



**THE**

**CONSTITUTION**

**OF THE**

**NATIONAL COUNCIL**

**OF SSA**

**FIELD OPERATIONS LOCALS**

**C-220**

**AMENDED AUGUST, 2009**  
**APPROVED BY AFGE**

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## PREAMBLE

For the purpose of promoting unity of action in all matters affecting the mutual interests of the membership of constituent locals, this Constitution is hereby adopted.

## ARTICLE I NAME

Section 1. This Council shall be known as the “The National Council of Social Security Field Operations Locals”.

Section 2. The Headquarters of this Council shall be the city of employment of the President of the Council.

## ARTICLE II OBJECTS AND METHODS

Section 1. This Council shall promote the interests and improve the effectiveness of constituent locals by providing a concerted voice and strength in unity, achieved by the combined efforts of those constituent locals, in order to provide service to our membership.

Section 2. This Council does not advocate the overthrow of the Constitutional form of government in the United States; does not discriminate with regard to the terms of membership because of race, creed, color, national origin, sex, age, political affiliation, handicapped condition, marital status, sexual orientation, or preferential or nonpreferential civil service status; and is not subject to corrupt influences opposed to basic democratic principles.

Section 3. This Council subscribes to the Standards of Conduct for Labor Organizations, as provided for in Public Law 95-454, with particular reference to the following:

- (1) The maintenance of democratic procedures and practices, including provisions for periodic elections to be conducted subject to recognized safeguards and provisions defining and securing the right of individual members to participation in the affairs of the organization, to fair and equal treatment under the governing rules of the organization, and fair process in disciplinary proceedings;
- (2) The exclusion from office in the organization of persons affiliated with Communist or other totalitarian movements, and persons identified with corrupt influences;
- (3) The prohibition of business or financial interests on the part of organization officers and agents which conflict with their fiduciary duty to the organization and its members;
- (4) The prohibition of business or financial interests on the part of the organization, including provisions for accounting and financial controls and regular financial reports or summaries to be made available to members.

Section 4. This Council will comply with the reporting requirements of Public Law 94-454, where applicable. This Council shall also comply with all provisions of the Internal Revenue Regulations, and shall submit to the National Office of AFGE all required and requested financial reports.

### **ARTICLE III CONTROLLING PROVISION**

Section 1. All Council matters will be governed by the provisions of this Constitution and the National Constitution of the American Federation of Government Employees. Should any provision of this Constitution be inconsistent with the AFGE National Constitution, the National Constitution shall control.

Section 2. Consistent with the AFGE National Constitution, the AFGE National President shall insure that all provisions of this Constitution are met and shall take necessary action to do so. The National President, under unusual circumstances and with appropriate justification, may waive any provision of the Constitution except those required by higher law or regulation.

### **ARTICLE IV MEMBERSHIP**

Section 1. Membership in this Council shall be open to any AFGE local representing Social Security Field Operations employees, provided such locals meet all the requirements for membership in AFGE.

Section 2. Special consideration for affiliation with the Council may be made by majority vote of the Executive Committee when it is deemed, in the best interest of the Council, to waive all or a portion of the required Council dues in order that a local may join the Council.

Section 3. In the event that this Council exercises exclusive recognition pursuant to law, all locals in the Social Security Field Operations shall be required to affiliate with the Council. A four month grace period, from the date of exclusive recognition, shall be given for locals to join.

Section 4. Representation in this Council shall be by delegates, selected in accordance with the member local's constitution and the AFGE National Constitution and duly certified to the Council Secretary.

(a) Locals having Field Operations membership of 100 or less shall be entitled to one delegate; 101 to 200, two delegates; 201 to 300, three delegates; 301 to 400, four delegates; 401 or more, five delegates.

(b) Except where otherwise specified in this Constitution, each delegate shall be entitled to cast one vote on any matter before this Council at its National Convention, provided, however, that if a roll call vote is taken on any matter before this Council, each delegate shall be entitled to cast a proportionate share of the votes of his/her respective local, based on the most recent

calculation of Social Security Field Operations membership strength in accordance with the present Article VI, Section 1, of the AFGE National Constitution, based on the records of the Council Treasurer. A single delegate may cast all votes to which his/her respective local is entitled.

(c) Proxy delegates will be permitted, provided that no one delegate may carry proxies for more than four constituent locals.

(d) Delegates or alternate delegates and the local which they represent shall be entitled to present constitutional amendments and resolutions before the Council Convention or special meeting of this Council, and petition the Council on their behalf; they shall also be entitled to present resolutions to the Council in its national caucuses as provided for by Article VII.

Section 5. Members who become employed within the jurisdiction of another constituent local shall be required to transfer membership to that local.

## **ARTICLE V REVENUE**

Section 1. Per capita tax to this Council shall be \$0.35 per month per Social Security Field Operations member, payable by the last day of the month following the month due. Effective November, 1984, per capita tax to this Council shall be \$0.50 per member per month for national activities. Effective January, 1992, per capita tax to this Council shall be \$0.75 per member per month. Effective December 1, 2003, per capita tax to this Council shall be \$1.00 per member per month. Effective January 1, 2010 per capita tax shall be \$1.50 per member per month.

Section 2. Each Region may assess monthly dues that will be a part of the National Council dues structure. These dues shall be retained in a separate fund for the exclusive use of the respective Region. The Treasurer shall establish separate bank account(s) for each regional fund. The policies for the expenditures of the regional funds, including the amounts and purposes, shall be determined by the budget and other procedures provided by each respective regional constitution or bylaws with the respective Regional Vice President as authorizing agent for these expenditures. Regional funds shall be administered by the Treasurer and President of the Council, in keeping with their constitutional authority and subject to the policies of the regional caucus. This section does not apply to Regions with Region-wide Councils or Region-wide Locals which are funded by their own dues assessments.

Section 3. Special assessments may be levied by order of the National Caucus of this Council when, in its judgement, it becomes necessary to carry on the work of this Council; but in no circumstances shall such assessments exceed the sum of \$0.25 per member in one month; nor shall there be more than four such assessments in any one year. Assessments shall be in effect only until the next Council Convention.

Section 4. Any constituent local failing to pay the monthly dues, any assessment, or other indebtedness to this Council shall be promptly notified by the Treasurer of its arrearages, and if at the end of three months the local is still in arrears, it will be subject to the same penalties as failure to pay

per capita tax to the Federation.

Section 5. A suspended local may be reinstated to full membership in this Council upon payment of all arrearages.

Section 6. All receipts, checks, and cash disbursements shall be properly recorded and accounted for in the financial records of this Council. The Treasurer shall sign and the President shall countersign checks covering proper expenditures for the Council. The financial officer or officers responsible for the custody of funds of an affiliate or any other person who handles money will be bonded. The affiliate must be bonded for at least ten percent of all the monies that are handled by the affiliate in the year. In accordance with Article XXIV, Section 8(c) of the AFGE National Constitution, the National President shall negotiate on behalf of all affiliates a blanket position bond in the amount of \$5,000 to cover up to five people who handle the affiliate's funds for the protection of the affiliate. In the event that an affiliate needs, desires, or is required by the Labor-Management Reporting and Disclosure Act of 1959, as amended, to be bonded for additional amounts or for additional people who handle the affiliate's funds, it shall be incumbent upon the affiliate to bear the additional expense of such additional bonds. Each affiliate will be responsible for payment of all charges for all bonding of the affiliate, including the initial \$5,000 blanket position bond negotiated by the National President, and each affiliate shall own all bonding paid for by the affiliate. In order for the bond to be effective, the affiliate must file within 90 days after the close of its fiscal year a copy of the AFGE form for the annual audit and a copy of the Department of Labor required form. All books, records and financial accounts of the Council shall be open to inspection to any officer of a constituent local, any Council officer, or to the National President or National Secretary-Treasurer or their duly authorized representative. Such inspection shall be accomplished within 30 days of the written request.

## **ARTICLE VI OFFICERS**

Section 1. The elective officers are President, Executive Vice President, Vice Presidents for Labor Relations (First, Second, Third), Teleservice Center Vice President, Secretary, Treasurer, and Regional Vice Presidents in accordance with Article VII.

Section 2. The term of office for all officers shall extend until the next Council National Convention held in accordance with Article XII, Section 1 of this Constitution or for the balance of an unexpired term.

Section 3. Elections -- Succession of National Officers:

In the event of a vacancy in the office of the President, Executive Vice President, First Vice President, or Second Vice President, incumbent officers will succeed each other in order of rank.

(a) If any Regional Vice President's office becomes vacant:

(1) The Council President within 15 days shall notify the Council Secretary in writing of the vacancy. The Secretary, within 15 days of such notification, shall notify the

Presidents of all locals within the affected Region of the date by which to submit nominations for the vacant position and of the date by which ballots must be received. Voting by the Local Presidents shall be according to the local's latest month's membership strengths and shall be completed (unless a runoff is required) within 90 days after the occurrence of the vacancy.

(2) The Council President shall also notify the Presidents of all constituent locals within the affected Region of the vacancy within 15 days of its occurrence and shall thereafter fill such vacancy pending completion of the election process in (1) above by appointing a qualified individual after consultation with a representative number of the Presidents of the member locals in the affected Region. If the vacancy occurs within six months of the next regularly scheduled RVP election for that Region, the interim election procedure in (1) above shall be waived, and the Council President's appointee shall occupy the RVP position until the regularly scheduled election.

(b) The aforementioned rules of succession apply unless the vacancy occurred in the first year of the term of office, in which case the office shall be filled by special election. Upon notice of a special election, locals must elect delegates within two months and provide their names and addresses to the Secretary, who shall mail ballots to them directly no later than three months from the date of notice of election. Notice of election must be posted by the local, which shall inform all its membership of the right to be a candidate. Failure of a local to comply with this provision, if sustained by properly filed complaint, may result in the disqualification of the vote of the local. All delegates in good standing of a constituent local in good standing with the Council are entitled to make nominations. Nominations may be made any time after the notice of election and will be closed 60 days from that date.

(c) When a Regional Vice President is temporarily unable to carry out one or more functions of that office, such as participation in a National or Regional Caucus, mail ballot of the Executive Committee, or the like, the Regional Vice President may appoint a designee to act in his/her stead for such purposes and during such period of time as a designation notice to the Council President shall state.

(d) When vacancies in the offices of Third Vice President, Secretary, or Treasurer occur, the President may appoint, with Executive Committee approval, a temporary acting officer to fill the vacancy until such office is filled pursuant to (e) below.

(e) Vacancies in the offices of Third Vice President, Teleservice Center Vice President, Secretary, or Treasurer will be filled by a majority appointment of the Executive Committee after receipt of nominations from the Presidents of the Council's constituent locals.

(f) The Council President shall appoint the initial Teleservice Center (TSC). Succeeding Teleservice Vice Presidents shall be elected at conventions at direction of other National Officers per this constitution starting with the 2012 convention.

The Council President within 15 days of the vacancy shall notify the Council Secretary in

writing about the vacancy. The Secretary within 15 days of such notice shall notify the Presidents of the Council's constituent locals of the vacancy, request nominations for the vacancy, and allow the Local Presidents 30 days to submit nominations. Each local will be responsible for communicating the existence of the vacancy to its membership.

The Secretary will mail ballots to the Executive Committee and allow them 15 days to respond.

Vacancies in the offices of Third Vice President, Secretary, or Treasurer occurring less than six months before the end of the term of office shall be filled by appointment by the Council President with approval of the Executive Committee.

## **ARTICLE VII ADMINISTRATION**

Section 1. The Executive Committee of the National Council shall be composed of the President, Executive Vice President, First Vice President, Second Vice President, Third Vice President, Secretary, Treasurer, and the Regional Vice Presidents.

(a) It shall be the duty of the Executive Committee to devise and initiate such actions as may be necessary in the interim between National Conventions of the Council, not inconsistent with the objectives of the Council, this Constitution, or the AFGE National Constitution.

(b) Expenditures by the Council President in excess of \$500 per month must have prior approval: (a) by the Council's Executive Board, (b) as authorized by the budget approved by the delegates, or (c) by separate vote of the Council's delegates. All expenditures authorized by the Executive Committee will be reported in writing to the Council at its National Convention. A copy of such report will be made available to any accredited delegate upon request.

Section 2. Regional Vice-Presidents: For every SSA administrative Region there shall be elected from the constituent locals of the Region a Regional Vice President. The election of the Regional Vice Presidents shall be conducted by secret ballot either at the National Convention of the Council, as prescribed by provisions of this Section, or at the Regional Caucus, per Section 6(a) of this Article and Article IX, Section 6(b). The term of the Regional Vice Presidents shall last until the next National Convention or for the balance of the unexpired term except when altered during the transition provided in Section 6(a) of this Article.

Section 3. National Caucuses: Definition: A national caucus is defined to be a meeting of the Executive Committee. Time and place of national caucuses: The President shall call a national caucus of the Executive Committee at least once a year. Other national caucuses may be called as necessary by the President, the Executive Committee, or by national caucuses. The time and the place of the caucus shall be determined by the agent which calls it. Any national caucus otherwise required under this section may be postponed for up to six months by a majority vote of the Executive Committee, or may be cancelled by a two-thirds majority vote of the Executive Committee.

(a) National Caucuses shall review the activities of the Executive Committee and its Officers,

confer upon Council policy, and may direct activities and policies and practices of the Council by resolution.

(b) Resolutions before the National Caucus shall be adopted by majority vote of members of the Executive Committee present and voting.

(c) For purposes of national caucuses, a quorum shall be established when a majority of the Executive Committee is in attendance. The order of business shall parallel that of the National Convention of this Council, except that there shall be no election of officers. *Roberts Rules of Order Newly Revised* shall govern the proceedings.

(d) The Executive Committee may decide matters before it by mail ballot vote as necessary. The term "National Caucus", as used in this Constitution shall include whenever applicable the mail ballot process.

(e) In special situations that require it, and after advance notice to each member of the Executive Committee so that he/she may be present, a ballot may be conducted by telephonic conference call or other electronic means, and the results will have the same force and effect as other National Caucus votes. The procedures for each such conference call and its balloting will be determined by those present on the call.

Section 4. No person shall simultaneously hold two offices in the National Council, unless by circumstance of succession as it might occur under Article IX, Section 10.

Section 5. Council Representatives: Council Representatives are status or appointed agents of the Council, other than Executive Officers and Regional Vice-Presidents, authorized to enforce and advance national agreements and the rights of the National Council. All Presidents of constituent locals are Council Representatives by virtue of their status. Other Council Representatives may be appointed by the President with the advice and recommendations of the Regional Vice Presidents.

(a) Council Representatives shall process grievances and other appeals and complaints, and conduct other labor-management business, in accordance with national and supplemental agreements and other policy. All shall receive basic training and guidance from the Council and may be called upon for service on Council Committees.

(b) Council Representatives also may be assigned technical and representational jurisdictions by the Executive Committee to promote the efficient conduct of labor-management relations.

(c) Constituent locals retain their sovereign authority to empower as many local officers or stewards as they may need to provide representation for the unit(s) over which they have jurisdiction.

(d) The Council Secretary shall maintain a directory of Council Representatives and Officers.

Section 6. Nothing in this Constitution shall prevent a Regional Caucus of the locals from

determining a Regional Constitution and/or bylaws, structure and/or policies, provided they do not violate National Executive Council policy, the National Council 220 or AFGE National Constitution, or law and/or regulation. Where there does not exist a Regional Constitution or Regional Local, the Regional Vice-President shall be bound by the Constitution and/or Bylaws, structure, and/or policies set forth by the Regional Caucus.

(a) The Regional Constitution or Bylaws may contain provisions to elect the Regional Vice-President at a Regional Caucus, pursuant to Section 2 of this Article. The initial election at the Regional Caucus cannot be scheduled prior to the Council's National Convention following the date of enactment. The term of the incumbent Regional Vice President, at the time of enactment, shall be extended until the scheduled date of the initial election, provided such date is not more than 12 months after the intervening Council's National Convention. The Regional Constitution or Bylaws may provide for election of the Regional Vice President by mail ballot instead of at in-person meeting, but within the same time limitation.

(b) In other circumstances, should a Regional Caucus be held, the provisions of Article IV, Section 4 (delegates) shall apply.

## **ARTICLE VIII DUTIES OF OFFICERS**

Section 1. The President shall function as the presiding officer of the Council and shall exercise supervision of the affairs of the Council subject to the approval of the Executive Committee. It shall be the duty of the President, in accordance with the mandates of the Council, to plan and pursue policies which will promote the welfare of the Council; keep the membership fully advised of his/her activities; preside at the Council Conventions and at the meetings of the Executive Committee; and sign all official documents pertaining to his/her office. The Council President may hire and fire employee(s) for cause, subject to the approval of the Executive Committee, providing the Executive Committee has given prior approval, either by adoption of an annual budget that provides for employee(s), or by authorizing the expenditure of funds for employee(s). Employees of the Council must have a service or employment contract, and will be advised before hiring that the contract incorporates the following: (1) any such service or employment contract must be submitted in writing for prior review and approval by the Council Executive Committee, (2) it does not extend beyond the term of office of the Council President or is otherwise specifically limited in duration, (3) it is subject to an approved budget and availability of funds, (4) it may not cause deficit spending, (5) it may be terminated for just cause, including a disciplinary or performance based removal, or in the event of insufficient funds, for lack of work, or for other valid reason, subject to approval of the Executive Committee, and (6) by entering into a contract, the Council and the employee agree that the National Office of the Federation is neither a party to the contract nor responsible for any matter arising from the contract, including the enforcement or termination of the employment. The President shall be ex-officio member of all other committees except the Audit and Election Committees or a committee of investigation. In between Conventions and caucuses, the President may establish such committees as are deemed necessary, subject to the approval of the Executive Committee.

Section 2. The Executive Vice President shall preside at any meeting of the Council at which the

President is absent. In the absence of the President and the Executive Vice President at a regular meeting or conference call of the Council, the Labor Relations Vice Presidents, the Secretary, or the Treasurer shall chair the meeting, in that order. In the absence of all executive officers, the delegates will elect a temporary chairperson for that meeting. The Executive Vice President shall be an ex-officio member of all Council Committees except the Audit and Election Committees.

Section 3. The Secretary shall keep a record of the minutes of all meetings, and keep all official records of the Council except those that are specifically assigned to others. He/she shall keep the Constitution up to date and notify them of all regular or special meetings. In the absence of the Secretary, the presiding officer may appoint a temporary secretary for that meeting who will keep a record of the minutes and furnish them to the Secretary. The Secretary shall distribute copies of the minutes of the National Caucus and Council's National Convention within 60 days of such meetings.

Section 4. The Treasurer shall receive, receipt for, disburse, and keep account of all monies received or disbursed for the Council; deposit money in bank(s) to the credit of the Council; and render an account at all meetings and whenever otherwise requested to do so by the President. Any surplus funds may only be deposited in bank(s) or in state chartered credit unions throughout the United States which operate on the same basis or in a federally insured savings and loan association, whenever such investment shall be authorized by a regular meeting of the Council. The Treasurer shall submit the books for an audit annually, and at the end of the Treasurer's official term.

Section 5. There shall be three Vice Presidents for Labor Relations. The duties of these shall be to provide leadership, training, representation, and technical assistance to employees and constituent locals, to prosecute litigation on behalf of the Council in all aspects of Labor Relations, to cooperate with the President in the fulfillment of effective programs to advance the interest of the Union, and to perform other duties as assigned by the President. The First Vice President for Labor Relations shall coordinate the activities of Council Representatives who have been appointed by the President to perform Labor Relations functions and shall report to the President. The Second and Third Vice Presidents for Labor Relations shall assist the First Vice President in addition to their other duties.

Section 6. The President shall appoint a Sergeant-at-Arms for the Council's National Convention.

Section 7. The Regional Vice President shall coordinate and communicate Council activities among the members of the Region he/she represents. The Regional Vice President is responsible to his/her respective Regional constituency, Council President, and Council Executive Committee. The Regional Vice President is the chief negotiator for the conditions of employment within the respective jurisdiction of the SSA Administrative Region he/she represents.

## **ARTICLE IX ELECTIONS**

Section 1. The term of office shall last until the next National Convention or for the balance of the unexpired term.

Section 2. To be qualified as a candidate for Council office, the candidate must have been a

member in good standing of an AFGE local for at least one year immediately preceding the close of the nomination process, and must not maintain membership in any labor organization not affiliated with the AFL-CIO. Any SSA Field Operations employee who is a member of a constituent local will be eligible to be nominated as a candidate to hold office in this Council. The TSC Vice President must be a (SSA TSC) Social Security Administration Teleservice Center employee. It is intended that workers who retire or are terminated for any unjust cause are eligible for office.

Section 3. Elections shall be conducted at the Council's National Convention in the same year as the National AFGE Convention. The Council shall mail notices of nomination and election to all SSA Field Operations known Local Presidents, Local Treasurers, and delegates who are members of the constituent locals of this Council, at their last known home addresses not less than 15 days before the election of Council officers.

Section 4. Nominations for Council office shall be moved by delegates to the Convention. The member nominated shall accept or decline the nomination; no individual shall be nominated unless he/she is present at the Convention or has presented prior written notification to the Executive Committee or Election Committee of his/her willingness to accept nomination.

Section 5. All Council Officers, except Regional Vice Presidents, shall be elected by secret ballot and by majority vote of the delegates voting. The voting shall be on a proportionate basis of their respective locals, as provided for in Article IV, Section 4(a) of this Constitution. Representation will be based on the average number of paid members for the 12 month period between May 1 of the preceding year and through April 30 of the current year.

Section 6.(a) Regional Vice-Presidents shall be elected by secret ballot and by majority vote of delegates meeting in caucus from constituent locals within their respective Regions.

(b) The caucuses shall be conducted either at the Convention or at a separate Regional Caucus. Proxies are subject to the provisions of Article IV, Section 4(c) and (d) of this Constitution and, for purposes of the election of Regional Vice President, may be carried only by a delegate whose constituent local is within the same Region as the local that seeks to vote by proxy.

Section 7. Delegates to the Convention, prior to commencement of the nomination and election process, shall elect an Election Committee, consisting of not less than three members. If a larger Committee is required, it shall contain an odd number of members. No member of the Committee will be an incumbent officer or a candidate for Council office.

Section 8. (a) All candidates for office must be treated equally with respect to the availability of lists of delegates and mailing of campaign literature. Upon request of a candidate, the Council shall comply with all reasonable requests and timely requests of the candidate to distribute to its known Local Presidents, Treasurers, and delegates at the candidate's expense, by mail or otherwise, campaign literature in aid of his/her candidacy.

(b) No monetary or other resources of AFGE or any employer shall be contributed or applied to promote the candidacy of any candidate in an election. Resources include, but are not limited to,

dues monies and assessments, publications, facilities, office equipment, stationery, or other supplies. While the preceding restrictions apply to use of AFGE resources to promote the candidacy of any candidate, such resources may be used for such things as notices, factual statements of issues not involving the candidates, and other expenses necessary to conduct an election.

Section 9. (a) Each candidate shall be afforded an opportunity to have a reasonable number of observers, who are members, present throughout the election procedure, including the tally of ballots.

(b) At the conclusion of the balloting, the Election Committee shall tally the total ballots cast, the ballots challenged, the ballots voided, the number of valid ballots cast for each candidate, and the total number of valid ballots cast. The Election Committee shall prepare a written report and inform the members of the results as soon as possible.

(c) A majority of the valid votes cast is required for election to an office. If no candidate receives a majority of the valid votes cast for the office(s) at issue, a runoff election shall be immediately conducted. The runoff shall be between the two candidates receiving the greatest number of votes, whose position on the ballot shall conform with the order of their nomination.

(d) All elections must be conducted, and protests filed, in accordance with the "AFGE Rules of Conduct for an Election," as provided for in the AFGE National Constitution. Election protests must be received by the Election Committee prior to, during, or within five days of adjournment of the Council meeting.

(e) All election-related documents (including those pertaining to nominations and the minutes of any meeting) must be sealed and preserved for one year after the election. To that end, following the Election Committee's disposition of all election complaints, the documents shall be forwarded to the National Secretary Treasurer for custody.

Section 10. (a) Where the constituent locals have formed and legitimated a Region-wide AFGE Council, an election for Regional Vice President shall be conducted, provided that all locals of the Region-wide Council are constituent locals of the National Council and all constituent locals of the National Council which represent Field Operations within that Region are constituent locals of the Region-wide Council. The constitutional structure of the Region-wide Council shall supplant the role of the Regional Vice President; the presiding officer of the Region-wide Council shall supplant the role of the Regional Vice President; the presiding officer of the Region-wide Council shall be installed to act as Regional Vice President for purposes of the National Council. The constitution of the Region-wide Council shall govern the succession of the office.

(1) For purposes of a National Caucus, if the presiding officer of the Region-wide Council is an executive officer of the National Council, the Region-wide Council's governing body shall designate another of its executive officers to act as Regional Vice

President Pro Tempore.

(2) For purposes other than the National Caucus, the presiding officer of the Council may assign such duties of Regional Vice President as he/she deems fit to an appropriate designee.

(b) Where a constituent local is the exclusive constituent local of an SSA Region in representing SSA Field Operations employees, no election of Regional Vice President shall be conducted. The constitutional structure of the local shall supplant the role of Regional Vice President. The presiding officer of the local shall be installed to act as the Regional Vice President for purposes of the National Council. The constitution of the local shall govern the succession of the office.

(1) For purposes of a National Caucus, if the presiding officer of the local is an executive officer of the National Council, the governing body of the local shall designate another executive officer of the local to act as Regional Vice President Pro Tempore, provided that he/she is also not an executive officer of the Council.

(2) For purposes other than the National Caucus, the presiding officer of the local may assign such duties of the office of Regional Vice President as he/she deems fit to an appropriate designee.

## **ARTICLE X COMMITTEES**

Section 1. In addition to the Executive Committee, the Council shall have the following standing committees: Organizing Committee, and Arbitration Committee.

Section 2. In between Conventions and caucuses, the President may establish such committees as are deemed necessary subject to the approval of the National Caucus.

Section 3. The members of the bargaining teams shall be appointed by the Council President with the advice of the Executive Committee from among of the qualified Council Representatives, However, for national contract negotiations, the members of the negotiating team shall be appointed by the Council President with the approval of the Executive Committee.

(a) Any nationally negotiated Master Agreement, Supplement to any Master Agreement or midterm bargaining agreement adding to or modifying any Master Agreement or Supplement to the Master Agreement, shall be subject to ratification by a majority vote of the locals, each voting its membership. Each local shall conduct a vote and tabulate the totals in compliance with the AFGE Constitution and the National Council Constitution. The membership strength of the local shall be prorated between the yes and no votes actually cast. To have their votes counted, the locals must respond to the Council Secretary within 60 days of receipt of the notice

by the local. The Secretary of the Council shall tabulate the prorated vote totals and notify the Executive Committee and the locals of the vote totals. All locals must keep all voting records for a period of one year.

(b) Agreements other than those described in (a) above, and which involve implementation and impact bargaining stemming from employer-initiated or proposed changes shall be subject to ratification by a majority vote of the Local Presidents voting, each voting its membership strength.

(c) National contracts negotiated with the agency are subject to review by the National President, and the agency shall be so notified.

Section 4. The Arbitration Committee shall be comprised of the First, Second, and Third Vice Presidents for Labor Relations, and will be chaired by the First Vice President. The committee will evaluate all national-level Section 10 grievances, as well as other national-level issues submitted from the locals for arbitration. The committee will make a timely decision on issues presented; voting for Council 220 to either pursue the matter to arbitration or return the issue to the local for their action. If the Arbitration Committee votes to take an issue to arbitration, it shall be empowered to name the representative and to authorize expenses relative to the arbitration, such as arbitrator's fees, travel,

per diem, photocopying, etc. This shall include authority to negotiate with the locals concerning contributions or assessments to cover the cost of the arbitration and related expenses. The committee is authorized by the National Caucus to recommend to the Executive Committee a special assessment provided in Article V, Section 3, when revenues are needed in the arbitration fund. The Arbitration Committee will compile a quarterly report to be sent to the Local Presidents and Executive Committee detailing the current status of all National Council grievances and arbitrations.

## **ARTICLE XI LOCALS' RIGHTS**

Section 1. All constituent locals shall have the right to conduct their internal local business without interference, coercion, or restraint by this Council insofar as such matters are not in conflict with this Constitution and the AFGE National Constitution.

Section 2. Each constituent local in good standing shall be entitled to full participation on all matters before a Council's National Convention through the medium of delegate(s).

Section 3. Each constituent local shall be entitled to negotiate supplemental collective bargaining agreements with local management for the purpose of implementing the National Agreement and covering those matters more appropriately negotiated at the local level.

## **ARTICLE XII**

## **COUNCIL'S NATIONAL CONVENTION AND OTHER MEETINGS**

Section 1. The Council shall meet as a whole in the same year as the National AFGE Convention to conduct a National Convention of its own at a site and date selected by the Council President with the advice of the Executive Committee.

Section 2. Special National Council Conventions may be called at any time by the President, at the request of majority vote of officers or upon request in writing from 25% of the locals in good standing, provided, however, at least 30 days notice is given as to the specific purpose of such meeting. Those items listed in the notice will be discussed and voted upon at such meeting before any further business is introduced.

Section 3. To the extent possible and logically modified as appropriate, the rules of this Convention shall parallel the rules of the National AFGE Convention as stated in the Constitution of the American Federation of Government Employees.

Section 4. The laws and policies of the Council shall be adopted as promulgated in National Conventions of the Council. Council's National Conventions shall be the true and legitimate source of all authority. No change in the Council's laws or policies therein adopted or promulgated shall be effected by any officer, committee or other body.

Section 5. The President is authorized to appoint such committees and chairperson thereof as may be necessary to serve during and in connection with the Convention period, unless otherwise specified by this Constitution or the AFGE National Constitution, and with the approval of the Executive Committee.

Section 6. None other than national officers or bona fide delegates shall be permitted to address the Convention, or to read papers therein, except by special arrangement with the Executive Committee.

Section 7. A quorum for the transaction of business shall consist of not less than one-half of the delegates properly seated by the Convention.

Section 8. For all National Conventions of the Council, an agenda shall be prepared and distributed to all member locals of the Council at least 30 days prior to the meeting.

## **ARTICLE XIII COMPLAINTS AND APPEALS**

Section 1. Complaints against any of the Council officers or delegates concerning the operation of the Council, excluding Council officer elections (which are processed in accordance with the procedures set forth in Appendix A of the AFGE National Constitution) will be processed as follows:

- (a) Constituent locals or members thereof shall register a complaint first with the Council President. A committee of investigation and, if probable cause is found, a trial committee shall be appointed by the Council President, or the Executive Committee if the Council President is

the accused. The Council President or the Executive Committee, as appropriate shall insure that neither the committee of investigation nor the trial committee includes the complainant or the accused, and in no case will the committee of investigation and the trial committee be composed of any of the same members. No member shall be eligible to serve on the Executive Committee or trial committee for the hearing of charges under this Article if he/she is directly or indirectly involved in the matter which gave rise to the charges upon which the accused is to be tried, and the committees otherwise shall be impartial. No member of the Executive Committee may serve on the committee of investigation. A hearing on the complaint shall be conducted consistent with applicable provisions of Article XXIII of the AFGE National Constitution. The trial committee's findings of fact and decision shall become effective after 45 days of its publication or service by mail to all constituent locals, unless disapproved by a majority of them during that 45 day period. A committee of investigation finding of no probable cause or trial committee's decision exonerating the accused shall not be subject to Council approval, or be subject to any further action within the Council or the Federation.

(b) The trial committee shall render a decision suspending the accused for a specific time from his/her office, removing him/her from the office, barring him/her from holding any office for a specified time, and/or suspending or removing him/her from membership for a specified period of time, or finding him/her not guilty as accused. After decision of the trial committee, an officer suspended or removed from office and/or membership shall have the appeal right to the National Executive Council set forth in Article XXIII, Section 9 of the AFGE National Constitution, by service upon the National Secretary-Treasurer within 15 days of receipt of the trial committee's decision.

(c) The NEC shall review the case and affirm or reverse the decision, reduce the penalty, or return the case to the Council for a new trial before a different trial committee. If the decision of the NEC should affirm any adverse action taken against the appellant by the Council, upon receipt of the NEC's written decision, the appellant may further appeal to the next AFGE National Convention.

## **ARTICLE XIV DELEGATES**

Section 1. This Council is entitled to two delegates for representation in the National AFGE Convention.

Section 2. The selection of such delegates shall be accomplished in the following manner: the President and Executive Vice President, or in their absence other executive officers of this Council, in order of office, by virtue of election to office, shall serve as ex-officio delegates but may not participate in the election of national officers.

## **ARTICLE XV AMENDMENTS**

Section 1. This Constitution and any amendments thereto shall be approved by a two-thirds vote of the Council delegates present and voting at a meeting or Convention, and shall become effective upon approval by the National Executive Council. Any proposed amendments to this Constitution shall be submitted to the Council Executive Committee in writing at least 45 days prior to any regular Council meeting; provided, however, that the Secretary shall notify all delegates of the proposed amendment prior to the date on which action will be taken to amend.

Section 2. Amendments concerning a change in dues structure shall be adopted as follows: (a) by a majority vote of the delegates voting at the Council's Convention, or (b) adopted by the Council Executive Committee and sent to the locals for approval by majority vote of the locals voting.

Section 3. By a two-thirds vote of any Council's National Convention, amendments to the Constitution may be brought up on the floor of the National Convention, even though they have not been submitted to the Council 45 days prior to the Council's National Convention.

Section 4. Amendments proposed by the Council Executive Committee may be adopted between meetings by a two-thirds vote of the votes cast by the constituent locals and shall become effective upon approval by the National Executive Council.

## **BYLAWS**

By-law 1. This Constitution shall become effective upon approval of the National Executive Council of AFGE.

By-law 2. The official newsletter of the Council shall be the entity named *UNITY*, the official newsletter of SSA Field Office locals. The editor(s) and policy of the newsletter shall be determined by the Executive Committee. Two copies shall be mailed to each constituent local without charge.

By-law 3. AFGE Council 147 is hereby incorporated within the body of Council 220. The officers of Council 147 are hereby recognized as officers of Council 220 in accordance with Article IX, Section 10(a) of the Council 220 Constitution.