

# **BYLAWS OF AFGE LOCAL 476**

**SECTION 1. LOCAL HEADQUARTERS AND JURISDICTION.** The headquarters of Local 476 is the HUD Headquarters Building. The mailing address is 451 7th St., S.W., Washington, D. C. 20410. The Local is governed by the provisions of the AFGE Standard Local Constitution which is the Constitution of Local 476.

**SEC. 2. REGULAR MEETINGS.** Regular meetings of the local shall be held at least every other month, normally on the last Thursday of the odd numbered months (except for November when it should be on the Thursday preceding Thanksgiving day), at HUD Headquarters at lunchtime. The regular meeting shall last no more than one hour. The Executive Board shall give the Local membership 5 working days advance written notice of the date and time for such regular meeting.

**SEC. 3. SPECIAL MEETINGS.** Special meetings may be called by the President, or by a two-thirds vote of the Executive Board, or upon written petition signed by at least ten percent of the membership. Where a member seeks to call for a special meeting through a written petition signed by at least ten percent of the Local's membership, the original of the written petition stating the specific purpose for which the special meeting is sought to be held, and containing valid original signatures from at least ten percent of the Local's membership, must be submitted to the Treasurer. The Treasurer shall, within ten days of receipt of the written petition, determine whether the petition has been validly signed by at least ten percent of the Local membership. If the Treasurer determines the written petition seeking a special meeting has been validly signed by at least ten percent of the Local's membership, the Treasurer shall certify the petition to the Executive Board, who shall schedule the special meeting within 20 days of the Treasurer's certification. No other requirements for such a petition shall be imposed. Five work days written notice of the specific purpose of the special meeting, whose purpose must be in strict accordance with the petition, must be given to the membership prior to the special meeting.

**SEC. 4. VOTING RIGHTS OF MEMBERS.** Only members of the local in good standing shall be allowed to vote. Membership in good standing means that: (1) the member recently joined the union when he/she signed a dues withholding form (SF-1187) and gave that form to an officer of Local 476 but the member has not yet paid union dues due to the need for management to process the membership application, (2) the member is current in payment of required membership dues; or (3) the member is listed on the biweekly list of employees who have authorized dues deduction.

**SEC. 5. REGULAR ORDER OF BUSINESS FOR LOCAL MEETINGS.** In the absence of a specific agenda for a regular meeting of the local, the order of business will be:

- (a) Roll call of officers
- (b) Reading of the minutes of the previous meeting
- (c) Report of financial condition by Local Treasurer
- (d) Reports of committees
- (e) Unfinished business
- (f) New business
- (g) Comments for the good of the local
- (h) Adjournment

**SEC. 6. QUORUM.** A quorum of the local shall consist of 25 members. A quorum of any committee shall consist of a majority of the members thereof.

**SEC. 7. VOTING DECISIONS.** Unless otherwise specified by law or by constitution (e.g., manual or mail ballots for elections or secret ballots for dues changes), all questions before the local will be decided by vote of the members present first by voice vote, then by a showing of hands if necessary.

**SEC. 8. DEBATE OR DISCUSSION ON MOTIONS OR ISSUES.** The time allowed for debate of any particular issue before the local and the time allowed for speeches shall be governed by the circumstances and by majority vote of those present. Any limitation as to the time allowed for debate may be extended by a majority of those present and voting.

**SEC. 9. EXECUTIVE BOARD.** The elected officers of Local 476 who comprise its Executive Board are:

President  
First Vice President  
Second Vice President  
Treasurer  
Secretary

**SEC. 10. DUTIES OF LOCAL 476 PRESIDENT.** The general duties of the President are described in Article VI, Section 3 of the Standard Local Constitution. In addition, the President shall:

(a) Serve as Regional Vice President of the HUD Council in accordance with the Council Constitution;

(b) Serve as principal Local 476 representative;

(c) Exercise general supervision over the affairs of the local, establish committees (except election committee-see Section 16(b)) and other offices within the Local, and make appointments to committees and other offices of the local, provided that the establishment of committees and all appointments to them shall be subject to the approval of the Executive Board or the members at the next regular meeting of the local following such establishment or appointment but not later than the second meeting following such establishment or appointment;

(d) Appoint a chief steward and such other stewards as may be necessary subject to the approval of the Executive Board or the membership at the next regular meeting; and,

(e) Per these bylaws, serve as a delegate by virtue of office.

**SEC. 11. DELEGATION OF LOCAL 476 PRESIDENT'S DUTIES.** Except for a vacancy in the office of President (see bylaw Section 20), if the President is temporarily unable to perform the duties of office (i.e., because of disability, sickness, leave, TDY), or where the President may be unavailable to attend to his/her duties for other reasons (e.g., attendance at out-of-town meetings), he/she shall delegate his/her responsibilities to the First Vice President or, in the absence or unavailability of the First Vice President, to the Second Vice President or to another member of the Executive Board at his/her discretion.

**SEC. 12. DUTIES OF LOCAL 476 FIRST VICE PRESIDENT.** The First Vice President shall:

(a) Assist the President in the performance of the President's duties and perform the duties of the President in the President's absence (See Article VI, Section 4 of the Standard Local Constitution);

(b) Serve as the Alternate Regional Vice President of the HUD Council in the absence of the President;

(c) Preside at a meeting of the local if the President is not present;

(d) Countersign checks for proper expenditures of the local in the absence of either the President or the Treasurer; and,

(e) Per these bylaws, serve as a delegate by virtue of office.

**SEC. 13. DUTIES OF LOCAL 476 SECOND VICE PRESIDENT.** The Second Vice President shall assist the President in the performance of the President's duties and shall perform the duties of the President in the absence of the President and the First Vice President. In addition, the Second Vice President shall:

- (a) Ensure that no one enters the meetings without proper authority;
- (b) Assist the presiding officer in the maintenance of order;
- (c) Welcome and introduce guests;
- (d) See that each member's presence is recorded in a log;
- (e) Conduct a roll-call should the recording of individual votes be necessary;
- (f) Serve as a delegate by virtue of office per bylaw Section 22;
- (g) Chair the organizing committee; and,
- (h) Perform other duties as may be assigned by the presiding officer.

**SEC. 14. DUTIES OF LOCAL TREASURER.** The duties of the Treasurer of Local 476 are described in Articles IV, V and VI of the Standard Local Constitution. In addition, the Treasurer shall assist the President in performing the duties of that office and shall serve as a delegate by virtue of office.

**SEC. 15. DUTIES OF LOCAL SECRETARY.** The duties of the Secretary of Local 476 are described in Article VI, Sections 4 and 6 of the Standard Local Constitution. In addition, the Secretary shall assist the President in performing the duties of that office, shall serve as a delegate by virtue of office and shall make available a copy of the Local's Constitution and bylaws upon request from any Local member in good standing.

**SEC. 16. ELECTION OF LOCAL OFFICERS:**

Subsection 1. General Conduct of Election. Elections for local officers shall be held in November of each third year beginning in 2005 (e.g., 2005; 2008, etc.), after proper notice to local members. In accordance with Article VII of the Standard Local 476 Constitution, the election of officers (President, First Vice President, Second Vice President, Secretary and Treasurer) and any additional delegates shall be conducted in accordance with the AFGE Rules of Conduct for an Election at Appendix A of the AFGE National Constitution. Such elections shall be by secret manual or electronic ballot unless the Election Committee chooses to conduct an election by mail ballot.

Subsection 2. Election Committee. After nomination by members at a regular or special meeting held in September of each third year preceding the election, an Election Committee shall be elected by majority vote of local members present and voting at a Local meeting prior to the start of the procedure for nomination of the Local's officers. The Election Committee must have an odd number of members, at least three, and no more than five. After the nomination procedure provided for in Subection 4 below, each candidate for President, First Vice President, and Second Vice President, may appoint one additional member each to the Election Committee.

Subsection 3. Election Committee Budget. Prior to incurring any expenses, the Election Committee shall prepare a budget for the conduct of the election and shall submit that budget to the Local's Executive Board for negotiation and approval. All expenses of the Election Committee shall be documented and supported by receipts.

Subsection 4. Nominations For Local Officers and Delegates. Nomination of local officers and delegates shall be held in October of each third year preceding the election after proper notice to local members. Candidates shall not run for more than one elected office. If there are no nominations for an office, that office becomes vacant at the end of the incumbent's term and may be filled by the means specified in Section 20 of these bylaws.

Subsection 5. Election To Office. An officer is considered to be elected to a position on the Executive Board when he/she receives a majority of the valid votes cast for that office. If there is only one nomination for an office, the Election Committee may declare that nominee "elected by acclamation." If the local is entitled to delegates additional to the 5 members of the Executive Board, the additional delegate/s who receive the highest number of valid votes cast is/are considered to be elected as delegates.

## **SEC. 17. INSTALLATION OF ELECTED OFFICERS AND TERM OF OFFICE.**

Installation of Local 476 Officers shall be conducted within two weeks after their election. All officers will be administered the "Oath of Union Officers" contained in the AFGE National Constitution upon their installation in office. Except as provided below, officers shall serve for three (3) year terms. Pending the completion of the election for each office, a duly elected officer shall hold office until his/her successor has been elected unless disqualified to serve under the provisions of the Constitution and bylaws.

**SEC. 18. MEETINGS OF EXECUTIVE BOARD.** Executive Board meetings shall normally be held on the first Tuesday of every month.

**SEC. 19. EXECUTIVE BOARD EXPENDITURES.** Expenditures by the Executive Board shall be governed by the provisions of Article VIII, Section 3, of the AFGE Standard Local Constitution.

**SEC. 20. VACANCIES IN EXECUTIVE BOARD AND OTHER OFFICES.**

Subsection 1. Automatic Forfeiture of Office. In addition to resignation, any officer who moves beyond the jurisdiction of the local during his/her term of office or who ceases to be a member in good standing shall thereby automatically forfeit said office. The vacancy caused thereby shall be filled under the provisions of this Article.

Subsection 2. Vacancy in President's Office. In the case of a vacancy in the office of President, the First Vice President shall fill the office for the unexpired term.

Subsection 3. Other Vacancies. Per Article VII, Section 4, of the AFGE "Standard Local Constitution", the Executive Board shall fill vacancies in any office of the local (including delegates), other than the office of President, as follows:

- (a) by Executive Board appointment if one year or less remains in the unexpired term, or;
- (b) by Special Election if more than one year remains in the unexpired term.

**SEC. 21. PROCEDURAL RULES FOR LOCAL MEETINGS.** 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 Local 476 Constitution, the AFGE National Constitution, or these bylaws.

**SEC. 22. DELEGATES.**

Subsection 1. Executive Board Officers As Delegates. To the extent that the Local is entitled to send delegates, the officers who comprise the Executive Board of Local 476 shall, by virtue of office (whether elected or duly appointed), be delegates to the AFGE National Convention, AFGE District Caucus, national councils, and such other labor bodies as the local is entitled to send delegates. Should the Local be entitled to less than 5 delegates, the order of precedence to serve as a delegate shall be: (1) President; (2) First Vice President; (3) Second Vice President; (4) Treasurer; and (5) Secretary.

Subsection 2. Election of Delegates. In accordance with Article IX of the Standard Local Constitution, if the local is entitled to send delegates to the AFGE National Convention, AFGE District Caucus, national councils, and such other labor bodies as the local is entitled to send delegates that are additional to the five (5) members of the

Executive Board, such additional delegates shall be elected by name during the regular election of officers and delegates.

Subsection 3. Term Of Office Of Delegates. Delegates shall represent the local at all appropriate meetings and shall serve for three (3) year terms contemporaneous with the term of officers on the Executive Board until replaced during the regular election of officers and delegates.

Subsection 4. Authorization of Local Funds For Attendance of Delegates. The local shall vote upon the authorization of funds for the delegates' attendance at the National Convention, HUD Council Convention, caucus, or council meetings whether as authorized by the budget approved by the local or by a separate vote of the local's membership. (See National Constitution, Appendix A, Section 6.D.)

## **SEC. 23. STEWARDS.**

Subsection 1. Chief Steward. The duties of the Chief Steward are: (a) To direct and coordinate the activities of the other local Stewards; (b) To arrange for orientation and training for the Stewards; (c) To keep the local informed of matters of interest brought to the attention of Stewards by members; and (d) To manage the support staff of the Local.

Subsection 2. Other Local Stewards. The duties of other Local Stewards are: (a) To represent the interests of individual Local 476 members regarding grievances or potential grievances (e.g., performance appraisal); (b) To represent the interests of groups of Local 476 members on matters of common interest (e.g., reorganizations; moves, etc.); and (c) To carry out additional functions (e.g., planning for conferences, meetings or social or political events) as designated by the President, Executive Board or Chief Steward.

## **SEC. 24. DUES.**

Subsection 1. Local 476 Membership Dues. The base dues structure for the local shall be as follows:

\$10.25 per pay period for members whose salaries are at or below GS-9, step 1;  
\$11.75 per pay period for members whose salaries are above GS-9, step 1;  
\$25.00 annually for retired members.

Subsection 2. Automatic Increase to Local 476 Membership Dues. When the AFGE National convention approves an increase in per capita tax, the dues withholding of each Local 476 member shall be automatically increased by the exact amount of the increase in per capita tax.

Subsection 3. Change In Dues Structure. In seeking to change the dues structure for Local 476, the Local shall comply with Article IV of the Standard Local Constitution.

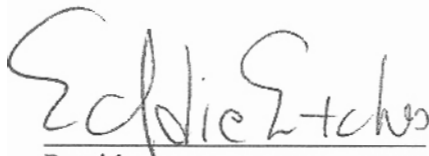
**SEC. 25. LOCAL FISCAL YEAR.** The local's fiscal year shall begin on January 1 and end on December 31 of each calendar year.

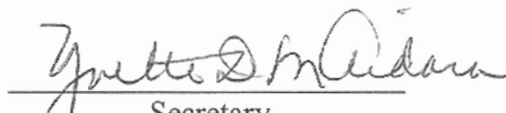
**SEC. 26. BY-LAWS.**

Subsection 1. Conflict Between By Law and Other Controlling Authority. If any bylaw conflicts with a provision of federal statute or regulation or the AFGE National Constitution, the Constitution of the National Council of HUD Locals, Council 222, or of the Standard Local Constitution or other controlling legal authority, the provisions of those other controlling authorities shall take precedence and be enforced in lieu of the provision of the conflicting bylaw.

Subsection 2. Adoption and Amendment of By-Laws. With the exception of a change in dues which is covered under Article IV of the Standard Local Constitution, the By-laws of this local may be adopted and amended in accordance with Article XI, Section 3, of the Standard Local Constitution. All amendments to the By-laws not in conflict with any superior controlling legal authority (e.g., the AFGE National Constitution, the Constitution of the National Council of HUD Locals, Council 222, or of the Standard Local Constitution) shall become effective immediately following approval by the membership or on the effective date stated in the amendment.

In conformity with Article XI of the Standard Local Constitution and Section 26 of the Local 476 Bylaws, these Bylaws were properly adopted by the membership on the 16<sup>th</sup> day of June, 2005, by a two-thirds vote of the members voting at a special membership meeting for this purpose or by absentee ballot.

  
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President  
Local 476

  
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Secretary  
Local 476