

TRUE AMENDED VERSION, DECEMBER 2006,
of the
CONSTITUTION
of the
Ames Federal Employees Union
affiliated with the
International Federation of Professional and Technical Engineers as
IFPTE Local Number 30

Mail Stop 247-5
Ames Research Center
National Aeronautics and Space Administration
Moffett Field, California 94035-1000

P.O. Box 243
Moffett Field, CA 94035-0243

As approved and signed 23 July 1948
and amended
29 June 1962,
20 January 1969,
21 June 1971,
18 November 1998,
20 January 1999,
19 April 2000,
19 July 2000,
28 February 2001,
June 2002,
October 2005,
November, December 2006,
April, December 2007,
August, 2008,
August, 2010,
October, 2010.

[Edited per motions passed at Oct. 20, 2010 membership meeting – CDK]

[Edited per motion passed at Aug. 25, 2010 membership meeting – CDK]

[Edited to conform with amendments through 2007 April, -- PKD 2007 Aug 14]

[Officers list edited to reflect the election of 2007 May. -- PKD 2007 Aug 14]

[Pro-rating of annual dues 2008 August.]

PREAMBLE

With a view of improving the Federal Service, and promoting the best interests of Federal Employees, we, an organization of Federal Employees, adopt this Constitution.

ARTICLE I

Name and Charter

Section 1.

This organization shall be known as the Ames Federal Employees Union.

This organization, which has been granted a Charter by the International Federation of Professional and Technical Engineers, shall be known as IFPTE Local No. 30, Ames Research Center, National Aeronautics and Space Administration (NASA), Moffett Field, California.

ARTICLE II

Objective and Methods

Section 1. Objectives

The objectives of this Union shall be to advance the welfare of its members, to collect and disseminate information pertaining to their employment in the Federal service, to instill a high sense of individual responsibility, and to aid in the perfection of systems to enhance the mission of the agency.

Section 2. Methods

The methods of obtaining those objective shall be by representing members in all matters under the purview of the Union, negotiating contracts, agreements and understandings with Ames Research Center, holding meetings to investigate and discuss matters of interest and formulate plans of procedure by creating and fostering public sentiment favorable to needed reforms, by petitioning the Congress, by cooperation with Federal Officials and Employees, and by proper and lawful means;

PROVIDED, that under no circumstances shall this Union, nor the members thereof, engage in or support any strike against the United States Government.

ARTICLE III

Membership, Eligibility, and Dues

Section 1. Eligibility

Any federal employee in the Bargaining Unit at Ames Research Center, Moffett Field, California or its satellite installations is eligible for membership in this Union: provided, that members separated from the federal service may retain their membership during the period of such separation.

Section 2. Application for Membership

For applicants intending to pay dues by automatic payroll deduction, the Standard Form 1187 signed and dated by the applicant shall serve as the membership application. For members intending to pay dues by cash, check or money order, a letter signed and dated by the applicant requesting membership shall serve as the membership application. All applicants shall provide the Local with their work and home addresses and phone numbers. The applicant for membership shall be recommended by a member of this Union in good standing.

Section 3. Questions of Eligibility

Questions of eligibility shall be referred for action to the Committee on Membership and credentials. Every candidate shall have subscribed to the obligation of the National Federation of Federal Employees. Membership shall not be denied any Federal employee based on race, color, national origin, religion, marital status, sex, sexual orientation, age, or disability.

Section 4. Regular Membership Local

The Ames Federal Employees Union is a "Regular Membership" Local as defined under the IFPTE National Constitution, that does not pay for direct member benefits from dues (e.g. insurance policies).

4.a. Regular Member A Regular Member is one who pays full membership dues and is entitled to participate actively in all Ames Federal Employees Union affairs. Dues will be paid in advance and shall be for a Regular Member.

4.b. Lump Sum Paying Members shall pay 100% of the annual prorated dues.

4.c. The Ames Federal Employees Union may reduce dues to employees hired on a temporary of "when actually employed" basis during those periods when they are not employed to not less than two dollars per month. Each such period must be at least one month long, and the total period of reduced dues per fiscal year shall not exceed six months. During such periods, the Ames Federal Employees Union will remit to the IFPTE Headquarters not less than half of such members' dues as per capita tax, and in

no case less than one dollar per month, and the Member will retain full membership status.

Section 5. Revenues. The Revenues of the Ames Federal Employees Union shall be obtained through donations; fund raising projects; receipts from rentals; investments; sales; duplicating and mailing services and dues of Members:

5.a. The dues of the Ames Federal Employees Union are established in accordance with Article 3 of this Constitution and the IFPTE International Constitution.

5.b. The union's dues shall be set at a multiple three times the IFPTE per capita tax. The union retains 2/3 of the dues for the Local and gives 1/3 to the International. The AFEU dues shall change automatically when the international votes to change its tax.

Section 6. Dues Payment

6.a. Dues Year & Method of Payment. The Dues Year runs from September 1 to August 31.

6.a.1. The normal method of paying dues shall be biweekly automatic payroll deduction. Applicants for membership may fill out and submit the Standard Form 1187 to the Local for evaluation of eligibility. Upon acceptance by the Local, the Treasurer of the Local shall process the Form 1187 with the Ames Research Center Payroll Office to begin automatic deduction of dues.

6.a.2. Applicants preferring to pay dues as a lump sum by cash, check or money order shall make a complete payment in advance, prorated for the remaining dues year, payable September 1 of each dues year. The Ames Federal Employees Union shall not pro rate lump sum payments. The applicant shall pay the full amount in accordance with this article, regardless of the date upon which he or she applies to join the Union.

6.b. Dues Arrears. Any member becoming two months in arrears for dues shall be notified of the fact by the Treasurer, and members who are three months in arrears shall stand suspended from membership in this Union. The Treasurer shall advise the Executive Committee of any member suspended from membership. A member so suspended may be reinstated by paying a reinstatement fee of \$ 20.00, together with the amount of dues owing. The terms of reinstatement may be changed in particular cases by a majority vote of the Executive Board. A suspended member shall not be privileged to vote at the meeting until reinstated. A suspended member may not serve as an officer or on any committee of the Union.

Section 7. Withdrawal

Any member in good standing, when separated from the Federal service may receive an Honorable Withdrawal Certificate upon request.

Any automatic payroll deduction member wishing to withdraw from membership at times other than separation from the Federal Service or transfer out of the bargaining unit may fill out and submit a Standard Form 1188, and submit it to the Ames Research Center Payroll Office during the month of August.

Section 8. Associate Membership

Former members of the bargaining unit of the local, who are no longer eligible for regular membership, are eligible for Associate Membership in this Union, except as specifically excluded by the IFPTE rules. Associate members may partake in Union benefit programs, but may not vote, run for office, or receive "Union Only" materials.

ARTICLE IV

Officers

Section 1. Officers

The Officers shall consist of: President, Vice President for Legislative Affairs (First VP), Vice President for Negotiations (2nd VP), Vice President for Safety (3rd VP), Chief Steward, Vice President for Membership (4th VP), Vice President for Benefits (5th VP), Secretary, Treasurer, and three Trustees. Upon separation from office they shall turn over to their successors or other properly designated official, all books, monies, or other effects of the Union in their possession.

Section 2. Removal of Elected Officers

An elected officer may be removed during the term of office for conduct which seriously impedes the business of the union as described in section 17.1 of the IFPTE constitution. The procedure for removal is initiated by any member sending the President and the Secretary a request to place a motion for a recall election on the membership meeting agenda. Such a request must identify the officer(s) to be recalled. It shall be placed at the beginning of the agenda for the earliest membership meeting at least ten days after sending the request. This agenda shall be sent to the membership at least seven days before the meeting. The motion must state in writing a specific reason or reasons including a supporting explanation for the recall, and must be considered if seconded. Upon adoption of the motion the next order of business shall be the appointment of a Recall Election Committee, by the highest ranking officer who is at the meeting and not subject to recall. This Committee may not include the mover or seconder of the motion or any officer subject to recall. The date of the recall election shall be set by this Committee, and shall be in at least four weeks but not more than six weeks. Within two days this committee shall send a copy of the recall motion and any supporting documentation to the officer(s) subject to recall. The officer(s) subject to recall shall then have ten days to submit written response(s) to the Committee. The Committee shall mail the election notice, the recall motion and the response(s) to all members at their last known home addresses at least fifteen days prior to the recall election. The total cost of this mailing shall be born by the Union, the maker(s) of the motion, and the officer(s) subject to recall, in proportion to their contributions to the weight of the mailing. The recall vote shall be by secret paper ballot, and a three-fifths majority vote shall be necessary for recall. If such vote is achieved, the office shall immediately become vacant, and be subject to procedures for filling a vacancy. Being recalled from office does not impair the recalled officer's rights to be nominated, elected or serve in any office thereafter.

Section 3. President

The President shall preside at all meetings of the Union and of the Executive Board, authorize all press releases from the local, and shall perform such other duties as properly pertain to his office. The President appoints stewards, members to committees, and members to serve as negotiators.

Section 4. Succession to the Presidency

In the absence of the President, the First, Second, Third, Fourth, or Fifth Vice-President shall preside in the order named.

Section 5. Vice President for Legislative Affairs (1st VP)

The Vice President for Legislative Affairs (First Vice-President) shall be chair of the Legislative Committee and perform such other duties as may be assigned by the President. The duties of the Legislative Committee shall consist primarily of securing and distributing information concerning bills before Congress, to keep abreast and keep familiar with Legislative Acts pertaining to Civil Service personnel, especially bills of great common interest among Federal Employees. The Legislative Committee shall study, prepare, and propose measures that will improve the agency and the welfare of the Federal Employee.

Section 6. Vice-President for Negotiations (2nd VP)

The Vice-President for Negotiations (Second Vice-President) shall be chair of the Negotiating Committee. The Negotiating Committee shall take responsibility for the various forms of Negotiation with the Center through which the Union advances the members' interests. The Negotiating Committee also provides oversight for the Negotiated Agreement (Contract) between the Union and the Center, and monitors that it is fully implemented and honored for all employees in the bargaining unit.

Section 7. Vice President for Safety (3rd VP)

The Vice President for Safety (Third Vice President) shall be chair of the Safety Committee. The Safety Committee shall participate in safety related investigations and negotiations, and study safety related issues on behalf of the local, and engage in such other safety related activities as may be determined by the Executive Board, and oversee special projects relating to the publicity of the Ames Federal Employees Union.

Section 8. Chief and Deputy Chief Stewards

The Chief Steward and Deputy Chief Steward shall serve as Chair and Co-Chair of the Steward Corps (Grievance Committee). The Chief Steward oversees and guides the work of the Steward Corps, and chairs its meetings. The Chief Steward assigns stewards to handle cases involving Local Union complaints. The elected Chief Steward shall appoint a Deputy Chief Steward from among the stewards appointed by the President. If the Chief Steward position becomes vacant, the Deputy Chief Steward succeeds to that position. In the event of a vacancy, the President may appoint a steward to serve as Chief Steward, not to exceed a period of six months or until the vacancy is filled by an election, whichever occurs first, and when such appointment is made, there shall be an election to fill the position within six months. However, the President may not assign stewards to handle complaints.

Section 9. Vice President for Membership (4th VP)

The Vice President for Membership (Fourth Vice-President) shall be chair of the Membership and Credentials Committee. The duties of the Membership and Credentials Committee shall consist of efforts to maintain and increase membership through special drives and publication of the local newsletter. They shall ascertain the eligibility of applicants for membership.

Section 10. Vice President for Benefits (5th VP)

The Vice President for Benefits (Fifth Vice President) shall be chair of the Benefits Committee that organizes Union benefit programs, and communicates and administers them to the members. The Benefits Committee shall oversee all these benefits programs, keep the officers and members informed about changes, and recommend changes or new programs to the Union.

Section 11. Secretary

The Secretary shall keep a record of all proceedings of the Union and the Executive Board. The Secretary shall, conduct the roll call of the officers at membership meetings and determine if a quorum is present, have charge of the charter and seal, and be Secretary of the Executive Board.

Section 12. Treasurer

The Treasurer shall receive and keep a record of all monies paid to the Union. The Treasurer shall keep the membership records of the Union and notify members of arrearages as provided in Article 3, Section 7. The Treasurer shall render monthly remittance report to the International Office after the close of each month. He shall deposit all funds to the credit of the Union in such bank or trust company as may be designated by the Executive Board. He shall disburse the funds of the Union by check. He shall give bond in the sum of \$5,000.00. This bond shall be conditioned upon the faithful performance of the duties of this officer and shall be made payable to the President in trust for the Union. The premium on the bond shall be paid from the funds of the Union.

Section 13. Trustees

It shall be the duty of the Trustees to see that the Treasurer is properly bonded in accordance with Section 12. They shall constitute the Auditing Committee and make an audit of the financial records of the Union in November of each year, and at such other times as may be necessary, and make a written report of their finding to the Union at the next regular meeting of the Union following said audit. They shall become familiar with the rules of Procedure and Order, basing their ruling on the Constitution and By-Laws of the National, Agency-wide, State and Local organizations of the International Federation of Professional and Technical Engineers, and Roberts (Revised) Rules of Order. The President shall appoint a Trustee to serve as the Parliamentarian at Membership Meetings.

ARTICLE V

Elections

Section 1. Regular Elections

The regular officers provided for in Article IV, Section 1, of the Constitution shall be elected by secret paper ballot every two years at the regular meeting in March. Write-in votes shall be allowed, provided for on the ballot, and counted in these regular elections. The polls shall be held open for at least three hours. An incumbent officer may be elected to any office after proper nomination. Those elected shall serve one term or until their successors are elected and duly qualified. The election and qualification of any Trustee shall end the term of office of all previous Trustees.

Section 2. Special Elections

Elections to fill vacancies may be held at any regular meeting, or at a special meeting called for that purpose. Write-in votes shall not be allowed, shall not be provided for on the ballot, and shall not be counted in these special elections. At the close of nominations, if there is only one nominated candidate, that nominee is thereby elected, and no ballot election is required. If there is more than one nominated candidate, then a secret paper ballot election shall be held as scheduled, with the polls held open for at least one hour. Those elected shall serve the remainder of the term or until their successors are elected and duly qualified.

Section 3. Nominations

Nominations of members in good standing to serve as officers shall be made at the regular meeting in two successive months. Nominations shall be open for at least an hour at each meeting. Nominees must be present at either meeting and state whether they accept the nomination, or the nominator must present a statement signed by the nominee accepting the nomination. Nominees may not accept or decline after the close of nominations. Nominees who have neither accepted nor declined by the close of nominations shall not appear on the ballot. Regular nominations shall be at the January and February meetings, special nominations shall be at the two meetings in the two months preceding the special election.

Section 4. Election Criterion

All offices shall be elected by majority vote, except for Trustees which shall be elected by plurality. For Trustee each voter may vote for up to three candidates, all votes will be counted equally, and the three candidates receiving the three largest numbers of votes shall be elected, with ties for third place broken by a chance method. If a member is elected simultaneously to more than one office, they are thereby disqualified from all offices except the earliest in the order provided in Article IV, Section 1. Majority election shall be provided for by instant run-off according to rules adopted by the membership.

Section 5. Absentee Voting

Absentee ballots shall be accepted on Thursday of the week prior to each election, and on the last workday before the election, in the same place and during specified times of day, from members in good standing who affirm that they will not be present at Ames Research Center on election day.

Section 6. Notifications

The membership shall be sent notices of all nomination meetings, not less than fifteen (15) days in advance, and not more than thirty-one (31) days in advance of the first nomination meeting, by US Post to their last known home address. Nomination notices

must include a list of offices open for nominations, as well as the dates, times and locations of nomination meetings, and the date of the election. The membership shall be sent notices of all elections, not less than fifteen (15) days in advance, and not more than thirty-one (31) days in advance of the first day of balloting. Election notices must include a list of offices and candidates, as well as the dates, times and locations of balloting, and the balloting instructions including instant run-off and write-in procedures when applicable. If no home address is known, a reasonable effort shall be made to deliver the notice by other means.

Section 7. Quorum and Order

No quorum shall be required for the making or acceptance of nominations or for the casting or counting of ballots. At all nomination meetings the acceptance of nominations shall be a special order at the announced time of the meeting, one hour later, and otherwise as allowed by the agenda.

Section 8. Qualification and Installation

An individual is considered qualified to assume office if they are a dues-paying member in good standing, have been elected, and take the pledge of office. Officers will take the pledge of office as prescribed by the IFPTE, at the first membership or Executive Board meeting at which they are in attendance, upon being elected. If an elected candidate refuses to take the pledge of office, or fails to attend a membership or Executive Board meeting during the first thirty days after the election, they shall be disqualified, and the office remains or becomes vacant.

ARTICLE VI

Executive Board of the AFEU

Section 1. Composition of the Executive Board

There shall be an Executive Committee composed of the regular officers provided for in Article IV, Section 1, of the Constitution.

Section 2. Duties of the Executive Board

It shall be the duty of the Executive Board to formulate policies for the Union and to submit the same to the Union for action; to administer the business of the Union; to have custody of its funds and property, to act for the Union in emergencies arising between the meetings of the body and to represent the Union in all matters affecting relations with the International Federation of Professional and Technical Engineers and other organizations, except as otherwise provided for in this Constitution.

Section 3. Procedures of the Executive Board

The President of the Union shall be chair of the Executive Board. He shall vote only in the event of a tie vote among the Board members. The Executive Board shall adopt rules governing its own procedure and shall appoint or elect committees to carry out its purposes. In the selection of committee members, the Committee shall adhere as closely as practicable to the principle that the members of said committee shall be fairly representative of the various branches and offices represented in this Union.

Section 4. Vacancies on the Executive Board

In the event of a vacancy in any Vice Presidency, or the offices of Secretary or Treasurer, the Executive Board may assign these duties on an interim basis to any regular member of the local. A member assigned such duties may be identified with '(Acting)' before the appropriate title. Such assignment of duties shall be announced at the next membership meeting, and the chair shall open the floor for a motion to schedule a special election. An assignment of duties on such an interim basis shall expire upon election of a member to fill the vacancy, or six months after the assignment of the duties, whichever occurs first. A member assigned duties does not acquire the right to vote as an Executive Board member by virtue of this assignment.

ARTICLE VII

Delegates

Section 1.

Delegates and Alternates to the Triennial Convention of the International Federation of Professional and Technical Engineers shall be nominated and elected by secret ballot at the regular meeting of the Union at least 30 days after receipt of the National Constitutional Convention Call. At this meeting, the Union shall decide what expenses and reimbursements to provide to the delegates and alternates for attending the convention.

Section 2.

Delegates or representatives to other organizations may be nominated and elected at any meeting of the Union, for such terms as the Union may determine.

ARTICLE VIII

Arbitration

Section 1. Invoking Arbitration

No monies will be expended unless the Local has invoked arbitration in accordance with the Negotiated Agreement.

a. The Grievance Committee will make decisions on invoking arbitration. Special meetings will be called if necessary. Meetings to discuss such questions will be open, during which the grievant as well as the steward or Local official who handled the case will be permitted to present his/her views. The Committee will base its decisions about invoking arbitration upon:

- (1) The merits of the case and whether it is likely to succeed;
- (2) The status of the treasury;
- (3) The effect of a decision on the Local's prestige; and,
- (4) The effect on the interests of the unit as a whole.

In deciding which cases to take to arbitration, the Grievance Committee shall be mindful of the duty of fair representation imposed by Title VII of the Civil Service Reform Act of 1978. No case shall be refused simply because it is brought by a non-member of the Local.

b. The Committee will issue a written decision on any request to invoke arbitration. If the Committee decides against the arbitration, it will explain its reasons.

c. A decision of the Grievance Committee not to invoke arbitration may be appealed to the Executive Board. Special meetings will be called if necessary. A majority of those board members voting can overturn the Committee's decision and require the Local President to invoke arbitration.

Section 2. Payment of Arbitration Costs

a. The grievant pays the Local's share of the cost of arbitration unless the Executive Board authorizes otherwise.

ARTICLE IX

NEGOTIATIONS

All negotiations between the Union and the Center shall be conducted by duly appointed negotiators, one of whom shall be designated the chief negotiator for the specific issue. For each issue, the chief negotiator, other negotiators, the President, and the Vice President for Negotiations, shall constitute the negotiations committee, which shall approve the results of the negotiations on behalf of the Union. The primary Negotiated Agreement between the Union and the Center, and amendments to it, must also be approved by vote of the membership at a duly called membership meeting.

ARTICLE X

BYLAWS AND AMENDMENTS

Section 1. Bylaws

The Executive Board may, by simple majority vote, adopt and amend bylaws, consistent with this Constitution, to govern all activities within and under the authority of the Executive Board.

Section 2. Constitution Amendments

This Constitution may be amended by simple majority vote at a duly called membership meeting, provided the proposed amendment has been moved and seconded at a membership meeting at least 20 days previous. Changes in wording may be made to such a proposed amendment by vote of those present, prior to the adoption vote, but substantive changes require a new motion and second, with adoption vote at another meeting.

Certified by:

President Paul K. Davis _____

First Vice President Lee Stone _____

Second Vice President David Schwenke _____

Third Vice President Tom Clausen _____

Chief Steward Chris Knight _____

Fourth Vice President Suzanne Meyer _____

Fifth Vice President Sarvenaz Haghbin _____

Secretary Roger Ashbaugh _____

Treasurer Duane Carbon _____

Trustee Yvonne Clearwater _____

Trustee David Foyle _____

Trustee Arelene Spencer _____