



# **CONSTITUTION AND BYLAWS**

## **AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES**

### **AFGE LOCAL 1216**

#### **PREAMBLE**

For promoting unity of action in all matters affecting the mutual interest of governmental civilian employees in general and for the improvement of the governmental service, we, as members of Local No. 1216, American Federation of Government Employees, adopt this constitution and Bylaws.

#### **ARTICLE I** ***NAME***

**Section 1.** This Local union shall be known as the American Federation of Government Employees, Local No. 1216, AFL-CIO, 4150 Clement Street, Building One, Room 133, San Francisco, California, 94121 as set forth in its charter.

**Section 2.** The headquarters and mailing address of this local shall be San Francisco, California.

## **ARTICLE II**

### ***Objectives and Methods***

**Section 1.** This local does not advocate the overthrow of the Constitutional form of government in the United States. The local does not discriminate with regard to race, creed, color, national origin, sex, age, political affiliation, disability, marital status, sexual orientation, or preferential or nonpreferential civil service status; and is not subject to corrupt influences or influences opposed to basic democratic principles.

**Section 2.** In the event, any member(s) of the local is employed within a unit represented by an AFGE national bargaining council, the local shall affiliate with the national council(s). The local shall pay dues and/or per capita tax to the national council for those members of the local employed within the unit represented by the council, as may be prescribed by the constitution of the council.

**Section 3.** This local is a separate, independent organization functioning in conformance with the AFGE National Constitution. Neither the local nor its officers, employees, members, or other persons has the authority to act, nor shall it be deemed to act on behalf of or as agent for the Federation by written authorization of the National President, or by an affiliate by written authorization in accordance with its governing process.

## **ARTICLE III**

### ***Membership***

**Section 1.** All persons eligible for AFGE membership as prescribed by Article III of the AFGE National Constitution and who come within the local's jurisdiction as defined by its charter shall be eligible for membership in this local.

## **ARTICLE IV**

### ***Dues and initiation Fees***

**Section 1.** Dues shall be established and adjusted as may be necessary to ensure that they allow adequate funds for the payment of per capita tax and sufficient funds for the operating expenses of the local. Any change in the dues structure shall be accomplished by:

- (a) 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.

**Section 2.** The local shall establish in its bylaws the amount of its membership dues. Dues may be paid by payroll deduction or by advance payment for such intervals as prescribed by the local; monthly, quarterly, semiannually, or annually. If payroll deduction is available, a local may adopt a bylaw requiring payment of dues by the method. The local may establish a separate dues rate for retired members.

(a) Members Union dues may be canceled on the anniversary date he/she joined the Union.

**Section 3.** When AFGE National Convention approves a monthly increase in per capita tax, the biweekly dues of each member on dues withholding shall be automatically increased by the exact amount of the monthly increase in per capita tax. Semi-annual or annual dues also shall be increased to ensure that the dues collected from these groups are exactly equal to the amounts collected from members in the same group on dues withholding.

## **ARTICLE V**

### ***Financial Records and Reporting***

**Section 1.** All receipts, checks, and cash disbursements shall be properly recorded and accounted for in the financial records.

**Section 2.** The Treasurer shall sign, and the President shall countersign checks covering proper expenditures for the Local. In the absence of either the Treasurer or the President, such officer as prescribed by the Local's bylaws may sign in place of the absent officer.

**Section 3.** The officers, agents, shop stewards, or other representatives or employees of this local who handle funds or property thereof shall be bonded in accordance with law and applicable regulations.

**Section 4.** In order for the bond to be effective, the local shall file with the National Secretary-Treasurer a copy of its annual audit in the format prescribed by Article XXI, Section 8(d) of the AFGE National Constitution.

**Section 5.** All books, records, and financial accounts at all times shall be open to the inspection of the national officers or accredited representative of the National Executive Council

**Section 6.** The President shall authorize and approve the expenditure of funds in accordance with the approved budget. All Expenditures must be communicated to and approved by the President before purchases are processed by the Treasurer or any other authorized official.

**Section 7.** In the event that an officer/steward personal car is used to conduct Union business, the mileage rate established by General Services Administration (GSA) will be reimbursed to the individual by the Local. All individuals using their personal vehicle must have valid insurance in accordance with the state requirements at the time of usage. Overnight parking at an airport or other short- and long-term parking facilities will not be authorized.

**Section 8.** A credit/debit card will be issued to the president of the Local only due to the financial responsibilities of the Local (i.e., purchasing goods, services or bills). Under no circumstances will the credit/debit card be used for cash withdrawals.

## **ARTICLE VI** ***Elected Officers***

**Section 1.** All officers will be elected for a three (3) year term and will be administered the “Oath of Union Offices” contained in the AFGE Constitution upon installation in office.

(a) The general officers shall be elected by the total membership and shall constitute the Executive Board of this local, and shall consist of:

- President
- Executive Vice President
- Secretary
- Treasurer
- Vice President-Professionals
- Vice President-Non-Professionals

(b) The local may establish bylaws which provide for the election of officers who are elected solely by members of a unit or work area and may provide that these officers will serve on the Executive Board.

**Section 2.** It shall be the duty and obligation of all Local Officers and all other official representatives of the local, whether elected or appointed, to support, advance, and carry out all provisions of the AFGE National Constitution, the standard Local Constitution and bylaws, official policies of the Federation and, to the extent not inconsistent with the foregoing, all official policies of the Local. Official representatives of the Local are obligated to treat Union Officials as they would wish to be treated, with dignity and respect. Representatives will not undermine the Local in private or public with management or fellow members.

**Section 3.** The **President** shall be the executive officer of this local; he or she shall exercise general supervision over the affairs of the local and see that other officers comply with the responsibilities of their office and constitutional duties; comply with the National and Standard local Constitutions; keep the membership apprised of the goals and

objectives of the Federation; serve as an ex-officio member of all committees except the Election Committee, Audit Committee, and committee of investigation, or trial committee when he or she is bringing the charges or is directly or indirectly involved in the matter which gave rise to the charges; automatically serve by virtue of election to office as a local delegate to the district caucus, council meetings, the AFGE National Convention, and such other meetings participated in by this local as the local may be entitled; preside at all local meetings; and sign all documents pertaining to the office. Official time is allocated at the discretion of the President. If the President is unable to perform his or her regular duties because of sickness, leave, TDY, or for some other legitimate reason, he or she shall delegate the responsibilities of that office to the officer designated in the local's bylaws as provided for in Section 4 of this Article.

**Section 4.** The duties of the **Executive Vice-President** shall be to assist the President in the performance of his/her official duties. In the absence of the President, or when the President is unable, for any reason, to perform their duties, the Executive Vice-President shall assume the duties of the President.

The Executive Vice-President will also assist in records management. He/she shall assist in overseeing the creation, maintenance, and organization of records within the Local. This position will also assist in adherence to the Department of Labor and Internal Revenue Service's recommended records retention schedule to ensure that the Local is not storing documents that should be destroyed.

**Section 5.** The duties of the **First Vice-President Professionals** shall be to perform duties relative to the interest of the professionals, and other duties as directed by the President. The First Vice-President Professionals shall assist in scheduling arrangements for seminars, caucuses, conventions, and participate in committees assigned by the President. The First Vice-President will make reports and provide committee updates at the monthly membership meetings and provide weekly report to the President.

**Section 6.** The duties of the **Second Vice-President Non-Professionals** shall be to perform duties relative to the interest of the non-professionals, and other duties as directed by the President. The Second Vice-President Non-Professionals shall assist in scheduling arrangements for seminars, caucuses, conventions, and participate in committees assigned by the President. The Second Vice-President will make reports and provide committee updates at the monthly membership meetings and provide weekly report to the President.

**Section 7.** The duties of the **Treasurer** shall be to maintain a bookkeeping system as prescribed by the National Treasurer; make a financial report at each regular meeting; keep an up-to-date roll of the members; receive all monies and/or dues paid into the local and receipt thereof; keep records of all transactions; countersign with the President, Executive Vice President, Secretary (in the absence of the President); deposit money in the bank to the credit of the local; provide financial statements as required by Department of Labor or Internal Revenue Service; make regular monthly reports to the National

Secretary-Treasurer, which includes furnishing names and addresses of all new members or members who have severed their affiliations with the local and furnishing notification of changes in members' addresses; forward initiation fees and per capita tax to the National Headquarters in accordance with the requirements of the AFGE National Constitution (for regular locals per capita tax is payable before the end of each month, and all monies owed the Federation must be forwarded to the NST by the end of each month, and all monies owed the Federation must be forwarded to the NST not later than the 20<sup>th</sup> day of the following month). For insured locals, per capita tax is payable in advance to the NST before the first day of each month. The Treasurer shall perform additional duties and responsibilities as outlined in the AFGE Financial Officers Manual. Disbursement for payment of current bills (other than initiation fees, per capita tax, and approved budgeted expenditures) shall be approved by the local. Where applicable, the Treasurer will be responsible for the rental of the post office box and shall examine the post office box on a weekly basis; shall prepare correspondence as directed by the President, and perform other duties as assigned by the President, Executive Board or the Local. The treasurer will keep an inventory of all financial records of the Local, membership applications/rosters (such as date joined, suspended, etc.), and keep inventory of all records and property of the Local Union.

**Section 8.** The duties of the **Secretary** shall be to keep a complete record of the minutes of all meetings; maintain all election related documents (including copies of those pertaining to nominations, notices of meetings, and the minutes of any meetings, all of which must be sealed and preserved for two years after the election unless the records are requested by higher authority in the election appeal process or are still relevant); keep up-to-date the official copy of the bylaws of the local; conduct correspondence when directed by the President; prepare meeting agendas and send out notices of meetings when required.

**Section 9.** The duties of the **Chief Steward** are to direct the activities of the stewards in the area which they will be responsible for; and shall be responsible for overall organizational planning; the development of training plans and procedures for Stewards; conducting training workshops for the Stewards; development of organizational drives; and other duties as assigned by the Local or President. The Chief Steward is responsible for providing weekly training, planning and representational duty updates to the President.

**Section 10.** 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 introduce guests; see that each member's presence is recorded in a log; provide a roll to call should the recording of individual votes be necessary and perform other duties as may be assigned by the presiding officer.

**Section 11.** **Steward** shall accept cases as assigned by the Chief Steward and perform other duties that may be assigned to them. They will be given one (1) year probationary period before tenure is granted. During the one (1) year period, a steward may be

dismissed at the recommendation of the President. Stewards shall attend membership meetings.

**Section 12. Members** are obligated to treat Union Officials as they would wish to be treated, with respect. Members will not undermine the Local in private or public with management or fellow members. The member will respond to and provide supporting documentation and evidence timely to the Steward.

**Section 11.** No officer or agent of the local shall engage in any business or financial activities with or on behalf of this local which conflict with his or her fiduciary obligation to the local.

**Section 12.** Any officer of the Local that refuses to attend regular meetings and neglects to perform regular duties and/or contribute to the mission and goals of the Local may be suspended from their position by the President with a majority vote of the Executive Board. An officer or steward who is unable to perform regular duties or is absent due to an illness, personal and private reasons may request a leave of absence in writing via email to the President.

**Section 13.** It is the full responsibility of the Officer/Steward to communicate official time use to the President via email to ensure Official Time is being utilized properly. The Local President has the responsibility of ensuring that Official Time is accounted for and utilized for representational purposes.

## **ARTICLE VII** ***Election Procedures***

**Section 1.** The local's elections shall be conducted in accordance with the AFGE National Constitution and Appendix A thereof. Officers shall be elected for such terms as prescribed by the local's bylaws. No term shall exceed three years.

**Section 2.** In accordance with Appendix A, Part I, Section 1(e) of the AFGE National Constitution, the minimum qualifications for candidacy to local office are that a member must:

- (1)** Be a member in good standing.
- (2)** Be a member for one year of an AFGE local, immediately preceding the closing of the nomination process. This requirement does not apply to newly created locals; and
- (3)** Not be a member in any labor organization not affiliated with the AFL-CIO.

**Section 2 (b).** Candidates shall not run for more than one office in the same local election; however, candidacy as a delegate shall not be covered by this provision.

**Section 2 (c).** No person who is identified with corrupt influences or who is affiliated with the Communist party or other totalitarian movements may serve as an officer of the local.

**Section 3.** The local shall prescribe in its bylaws how its elections will be conducted.

**Section 4.** In the case of a vacancy in the office of the President, such officer as may be prescribed by the local's bylaws shall fill the office for the unexpired term. Vacancies in any other office unless otherwise prescribed by the local's bylaws shall be filled for the unexpired term by appointment by the Executive Board.

## **ARTICLE VIII**

### ***Executive Board and Committees***

**Section 1.** The Executive Board shall meet at the call of the President.

**Section 2.** It shall be the duty of the Executive Board to devise and initiate such actions as may be necessary in the interim between the local's meetings, but such actions shall not be inconsistent with the objectives of the Federation and shall be subject to local approval.

**Section 3.** Expenditures by the Executive Board more than \$500 per month must have prior approval of the local's members either as authorized by the budget approved by the local or by separate vote of the local's members. 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 member in good standing of the local.

**Section 4.** The Executive Board shall prepare an annual budget subject to the membership's approval, which shall ensure at a minimum that the local's revenues are sufficient to meet its financial obligations.

**Section 5.** In the case of a vacancy in the office of the President, the Executive Vice President shall fill the office for the unexpired term, and a special election shall be held to fill the office of the Executive Vice President. When a vacancy occurs in any other office, the Executive Board may by a majority vote appoint an eligible member to fill each vacancy until a special election can be held.

**Section 6.** All officers will be administered the "Oath of Union Office" contained in the AFGE National Constitution upon their installment in office.

**Section 7.** Standing and special committees may be established in the manner prescribed by a local's bylaws.

## **ARTICLE IX**

### ***Delegates***



**Section 1.** Delegates, alternate delegates, and proxy delegates to the AFGE National Convention, district caucus, and council meetings must be elected by name and in accordance with applicable provisions of the AFGE National Constitution.

**Section 2.** The local's President if elected to that office shall serve as a delegate to the AFGE National Convention, district caucus, council meetings, and such other meetings at which the local is entitled to representation. If the local is entitled to additional delegates, the additional delegates shall be elected by an election called for that purpose, unless the local's bylaws prescribe that the local's other officers shall serve as delegates by election to their office. In filling a vacancy without an election, only a person who is appointed or succeeds from a position in which the person was a delegate by election to the office may be a delegate by office in the new position.

## **ARTICLE X**

### ***Offenses, Trials, Penalties, Appeals***

**Section 1.** All offenses, trials, penalties, and appeals shall be accomplished in accordance with the AFGE National Constitution.

## **ARTICLE XI**

### ***MEETINGS***

**Section 1.** Regular meeting of this Local shall be held once a month at a time and place selected by the President.

**Section 2.** Special meetings may be called at any time by the President or by a majority vote of the Executive Board upon due notice to the members as to its purpose. Special meetings may be called upon written petition of at least ten percent of the membership. Notices shall be mailed to the last known address of every member no later than seven calendar days prior to the proposed meeting.

**Section 3.** Only members of the Local in good standing shall be allowed to vote.

**Section 4.** Where some Local bylaws may require meetings of the membership or Executive Board to occur at a specific physical location, it will be within the Local President's authority to call for a meeting to be held and conducted using any virtual/video/telephonic platform, in lieu of or in conjunction with any in-person meetings.

**Section 5.** Any member who attends a meeting in an intoxicated condition and/or creates a disturbance or becomes unruly shall lose voice and their right to vote at said meeting. When necessary to maintain order, the member may be evicted from the meeting by the order of the Chairperson subject to the challenge of the membership. Flagrant or persistent violation of this section by any member shall be conduct

unbecoming a union member. Ongoing misconduct will result in the member being suspended no less than sixty (60) days.

**Section 6.** A quorum of this Local shall consist of five (5) members in person or by telephone. A quorum of any committees shall consist of most members thereof.

**Section 7.** Only agenda items submitted to the President's office via email by close of business on the Friday prior to the meeting will be addressed as new business.

**Section 8.** Unless otherwise specified by law (e.g., secret ballot election or dues) or by AFGE Constitution, all votes will be decided by vote of the members present, first by voice, second by showing of hands or third by a roll call if requested by 1% of the members present.

## **ARTICLE XII AMENDMENTS**

**Section 1.** Except for a change in dues, the Constitution and Bylaws of this Local may be amended by a two-thirds majority at any regular meeting, provided the proposed amendment has been presented in writing and read at a previous meeting of this Local.

**Section 2.** A change in the dues structure will be accomplished by a 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 by a majority vote of the member in good standing voting in a membership referendum conducted by a secret ballot.

**Section 3.** All amendments adopted by the Local shall become effective immediately, unless otherwise specified.

## **ARTICLE XIII BYLAWS**

**Section 1.** The headquarters of this Local is San Francisco, California. The physical address is 4150 Clement Street, Building One, Room 133 San Francisco, California 94121.

**Section 2.** Regular membership meetings of the Local shall be held on the second Wednesday of the month.

**Section 3.** The meetings shall be held at San Francisco VA Medical Center, commencing at 4:00 p.m., with the meeting room location to be determined. The meeting shall end promptly at 4:30 p.m.

**Section 4.** Special meetings may be called by the President, two-thirds vote of the Executive Board, or upon written petition of at least ten percent (10%) of the Membership. Fourteen (14) business days written notice placed in a conspicuous place and by electronic means to Members, 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 5.** Only Members of the Local in good standing shall be allowed to vote.

**Section 6.** The regular order of business will be:

- (a) Roll call of officers
- (b) Reading of the previous minutes with Approval
- (c) Report of financial report by Treasurer or Secretary
- (d) Report of Executive Board minutes
- (e) Reports of committees
- (f) Unfinished business
- (g) New business
- (h) Comments for the good of the local
- (i) Adjournment

**Section 7.** A quorum of this Local shall consist of not less than five (5) members. A quorum of any committees shall consist of most members thereof.

**Section 8.** Unless otherwise specified by law (e.g., secret ballot election or dues) or by constitution, all questions before the Local will be decided by vote of the members present first by voice vote, then by a showing of hands, to be counted by the Sergeant at Arms.

**Section 9.** The time allowed for debate of any issue before the local and the time allowed for speeches will be five (5) minutes. The time allowed for debate may be extended by most those present and voting.

**Section 10.** The general officers of this Local who comprise of the Executive Board are as follows:

President	Executive Vice President
Vice President-Professionals	Vice President-Non-Professionals
Treasurer	Secretary
*Sergeant-at- Arms	*Chief Steward

*\*Represents appointed positions*

**Section 11.** The Executive Vice-Presidents shall assist the President in the performance of the duties of that office.

**Section 12.** In the case of a vacancy in the office of President, the Executive Vice President shall fill the office for the unexpired term.

**Section 13.** A Sergeant-at-Arms shall be appointed by the President. 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 introduce guest; see that each member's presence is recorded in a log; provide a roll to call should the recording of individual votes be necessary and perform other duties as may be assigned by the presiding officer.

**Section 14.** The Sergeant-at-Arms, Chief Stewards and vacant officers positions are appointed by the President.

**Section 15.** Nominations of officers shall be held in September and elections and the election shall be held in November, and the installation shall be in January after proper notice to local members. A quorum is not required for the nominations or elections. Candidates shall not run for more than one office in the same election; however, candidacy as a delegate shall not be covered by this provision. A runoff election, if necessary, shall be held as soon as possible at the same meeting or by mail ballot or secure and electronic option(s).

**Section 16.** An Election Committee shall be elected by majority vote of Local Members present and voting at a meeting preceding the start in the month of August immediately preceding the start of the nomination procedure.

**Section 17.** All Officers will be administered the "Oath of Union Officers" contained in the AFGE National Constitution upon their installation in office. Officers shall serve for three (3) year terms.

**Section 18.** The current edition of Robert's Rules of Order Newly Revised shall govern the proceedings of all meetings of the Local, when not inconsistent with the provisions of the standard Local constitution, the AFGE National Constitution, or these bylaws.

**Section 19.** The Local's delegates and alternates, to the AFGE National Convention, district caucus, and national council meetings, after proper notice to the Local's Members shall be elected at a meeting of the Local excepting the Local's President who if elected to that office serves by office. At that or a subsequent meeting, the Local shall vote upon the authorization of funds for the delegates' attendance at the National Convention, caucus, or council meetings,

**Section 20.** Such committees as may be established by the Local shall be comprised of Members appointed by the President subject to the approval of the Executive Board (except for the Election Committee).

**Section 21.** All nominations for Stewards shall be presented to the President. The Chief Steward and Assistant Chief Steward act under the direction of the President and will be charged with training and directing the work of the Stewards, assigning cases to Stewards, writing and presenting grievances, and other various duties as deemed by the President. The Assistant Chief Steward act under the direction of the Chief Steward and shares the Chief Steward's duties and responsibilities. The President of the Local determine the responsibilities of the Stewards.

**Section 22.** Initiation fees shall be paid by the Local and shall not be assessed to the Member.

**Section 23.** The dues for active members shall be \$21.95 per pay period.

**Section 24.** This local shall affiliate with all Central Labor Councils having jurisdiction over its member.

**Section 25.** The local will be encouraged to develop a strategic plan each year to include goals in all, but not limited to, the following areas: Organizing and Workplace Representation to include Legislative and Political Mobilization, Strengthening the Local, Education, and Communications.

**Section 26.** These Bylaws shall be adopted and amended according to Article IX of AFGE National Constitution.

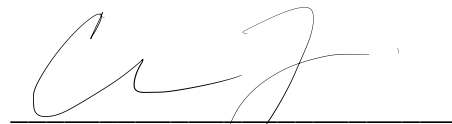
**Section 27.** Copies of this Constitution and Bylaws shall be available to all members in good standing upon request to the Recording Secretary.

**Section 28.** No bylaw shall conflict with the provisions of AFGE National Constitution.

**Adopted (Date):** December 13, 2023



Clark G. Parker  
President, Local 1216



Candace Jones  
Secretary

**APPROVED**