

AFGE LOCAL 3943 BYLAWS 2016

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SECTION 1: HEADQUARTERS LOCATION AND ADDRESSES

The mailing address of the local will be established by the Executive Board and will be convenient to the President. The address listed here is the same as the local and may be subject to change.

AFGE LOCAL #3943

Mailing Address
P.O Box 241833
Los Angeles, CA 90024

Physical Address 306 Dewey Ave. Post Office Bldg., Room 1 Los Angeles, CA 90073

Each unit Executive Board will determine its own Headquarter and mailing address. These are to be listed here and may be subject to change.

Sepulveda Unit AFGE Local #3943 Sepulveda VAMC - Bldg. 20 6111 Plummer Street Sepulveda, CA 91343

Wadsworth Unit AFGE Local 3943 306 Dewey Ave. Room 1 Los Angeles VAMC, 90073

SECTION 2: MEETING

- A. Regular meetings of the General Membership (all units combined) shall be held on the 4th Wednesday of the months of January, April, July and October. The General Membership meetings will be rotated between Brentwood, Sepulveda, Wadsworth and any other added units.
- B. The Local Executive Board and Committee meetings shall be held at regular intervals at a time and place selected by the Local Executive Board.
- C. Each unit Executive Board will determine the time and place of all unit meetings. Each unit shall meet at least monthly on a regular basis.

SECTION 3: SPECIAL MEETINGS

A. Special meetings may be called by the President, two-thirds vote of the Executive Board or upon written petition of at least 15% of the membership. Five days written notice of the specific purpose of the meeting must be given to the membership. No business other than that specified in the notice will be discussed.

SECTION 4: ORDER OF BUSINESS

A. The recommended order of business will be: Roll call of the officers. Reading of the minutes from the previous meeting. Financial Report by the Treasurer. Report of committees. Unfinished business.

New Business. Comments for the good of the local. Adjournment.

B. It is the duty of the President to prepare the agenda and arrange for guest speakers at meetings.

SECTION 5: QUORUM

A. A quorum of any meeting of the local shall consist of at least two (2) elected local officers and five (5) members present.

SECTION 6: METHOD OF VOTING

A. Questions before the local will be decided by a vote of the member's present, first by voice vote, then by show of hands. (Except where secret ballot is required by the National Constitution). Only members in good standing shall be allowed to vote at meetings, members in good standing must have all dues currently paid.

SECTION 7: TIME FOR DEBATE

The time allowed for debate of any particular issue before the local and the time allowed for speeches will be five (5) minutes. The time allowed for debate may be extended by a majority of those present and eligible to vote.

SECTION 8: LOCAL ORGANIZATION

This section is to define the local's administrative structure, functions, rights, and obligations. The local will have a set of local officers and each unit will have a set of unit officers. Both the local and the units will have an Executive Board and the local will have an Executive Committee. All units are accountable to the local.

A. Structure

1. Local officers are as follows:

President

(elected/delegates by virtue of office)

Vice President

(elected/delegate)

Treasurer

(elected/delegate)

Secretary

(elected/delegate)

Chief Steward

(appointed by President)

 The Local Executive Board shall be composed of all local officers in the above list plus the Unit Vice President or his/her designee, who must be an elected/interim officer, from each unit. (Appointed officers will not vote).

- The Local Executive Committee shall be composed of all officers on the Local Executive Board and all officers from each Units Executive Board (including the Executive Chief Steward, Chief Steward from each unit and Group Leaders).
- 4. The Local Executive Board will establish local committees with subcommittees at each Unit.
- B. Functions, Rights and Obligations.
- Local officers and members of this local are obligated to comply with the rules, regulations and standards of conduct established by federal law.
- 2. Any officer missing more than three consecutive meetings (if unexcused) shall be subject to a conference with the Executive Board in regards to continuing or resigning. Failure to comply with these by-laws will cause removal according to National Constitution, Article XVIII, Section 2.

SECTION 9: ORIGIN OF AUTHORITY

1. The local in which an individual member holds membership is the court of original jurisdiction for trial of charges against the local's members and officers. For further appeal rights see Article XVIII of the National Constitution.

Between local meetings, the local membership delegates its power to the President and the Local Executive Board with two provisions. First, the local members can amend or veto any action by the Executive Board by a simple majority vote at the next General Membership meeting. Second, the members shall be informed of all actions by the Executive Board at regularly scheduled meetings.

 A Unit or group attempting to withdraw from the local or the unit is subject to the charge of secession and expulsion from AFGE.

A. Executive Board

Between General Membership meetings, the President and members of the Executive Board shall govern the local within the scope of authority granted by its members through these Bylaws and the National Constitution. The scope of authority of the Executive Board is to plan and initiate such action as may be necessary for the good of the local between local meetings. That authority shall include but not be limited to the following:

- A. Conduct the fiduciary affairs of the local within the budgetary limits approved by the local members; there will be no deficit spending;
- B. Establish goals, procedures and policies of the local but not in conflict with the federation above the local;
- C. Establish a benefits program for the local;
- Approve projects and actions affecting more than one unit that have not been approved by the members;
- E. Authorize official acts of the President not addressed in the Constitution or Bylaws;
- F. Plan training sessions for officers and stewards;
- G. Approve appointments of interim Unit officers until elections can be held;
- H. Establish local committees and their functions as needed.

The Local Executive Board will be accountable to the local as a whole. The Local Executive Board will meet monthly or at the call of the President.

Lawfully appointed interim officers shall have the same rights, functions and obligations as elected officers except as a delegate. Local officers are to be elected by the members at large, by secret mail ballot (see section 13), with the exception of the appointed office of the Executive Chief Steward.

B. Local Officers

Duties of local officers shall include but not be limited to the following:

l. President

As defined in Article 6, Section III, of the National Constitution in appendix B.

Assist with the training of new Vice Presidents.

The President is authorized to administer the affairs of the local between meetings and within budget and bylaw constraints.

II. Vice President

- A. Shall comply with Section 10 of these bylaws;
- B. Function for any officer missing at a meeting;
- C. Research information needed by the Executive Board;

- D. Assist with setting up of general meetings;
- E. Sign checks when authorized by the President;
- F. Collect committee reports and present them to the Executive Board or Committee if the chair is unable to present them;
- G. Supply information important to local members to the newsletter;
- H. The Executive Vice President shall assist the President in the performance of the duties of that office. See National Constitution, Article 6, Sections III and IV for additional duties;
- I. Assist with the benefits program;
- J. Assist with purchasing.

III. Executive Treasurer

As defined in Article 6, Section V of the National Constitution.

- A. Assist with the training of unit treasurers;
- B. Will check the National AFGE rosters quarterly and submit any changes that are needed.

IV. Executive Secretary

As defined in Article 6, Section VI of the National Constitution.

- A. Assist with the training of Unit Secretaries;
- B. Record minutes and other written reports of action at all meetings to circulate as appropriate;
- C. Will submit an annual report of accomplishments to the newsletter in March;
- D. Will maintain a current membership listing.

V. Chief Steward

- A. Present cases to the local Executive Board requiring the use of local funds for approval.
- B. Help train or set-up training classes for stewards and Unit Chief Stewards.
- C. Be available to each Unit Chief Steward to assist with problem grievance cases.
- D. Keep records of all ULP's grievances, arbitrations, their history and outcome for future reference; to forward all completed arbitration to the NVAC office to put on computer and to any other necessary group

- E. Research precedent setting cases and court decisions in the nation as needed.
- F. Identify needed changes in laws that impede Union representation and forward them to the appropriate political agency after approval of the Executive Board.
- G. Chair a grievance and arbitration committee to determine the merit of a case.
- H. Participate in combined local negotiations.

VI. Group Leaders

- A. The leader of a specified group of members/employees bearing the same title.
- B. Selected by the members of the respective group.
- C. The members of the group are accountable to the Unit Vice President where assigned and to the local.
- D. Be available to her or his group to assist with grievances.
- E. Help train other group members,
- F. Keep records of all group grievances and ULP's
- G. Report group activities at the executive committee meetings.

H. Help with recruiting new members.

VII. Chair of Local Committees

- A. The President of the local approved by the Executive Board or elected by the Committee members will appoint the chair of committees. Duties are as follows.
- B. To report activities of the committee to the local Executive Board through the local Vice President, or in person;
- C. To supply information important to the members from the local committee to the newsletter, particularly meeting dates, time, place and room;
- D. To help recruit members for that local committee to recommend to the President.

VIII. Executive Committee

The President or his/her designee (the Vice President) shall chair the Executive Committee. This committee shall communicate the needs of the Units to the Executive Board and the information from the Executive Board to members. In addition, it shall perform the following:

- A. Be a resource body for the Executive Board;
- B. Recommend by a majority vote that the Executive Board amend its actions and any issues that they

- disagree with prior to submitting them to the general membership for action;
- C. Have final approval of benefits before submitting them to the general membership;
- D. Decide other issues and actions the Local executive Board brings before the committee prior to general membership action.

SECTION 10: UNIT STRUCTURE

(Functions, Rights and Obligations)

A. Structure of Unit Officers

A unit is defined as a unit of employees/members working or assigned at a specific location with greater than twenty-five (25) bargaining unit members. All local 3943 bargaining unit members at that location will be a part of that unit

- a. Unit officers are as follows:
 - 1. Vice President (elected/delegate)
 - 2. Treasurer (elected)
 - 3. Secretary (elected)
 - Chief Steward (appointed by Unit Vice President)
- b. The Unit Executive Board shall be composed of all Unit officers in the above list and any local Officer who is a member of that unit. (Appointed officers will not vote).
- c. Unit committees will be established by the Unit Executive Board
- d. Units are accountable to unit members and the Local.

The unit members shall be the true and legitimate source of authority at this level. Between unit general meetings, the unit membership delegates its power to the Unit Executive Board with two provisions. First, the unit members can amend or veto any action by the unit Executive Board by a simple majority vote at the next unit general meeting. Second, the unit members shall be informed of all actions by the unit Executive Board at regularly scheduled meetings, usually monthly.

Unit officers' functions are the same as the local officers but at the unit level. The Unit Vice Presidents will serve on election committees. However, no member of the committee may be an incumbent of or candidate for the office for which the election is being conducted.

The Unit Executive Board functions are comparable to the Local Executive Board (excluding establishing benefits program, approving appointments of officers, and approving projects and actions affecting more than one unit). It will meet regularly, usually once a month or at the call of the Unit Vice President.

The Unit Secretary will send a copy of all minutes to the Local's Executive Secretary.

SECTION 11: VACANCIES

President

- A. In the case of a vacancy in the office of the President, the Executive Vice President shall fill the office for the unexpired term. See National Constitution, Appendix B, Article 7, Section IV.
- B. To fill other vacancies see. Appendix B, Article 7, Section IV of the National Constitution and Local Bylaws Section 25.

SECTION 12: SERGEANT-AT-ARMS

The President shall appoint a Sergeant-at-Arms. The Sergeant-at-Arms shall ensure that no one enters the meetings without proper authority; assist the presiding officer in the maintenance of order; welcome and intro- duce guests; see that each members presence is re- corded in a log; provide a roll call should the recording of individual votes be necessary; time speakers; and perform other duties as may be assigned by the presiding officer.

SECTION 13: ELECTION OF OFFICERS

To be qualified for an office or candidate for office, an individual must meet the following qualifications:

- (a) Be a member in good standing;
- (b) Be a member for one year of an AFGE local, immediately preceding the closing of the nomination process;
- (c) Must not be a member of any labor organization not affiliated with AFL-CIO.

Nominations for local officers shall be held in October, election of the officers in November and the installation of the officers in January after proper notice to local members. Uncontested nominations shall be elected to that position by acclamation. See National Constitution Appendix A, Part I, Section 3. Candidates shall not run for more than one elected office, however, the running as a delegate shall not be in conflict with an elected officer position. Secret mail ballots will be used for election of local officers.

Unit officers shall be nominated and elected during regular unit meetings. See National Constitution Appendix A, Part I, Section 3.

A quorum is not required for nominations or elections.

SECTION 14: ELECTION COMMITTEE

An election committee, comprised by volunteers, or elected by a majority vote of the local members prior to the start of the nomination procedure. See National Constitution, Appendix A, Part I, Sections II, III, IV and V.

SECTION 15: OATH OF OBLIGATION

All officers will be administered the "Oath of Obligation" contained in the AFGE National Constitution upon their installation in office. Officers shall serve for a 3-year term.

SECTION 16: RULES OF ORDER

The current edition of Robert's Rules of Order shall govern the proceedings of all meetings of the local when not inconsistent with the provisions of the AFGE National Constitution, or these bylaws.

SECTION 17: DELEGATES

Delegates and alternates to the National Convention, District Caucus, and NVAC convention after proper notice to the local's members (see National Constitution, Appendix A, Part 1, Section III) shall be nominated at a general membership meeting. All elected Executive Board officers shall serve as delegates. The members will vote by secret ballot for the hierarchy of the delegates.

Additional delegates and alternates may be elected in April to serve for a one-year term from July 1 through June 30 of the following year. Delegates who fail to arrange time to attend these events are subject to charges and discipline under Article XVIII of the AFGE National Constitution.

Members at a local general membership meeting shall determine the number of delegates and alternate delegates to be funded to National or NVAC convention or district caucus. For additional delegates and alternates, refer to Appendix A, Part I, Section 6(d) of the National Constitution. The Local Executive Board will recommend to the members the total amount of funds to spend for the event to cover delegates and alternate expenses. The Local Executive Board will also provide an estimate of the expenses per delegate and alternate. It is the intent of the local to provide reimbursement for transportation, hotel and meals (VA salary for delegates only). The Executive Board will determine the number of alternates that will attend meetings, conventions, and caucuses. Nomination and election of delegates for the next year will be determined at a General Membership Meeting at alternate units in April each year.

SECTION 18: EXPENDITURES

- A. Expenditures by the Local Executive Board in excess of \$500.00 per month must have approval of the local's members, either as authorized by the budget approved by the local or by a separate vote of the National Local's Executive Committee or of the local members, See National Constitution, Appendix B, Article 8, Section III. All expenditures authorized by the Executive Board will be reported in writing at the next regular meeting of the local. Upon request, a copy of such report will be made available to any members in good standing of the local. The Unit Executive Board will administer unit funds. Expenditures by the Unit Executive Board in excess of \$250.00 per month must have approval of unit members.
- B. Any fund unrelated to the Local business and not included in the budget, must be submitted to the executive board and approved by the membership at the General Membership Meeting.

SECTION 19: COMMITTEES

Such committees as may be established by the local shall be comprised of members "appointed by the President subject to the approval of the Local Executive Board" (except for the Election Committee) or elected by the local's members, see Section 13 of these bylaws. The chairperson of the committee shall be either appointed by the President with the approval of the local Executive Board or elected by the members of the committee as determined by the President.

The Unit Vice President with the approval of the Unit Executive Board or unit members may establish unit committees.

SECTION 20: STEWARDS

A Unit Chief Steward and such other stewards as may be necessary shall be appointed by the Unit Vice President subject to the approval of the Unit Executive Board and Local's Executive Chief Steward.

The President subject to the approval of the Local Executive Board shall appoint the Executive Chief Steward.

SECTION 21: INITIATION FEE

There will be no initiation fee for members of the local.

SECTION 22: DUES

Dues will be mandatory and fixed expenses plus 15%, and that mandatory and fixed expensed will be identified by the Executive Board. Rates of dues and initiation fees payable by members of any labor organization shall not be increased, except:(a) by majority vote by secret ballot of the members in good standing voting at a general or special membership meeting, after reasonable notice of the intention to vote upon such question, or (b) by majority vote of the members in good standing voting in a membership referendum conducted by secret ballot. This requires that the membership makes an informed decision based upon exact numbers, and a decision by an Executive Board to set expenses does not meet the requirement.

Dues shall be adjusted when necessary to ensure that adequate funds are available for per capita and operating expenses of the local.

Mandatory and fixed expenses include per capita tax to National AFGE, National VA Council, 12th District VA Council, AFL-CIO (County Federation) the local units and Death Benefit Premium.

Active members have 45 days in which to convert to retirement status and by paying dues directly to the local treasurer. Retired members' dues must be paid in advance quarterly, semiannually or annually.

Dues for retired members shall be equal to one-fourth of the bi-weekly rate paid by regular members.

SECTION 23: OFFICERS SALARIES

Salary for officers of local 3943 annually shall be determined by the budget of the local or at a rate of 1 day per week.

The Local President may hire and fire employee(s) subject to the approval of the Executive Board, providing the local membership or the Executive Board 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 local must have a service or employment contract, and will be advised before hiring that the contract 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 Executive Board, (2) it does not extend beyond the term of office of the President or is otherwise specifically limited to a lesser duration, (3) ii 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 Board, and (6) by entering into a contract, the local 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.

SECTION 24: BYLAWS

The local's Bylaws shall be reviewed every three (3) years by the bylaws committee and changes presented to the general membership for approval. Special consideration for changes may be called by the President, two-thirds of the local Executive Board or upon written petition of at least 10% of the membership. See National Constitution, Appendix 8, Article 11, Section III for notice and voting requirements. (Exceptions, mandatory changes by the national constitution and/or department of labor management standards requirements).

SECTION 25: CHARTER

The local voted to request the permanent charter to be issued as a Regular local, a professional local of Southern California.

Amended March 2, 1999 to become an insured local.

SECTION 26: APPOINTMENT OF VACATED OFFICES

The following internal process will do the appointment of vacated officer positions with one year or less to the end of their term.

Local Officers

Local officer vacancies with less than one year until the end of the term will be filled by appointment to complete the term. The Local Executive Board recommending a person or persons to the Executive Committee will fill the vacated office. The Executive Committee will validate the appointment by a quorum majority vote. If more than one year of the unexpired term exists, the vacated office may be filled by holding another election or by the appointment process. The decision to appoint or elect a person to fill the unexpired term will rest with the Executive Board.

Unit Officers

A new election to fill the vacancy will be held as soon as possible. Until an election is possible, unit officer vacancies will be filled by the Unit Executive Board or unit members recommending a person or persons to the Local Executive Board. The Local Executive Board will validate the appointment by a majority vote.

SECTION 27: NEGOTIATIONS

Combined Unit Negotiations will include the President, Unit Vice Presidents, Executive Chief Steward, Unit Chief Stewards. The President, on the recommendation of the other committee members, will select additional members.

The Vice President or his/her designee will attend unit negotiations, plus Unit Chief Steward and additional members as appointed by the Unit Vice President.

SECTION 28: GRIEVANCES AND REPRESENTATION

A. The Executive Board/Grievance committee will determine the merits of any case after step 3 has been completed. If at that point a grievance is determined to be without merit, the Union can drop it.

The local shall consider, but not be limited to the following factors:

- 1. The merits of the case;
- 2. The economic impact of processing the case;
- 3. The applicability of the case to the general membership and factors 1-3 when weighed against each other.
- 4. Whether or not the grievance requires presentation by an attorney:
- Should the grievant be responsible for attorney's fees or whether attorney's fees be borne by the union;
- 6. Whether or not the grievant should be required to pay any portion of the costs in arbitrating the case or appeal if the case is appealed.
- 7. Whether the advice of a lawyer be sought in connection with the decision to proceed with arbitration or the appeal;
- 8. Any case requiring funding will be presented to the Executive Board/Grievance committee for approval.

- B. Grievance Committee Rules and Responsibilities
 - 1. The Committee will meet at a separate meeting to consider the merits of the case.
 - 2. The Executive Chief Steward or the President's appointee will chair the Committee.
 - 3. The meeting is confidential and is closed to all except committee members. (Representative and member will leave the room after presentation).
 - 4. Committee members must be free to address any and all aspects of the case.
 - 4. Discussion and all comments are to remain confidential and must not be discussed outside of the committee.
 - 6. Voting must be by secret ballot.
 - 7. The President will vote only to break a tied vote.

GLOSSARY

Agreement:

The written document formalizing settlements reached during collective bargaining.

Arbitration:

A process by which an impartial third person renders a decision based upon the facts and merits of the case.

Arbitrator:

An impartial third person (Usually a retired lawyer or educator) to whom disputing parties submit their differences for a decision (Award).

Bargaining Unit:

A group of employees in a craft, department, installation or agency recognized by the employer after certification by the Federal Labor Relations Authority, as appropriate for representation by a union for purposes of collective bargaining.

Collective Bargaining:

A method whereby representatives of the employees (the Union) and employer determine the conditions of employment through direct negotiation, normally resulting in a written contract setting forth the working conditions to be observed for a stipulated period. The terms are also applied to union-management dealings during the term of the agreement.

Delegate:

A person chosen or elected by its member to represent the group or others.

Equal Employment opportunity:

Executive order# 11478 signed by the President in 1969; Prohibited discrimination based on race, color, and sex. Religion or National origin In federal employment, This order has been amended and reorganized several times.

Exclusive Recognition:

The fight and obligation of a union designated as majority representative to represent, all employees, including non-dues paying members, in the bargaining unit.

Federation:

The forming of a federal union / organization of unions.

Federal Labor Relations Authority (FLRA):

The 81- partisan body created by the Civil Service Reform Act to oversee the federal labor- management programs.

Grievance:

Grievance is generally defined as any dispute between Labor and management, in an area over which management exercises some responsibility.

Group:

A number of employees related by a common factor, etc same title.

Mediation:

An attempt by a third party to help in negotiations or in the settlement of a dispute between employer and the union through suggestions, advice or other ways of stimulating agreement, short of dictating its provisions.

Merit System Protection Board (MSPB):

The Civil Service Reform Act, established this board in 1978, and is composed by BI-Partisan members.

National Labor Relations Act (Wagner Act): Basic Federal Act guaranteeing workers the right to organize and bargain collectively through representatives of their own choosing.

National Veterans Administration Council: (NVAC). The National bargaining Council for AFGE's Veterans Administration Members.

Quorum:

The number of members required to be present for business to be legally transacted.

Reduction in Force (RIF):

The reorganization changes in employment may be brought by a lack of work or lack of funds, resulting in downward reclassification of employees.

These Bylaws will be reviewed and amended as appropriate every three years or upon written request by 2/3 of the membership. Bylaws were approved by the members at the General membership meeting on April 29, 2016.