

*Constitution and By-Laws
As Amended May 2009*

ARTICLE I - TITLE AND ORGANIZATION

Section 1. This organization shall be named the American Postal Workers Union of Massachusetts and shall be the State Union of the A.P.W.U., AFL-CIO., and hereinafter shall be referred to as the APWU of Mass.

ARTICLE II - OBJECTIVES

Section 1. The objectives of this body shall be to federate the Locals and Members-at-Large of the APWU employed within the State of Massachusetts into a State Federation for the social, economic, and educational betterment of postal employees and for the improvement of postal services.

Section 2. Experience having demonstrated that the trade union movement as exemplified by the AFL-CIO, is the best and the most practical method of advancing the interest of all wage earners, hence we believe in affiliation with and do hereby affiliate with, the AFL-CIO.

Section 3. Our goal is the amalgamation of all the Postal Unions into one Industrial Union and affiliation of this amalgamated body with the AFL-CIO.

ARTICLE III - MEMBERSHIP

Section 1. Any Mass. Local or any Member-at-Large employed in a Mass. Postal Installation, and in good standing with the APWU, AFL-CIO shall be eligible for membership in the APWU of Mass.

Section 2. (a) Any person may be elected to honorary membership in this Union by two-thirds vote of any convention, provided that the name of the person proposed for honorary membership shall be submitted to the Secretary thirty (30) days or more before the convention.

(b) The Executive Board in meeting, shall review the name(s) submitted for honorary membership. They may accept or reject any nomination submitted. An accepted nomination by the Executive Board will be presented to the convention delegates for election. The names of honorary members shall be incorporated into the constitution.

ARTICLE IV - AFFILIATION

Section 1. The Massachusetts APWU Is affiliated with the following: The American Postal Workers Union, AFL-CIO; Postal Press Association - APWU; Massachusetts APWU Postal Press Association; Massachusetts AFL-CIO.

ARTICLE V - CONVENTIONS

Section 1. The Union will convene annually at such time and place as the convention shall decide.

Section 2. (a) The convention shall be conducted by the APWU of Mass. with a host Local. Minutes shall be kept of all preconvention meetings.

(b) The President of the A.P.W.U. of Mass. must be presented for approval or disapproval all convention contracts before they are entered into for convention expenses. Any expenses charged to the convention without prior approval will be the responsibility of the host local.

(c) The Annual State Convention shall be a Sanctioned Event, requiring the host Local making application to the State Union to conduct a State Convention.

Section 3. Each delegate to a convention shall register and shall be charged a registration fee of \$25.00. \$15.00 of this fee shall be retained by the State Organization and the remaining \$10.00 to be retained by the Host Local. The APWU of Mass. shall also give the host local \$1500.00 as an incentive for hosting the State Convention.

ARTICLE VI - REPRESENTATION AT CONVENTION

Section 1. Representation at convention shall be 1 vote for every 10 paid members.

Section 2. (a) Members-at-Large who are elected as Delegates to the State Convention will have one (1) vote for every 10 MALs they represent.

(b) When a Local or Area Local is involved in more than one Area Rep. election, it shall be allowed to cast only the number of delegate votes as per members (outlined in section 1) within the Zip Code Areas they represent. Each local must submit proof of installation affiliation and its membership prior to the opening of the Convention. Failure to do so, may forfeit their voting rights. The total votes cast in each Area shall not exceed the total delegates formula spelled out in Article VI, section 1.

Section 3. No Locals shall be represented by proxy, delegates must be full dues paying members of the Local they represent.

Section 4. Alternates may be seated in the absence of the delegates upon presentation of proper credentials as alternates for the regular delegate.

ARTICLE VII - OFFICERS, COMMITTEES, NOMINATIONS, & ELECTIONS

Section 1. (a) The elective officers of the A.P.W.U. of Mass. shall consist of the following: President, Executive Vice President, Secretary-Treasurer, Editor-Bay State Postal Worker, Legislative Director, Director-Clerk Craft, Director-Maintenance Craft, Director-Motor Vehicle, and the following eleven Area Reps: 010-011, 012-013, 014-015-016, 017, 018, 019, 020, 021 & 024, 023, 025-026, and 027. All elective officers shall constitute the Executive Board of the A.P.W.U. of Mass., and will be automatic delegates to the State Convention.

(b) The Craft Directors for the Clerk, Maintenance, and Motor Vehicle Crafts shall be elected from only those locals having members of the respective crafts, (in accordance with Article VI Section 1).

(c) Each Area Rep. shall represent each Zip Code Area as outlined in Article VII section 1 (a). Anyone seeking to represent those areas must be a member of a local that has membership working in those Zip Code Areas.

(d) A candidate from a Local that represents more than one of the eleven Areas shall be eligible to run in only one Area.

(e) Any member of the State Executive Board who is promoted to a Supervisory position or to an acting Supervisory position, must render his or her resignation to the President. If this action is not adhered to, the President shall declare a vacancy in that office or Area and shall appoint a successor.

(f) Any Executive Board member who fails to attend two (2) successive Executive Board meetings without valid reason being accepted by the Board shall have his or her office declared vacant by the Presiding Officer. Whenever possible, notification of an absence must be made to the President or other Executive Board member prior to the scheduled Executive Board meeting.

Section 2. (a) The President, Executive Vice-President, Secretary-Treasurer, Editor-Bay State Postal Worker and Legislative Director shall be elected by secret ballot at each odd-year convention, by a plurality vote of those voting being necessary for election.

(b) The Director-Clerk Craft, Director-Maintenance Craft, and Director-Motor Vehicle Craft shall be elected by secret ballot at each odd-year convention, by a plurality vote of their allotted delegate votes by craft being necessary for election. The voting structure for Craft Directors will be determined by the number of members the locals have in each craft and the percentage they pay on as per Article VIII section 1 if it applies.

Section 3. The Area Representatives shall be elected by secret ballot at each even year convention, by a plurality of the vote cast in their Areas.

Section 4. (a) The delegates to the National Convention shall be the President, Executive Vice President, and the Secretary-Treasurer, with all reasonable expenses paid by the APWU of Mass.

(b) The craft directors, Clerk, Maintenance, and Motor Vehicle may attend one National Craft Convention/Seminar/Conference between National Conventions and receive necessary expenses, including up to 4 days L.W.O.P., provided:

1. Funds are available and approved by the Executive Board.
2. The Craft Directors are not delegates from his/her own local.

(c) The Editor-Bay State Postal Worker will represent the APWU of Mass. at the Postal Press Conference biannually with all reasonable expenses paid by the APWU of Mass.

Section 5. Any member in good standing shall be eligible to any elective or appointive office and to membership in committees.

(a) Any member who is willingly promoted to a supervisory position, or acting supervisory position, will not be eligible to be nominated to any elective office; nor will any member be eligible to hold any elective office, or appointive office and membership in committees, for a period of one year after termination of appointment.

Section 6. Nominations for all elective offices shall be made from the floor on the morning of the first day session of the convention and no other nominations shall be received unless otherwise held open by a two-thirds vote of the delegates. At the beginning of the election process prior to 2 P. M, the current secretary-treasurer shall cast a single ballot for all unopposed candidates, upon which those candidates shall be considered duly elected.

Section 7. The Election Committee shall count only such ballots as shall be cast for candidates duly nominated in accordance with the provisions of the Constitution.

Section 8. Contested elections shall be by secret ballot, such ballots shall be printed with spaces provided for the names of the candidates to be filled in, and shall be conducted by an Election Committee, none of whom shall be candidates for any elective office.

Section 9. The Election Committee shall count the ballots in accordance with the provisions of the Constitution and shall report to the Convention. Candidates receiving the plurality of the votes cast shall be declared duly elected.

Section 10. In the event of a tie for Area Representative, a roll call vote of all Locals in attendance will determine the winner.

Section 11. The Constitution and Resolution Committee shall convene and meet the night before the State Convention as directed by the President, and expenses (room and one meal) for the committees will be paid for by the State Union.

ARTICLE VIII - FINANCES

Section 1. (a) A per capita tax of \$5.00 annually, payable on a Quarterly basis, shall be paid for each member of whom a national per capita tax is paid to the American Postal Workers Union, except as noted below:

(b) All locals must pay for the first 400 members in full.

(c) Locals with over 400 members must pay on a minimum of 40% of all members over 400 in addition to (b).

Section 2. Locals must be paid in full as per Section 1 (b) and (c) above prior to registration at the State Convention.

ARTICLE IX - DUTIES OF OFFICERS

Section 1. The President shall preside at all Conventions and at all meetings of the Executive Board; shall appoint all committees; shall be a member of all committees except the Election and Finance Committee; shall fill all vacancies arising during their term; shall fill all offices for which there may be no candidates; shall act as President of the Executive Board. Area Representative vacancies shall be filled by an eligible union member from that Area. The President is authorized to run the day to day business of the State Organization and is authorized to approve up to \$500.00 per month for administering the same.

Section 2. (a) The duties of the Executive Vice President will be to assist the President in the performance of his or her duties, and shall direct the Human Relations Program.

(b) In the event of the death of, or resignation of the President, he or she shall become the President for the remainder of the term.

Section 3. The Secretary-Treasurer shall keep records of the Union, shall act as the Convention Secretary and Secretary of the Executive Board; shall collect the per capita tax due and shall pay all bills chargeable against the Union. He or she shall give a written financial report at the Convention.

Section 4. In the event that the State President or Secretary-Treasurer is incapacitated or unable to attend any Executive Board meetings, Conventions, etc. the Executive Vice President will act as the second co-signer on all Mass. APWU checks.

Section 5. The Editor of the Bay State Postal Worker shall be responsible for gathering of items, the editing and the publication of that organ of the State Union.

Section 6. The Legislative Director shall interact with public media to promote the interests of the APWU in Massachusetts and shall serve as a contact person for the state organization to interact with all electronic and print media. The Legislative Director shall be paid the salary of \$1500 annually. The Legislative Director shall be a paid delegate to the National Legislative Conference provided funds are available and approved by the Executive Board. He or she shall be charged with the responsibility of arranging meetings, in advance of the Conference, with the two Senators. He or she shall notify all delegates of the time and place these meetings will take place. Each Local shall have the responsibility of furnishing the Legislative Representative with the names of the delegates who will attend the Conference. He or she shall be responsible for providing assistance and information relative to Safety and Health, Veterans Affairs, and Retirement Affairs.

Section 7. Duties of the Area Representatives shall be to answer the calls of the locals in their Area. He or she will also work under the direction of the President coordinating activities within their Area (i.e. seminars, rallies, etc.). He or she shall submit a minimum of two articles to the Bay State Postal Worker per year.

Section 8. The duties of the Craft Directors will be to work under the direction of the president and to answer calls from locals and members dealing with their craft. He or she shall submit a minimum of two articles to the Bay State Postal Worker each year.

Section 9. The President of the Massachusetts State APWU shall receive an annual salary of \$5000.00 per year plus L.W.O.P. at Level 10 step P with all benefits and increases that a Level 10 Step P receives.

Section 10. The President shall authorize LWOP as necessary to members of the Executive Board, subject to approval by the Executive Board Finance Committee (section 11a). LWOP requests shall be submitted to the Secretary-Treasurer on a voucher. Attached to the voucher shall be the hours requested and specific reason for the request. Lost benefits such as annual leave, sick leave, and holiday pay caused by accumulating LWOP while on authorized State Union business shall be reimbursed to the affected officer.

Section 11. (a) The Executive Board shall select a Finance Committee consisting of the Secretary-Treasurer and four members of the board (with the exception of the President) who will have the authority to approve all expenditures between Executive Board meetings. The entire Board will be notified of the committee's decision.

(b) The Executive Board is authorized to transact all business relating to the State Union in the interim between Conventions, and shall meet no less than three times during this period.

Section 12. The Executive Vice-President and Editor of the Bay State Postal Worker shall be paid the sum of \$1500.00 annually. The Secretary-Treasurer shall be paid the sum of \$2500.00 annually.

ARTICLE X - QUORUMS

Section 1. A majority of the members of the Executive Board shall constitute a quorum at meetings of the Executive Board.

Section 2. Delegates from ten (10) Locals plus a quorum of the Executive Board, shall constitute a quorum at a Convention.

ARTICLE XI - PROHIBITIONS

Section 1. No criticism, reflections, argument or debate touching any member's creed, color, sex, age, religion or nationality will be allowed.

ARTICLE XII - OFFICIAL PUBLICATION

Section 1. The State Union shall publish, a minimum of four issues per year, and maintain a publication to be known as the Bay State Postal Worker which shall be handled by an elective officer to be known as the Editor of the Bay State Postal Worker. The expenses of said publication shall be met from the treasury of the State Union.

Section 2. The President of the Massachusetts A.P.W.U. shall negotiate, and with approval of the Executive Board, sign all future annual contracts regarding the publishing and printing of the Bay State Postal Worker for and in behalf of the A.P.W.U. of Mass. AFL-CIO.

Section 3. Any contracts or ad campaign policies will be subject to the approval of the State Executive Board, and must project the interests of the American Postal Workers Union of Massachusetts AFL-CIO.

ARTICLE XIII - APPEALS SYSTEM

Section 1. The following procedures shall apply in the event that charges are levied against an Officer, Member, or any Local of the APWU of Mass.

(a) The party preferring the charges shall do so by writing specific and detailed charges to the President.

(b) The President within thirty days will appoint and convene a Trial Board, consisting of no less than three members of the APWU of Mass. The Hearing will be in accordance with the APWU National Constitution and By-Laws.

(c) The Trial Board will submit their findings in writing to the Executive Board of the APWU of Mass., who will render a decision and take appropriate action, if necessary.

(d) An unacceptable decision, must then be appealed to the next Mass. State APWU Convention.

(e) Any further appeal will be In accordance with the National Constitution.

ARTICLE XIV - RECALL

Upon having sufficient proof that a State Officer or Officers have acted dishonestly or otherwise detrimental to the best interest of the membership, twenty five percent (25%) of the membership of three locals affiliated with the APWU of Mass. can file a petition for recall with the State Executive Board in accordance with Article 14 of the APWU Constitution and By-Laws.

ARTICLE XV – AMENDMENT

Section 1. This Constitution shall not be amended except by two-thirds majority of all votes cast at State Convention, or by two-thirds majority of votes cast in referendum vote.

BY - LAWS

ARTICLE I - CONVENTION PROCEDURES

Section 1. The Order of business shall be established by the President.

Section 2. The Convention, by a majority vote, may transpose the order of business established by the President.

Section 3. All questions, motions and resolutions must be proposed, seconded, and stated by the presiding officer before any debate be allowed upon them.

Section 4. All questions, motions, and resolutions must be disposed of as follows:

1. Adopted.
2. Rejected.
3. Referred to the Executive Board.
4. Laid on the table.

Section 5. Only duly accredited delegates (or their alternates) shall be allowed the floor of the convention and shall be entitled to vote. One or more delegates may cast their entire vote of the Local represented by them.

Section 6. No delegates shall speak twice on the same question if a delegate who has not spoken upon the question desires to be heard.

Section 7. The proposer of any resolution or motion shall have the right to speak upon the resolution or motion, and no resolution or motion shall be disposed of unless the proposer thereof has had an opportunity to speak upon the resolution or motion.

ARTICLE II - AMENDMENTS

Section 1. Amendments to the By-Laws shall be made in the same manner as amendments to the Constitution.

ARTICLE III —RULES OF ORDER

Section 1. Unless otherwise provided, ROBERT’S RULES OF ORDER, NEWLY REVISED, shall govern the deliberation of the convention and the meetings of the Executive Board.

HONORARY MEMBERS OF A.P.W.U. OF MASSACHUSETTS

James Burke, U.S. CONGRESSMAN (RET.) 1978

James Connors, Honoree 1989

Bertram Longstreeth, State President 1978-1981

Walter Tarantino, State President 1981-1983

John Bercury, Honoree 1993

James Smyrnios, State President 1971-1978

Professor Joseph Lanzilli, Honoree 1983

Robert Caracciolo (State) 1968

Wayne Corriveau, State President 1983-1990

Nick Diliberto, Honoree 1991

Gordon Oliosio, Honoree 1993

Nick Varitimos, Honoree 1993

Matt Bowen, Honoree 1996

Herb Ferreira, Honoree 2000

Joe Moakley, Honoree 2001
Steven Lukosus, Honoree 2003
Thomas O'Brien, Honoree 2003
James McCarthy, Honoree 2004, State President 1990 - 2003
William Hogan, Honoree 2004
Tom Pires, Honoree 2004
Nick Zeo Honoree 2007, State President 2003-2006
Frank Rigiero Honoree 2007
Charlie Wilcox Honoree 2007
Steve Albanese Honoree 2007
Steven Lynch, Congressman 2008
Kathy Manson 2009
Silvio Conti, Congressman 2009
James McCarthy, National Clerk Craft Director 2009