, no officer of the Chapter shall have the power to act as agent for or otherwise bind the chapter 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 chapter, except to the extent specifically authorized in writing by the president of the chapter or by the executive board of the chapter.

Section 3. Robert's Rules of Order, Revised, shall be the guide in all cases to which they are applicable and in which they are not inconsistent with these Bylaws or of any special rules of this chapter or of ASEA/AFSCME Local 52 or AFSCME.

ARTICLE VII -- AMENDMENTS

1. These Bylaws may be amended, revised, or otherwise changed by a majority vote of the members voting on such proposed change at regular or special meetings of the chapter. A written copy of the proposed amendment shall be furnished to every eligible voter at the meeting at which the vote is taken.

2. A copy of these Bylaws and any amendments thereto shall be filed with the ASEA/AFSCME Local 52 secretary.