



AFGE 476 LOCAL CONSTITUTION

ARTICLE I

Name

SECTION 1. This Local Union shall be know as the American Federation of Government Employees, Local No. 476, AFL- CIO, as set forth in its charter. See National Constitution, Article XIV, Section 1.

SEC. 2. The headquarters and mailing address of this local shall be prescribed in the local's bylaws.

ARTICLE II

Objectives and Methods

SEC. 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, handicapped condition, marital status or preferential or nonpreferential civil service status; and is not subject to corrupt influences or influences opposed to basic democratic principles.

SEC. 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) See National Constitution, Article XVI. The local shall pay dues and/or per capita 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. See National Constitution, Article XVI, Section 1.

SEC. 3. This local is a separate, independent organization functioning in conformity with AFGE's National Constitution. Neither the local nor its officers, employees, members, or other person, has the authority to act, nor shall it be deemed to act on behalf of, or as agent for, the Federation or any of its other affiliates, unless such authority, as applicable, is expressly granted by the Federation, by written authorization of the National President, or by an affiliate, by written authorization in accordance with its governing procedures.

ARTICLE III**Membership**

SECTION 1. All persons eligible for AFGE membership, as prescribed by Article III of the 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. See National Constitution, Article XIV, Section 7(a)7 and 7(b)7. 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.

SEC. 2. (a) The local shall establish in its bylaws the amount of its initiation fee and the amount of its membership dues. See National Constitution, Article XIV, Section 7(a)5 and 7(b)5; see also Article III, Section 5. Dues may be paid by payroll deduction or by advance payment for such intervals as prescribed by the local: quarterly, semiannually, or annually. If payroll deduction is available, a local may adopt a bylaw requiring payment of dues by this method. The local may establish a separate dues rate for retired members.

SEC. 2. (b) Members may be dropped if dues are not paid by Tuesday of the last full workweek of the month, provided, however, that a reasonable amount of time after notice of delinquency is given.

SEC. 2. (c) Local representatives, collectors and shop stewards shall make remittance of all dues and initiation fees collected to the treasurer within 10 days and no later than the Tuesday of the last full workweek of the month.

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.

SEC. 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 other officer as prescribed by the local's bylaws may sign in place of the absent officer.

SEC. 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. See National Constitution, Article XIX, Section 6 and 6(d)

SEC. 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 XIX, Section 6(d) of the National Constitution.

SEC. 5. All books, records and financial accounts shall at all times be open to the inspection of the National Officers or accredited representative of the National Executive Council and any duly authorized and accredited representative of the local. See National Constitution, Article XIX, Section 7.

ARTICLE VI

Elected Officers

SECTION 1. (a) The general officers shall be elected by the total membership and shall constitute the Executive Board of this local and shall consist of the President, Treasurer, and Secretary, and such others as the local's bylaws may prescribe. The local may adopt a bylaw combining the offices of Treasurer and Secretary.

SEC. 1. (b) The local may establish bylaws which provide for the election of officers who are elected solely by members of a particular unit or work area; and may provide that these officers will serve on the Executive Board.

SEC. 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 local constitution and by laws, official policies of the Federation, and, to the extent not inconsistent with the foregoing, all official policies of the local. See National Constitution, Article XVIII, Section 2.

SEC. 3. The president shall be the executive officer of this local; he/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 Local Constitutions; keep the membership apprised of the goals and objectives of the Federation; serve as an ex-officio member of all committees; automatically serve, by virtue of office, as a local delegate to district caucuses, council meetings, the 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. If the president is unable to perform his/her regular duties, either because of sickness, leave, TDY or for some other legitimate reason, he/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.

SEC. 4. The local shall prescribe in its bylaws that the Treasurer or Secretary (or such other officer, as the local may establish) shall assist the president in performing the duties of that office. If the president is absent from a local meeting, the officer so designated will preside. In the absence of the president and the officer so designated to assist him or her, a chair will be chosen by the members from among those in attendance.

SEC. 5. The duties of the treasurer shall be to -- maintain a bookkeeping system as prescribed by the National Secretary-Treasurer; make a financial report at each regular meeting; to keep an up-to-date roll of the members; to receive all monies and/or dues paid into the local and receipt thereof; to keep records of all transactions; to deposit money in the bank to the credit of the local; to 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; to forward initiation fees and per capita tax to the National Headquarters in accordance with the requirements of the National Constitution (for regular locals

dues are payable before the end of each month and all monies owed the Federation must be forwarded to the National Secretary-Treasurer not later than the 20th day of the following month, see National Constitution, Article XIX, Section 3(a); for death benefit locals dues are payable in advance to the National Secretary-Treasurer before the first day of each month, see National Constitution, Article XIX, Section 3(b)); and to perform additional duties and responsibilities as outlined in the AFGE Financial Officers Manual. Disbursements for payment of current bills (other than initiation fees, per capita tax and approved budgeted expenditures) shall be approved by the local.

SEC. 6. 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 one year after the election), see National Constitution, Appendix A, Part I, Section 5.I; to keep up-to-date the official copy of the bylaws of the local; to conduct correspondence when directed by the president; and to send out notices of meetings when required.

SEC. 7. 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/her fiduciary obligation to the local.

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.

SEC. 2. (a) In accordance with Appendix A, Part I, Section 1.E of the National constitution, the sole qualifications for candidacy to local office are that a member must have been --

- a member of an AFGE local for at least one year, immediately proceeding the closing of the nomination process;
- be a member in good standing; and
- must not be a member in any labor organization not affiliated with the AFL-CIO.

See National Constitution, Appendix A, Part I, Section 1.E.

SEC. 2. (b) 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.

SEC. 3. The local shall prescribe in its bylaws the manner by which its elections will be conducted: manual ballot or mail ballot.

SEC. 4. In the case of a vacancy in the office of 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.

SEC. 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.

SEC. 3. 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.

SEC. 4. 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 district caucus, National Convention, and AFGE council meetings must be elected by name and in accordance with applicable provisions of the AFGE National Constitution. See National Constitution, Article VI, Article VIII, and Appendix A, Part I, Section 6.

SEC. 2. The local's president, if elected to that office, shall serve as a delegate to the district caucus, National Convention, council meetings, and such other meetings at which the local is entitled to representation. If the local is entitled to additional delegates, as prescribed by Article VI of the AFGE National Constitution, 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 virtue of their office.

ARTICLE X

Offenses, Trials, Penalties, Appeals

SECTION 1. All offenses, trials, penalties and appeals shall be accomplished in accordance with the AFGE National Constitution. See National Constitution, Article XIV, Section 11; Article XVIII.

ARTICLE XI

Bylaws

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.

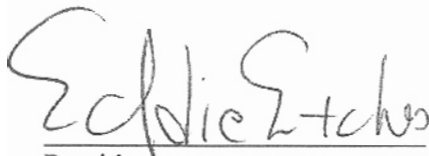
SEC. 25. LOCAL FISCAL YEAR. The local's fiscal year shall begin on January 1 and end on December 31 of each calendar year.

SEC. 26. BY-LAWS.

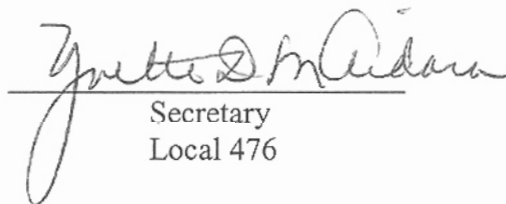
Subsection 1. Conflict Between By Law and Other Controlling Authority. If any bylaw conflicts with a provision of federal statute or regulation or the AFGE National Constitution, the Constitution of the National Council of HUD Locals, Council 222, or of the Standard Local Constitution or other controlling 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 16th 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.



President
Local 476



Secretary
Local 476

APPENDIX A

AFGE RULES OF CONDUCT FOR AN ELECTION

PART I: DIRECT ELECTIONS: LOCAL OFFICERS AND DELEGATES

SECTION 1. GENERAL PROVISIONS

- A. The rules within this appendix shall govern matters arising in connection with the conduct of elections to the following AFGE offices:
1. All local officers which are designated by the local's constitution.
 2. All delegates, alternate delegates, and proxy delegates to a district caucus, council meeting, or the National Convention. As used herein, "delegate" refers not only to delegates but also to alternating delegates and proxy delegates.
 3. As used herein, "officer" or "office," unless otherwise specified includes all the positions described above.
- B. These rules herein are integral provisions of the National Constitution. In the event another provision of the National Constitution concerns a matter addressed by these rules, to the extent the other provision is inconsistent, these rules shall control. If a provision within the constitution or bylaws of the AFGE entity conducting the election concerns a matter also addressed by these rules, to the extent that provision is inconsistent, these rules shall control.
- C. Officers shall be elected by secret ballot.
- D. Write-in candidates or write-in votes are prohibited and may not be counted as valid votes.
- E. To be qualified as an officer or candidate for office, an individual must meet the following qualifications:
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.
 3. Must not be a member in any labor organization not affiliated within the AFL-CIO.

SEC. 2. ELECTION COMMITTEES

- A. An election committee shall be constituted to conduct each election. The committee shall consist of not less than three (3) members, and if a larger committee is required, it shall contain an odd number of members. Its members shall be selected, and it shall meet a reasonable time before the commencement of the nomination procedure.
- B. No member of the committee may be an incumbent of, nor candidate for, the office for which the election is being conducted.

SEC. 3. NOTICE OF NOMINATION AND ELECTION MEETINGS

- A. Members must be given a reasonable opportunity to nominate and elect candidates.
 - 1. Nominations and elections may be conducted either separately or combined at a meeting called for such purpose or by mail, as may be prescribed in the constitution or bylaws of the AFGE local conducting the election. Where nominations are conducted at a meeting called for that purpose, provision should be made for the making and acceptance of nominations by alternative means for members who are absent unavoidably from the meeting. Where an election is to be conducted at a meeting, provision should be made to both reasonably accommodate the work or shift assignments of members and to allow for absentee ballots.
 - 2. Notices inviting members to submit nominations must inform all members of the offices to be filled, the time, date, place, of the nomination meeting, if any, and the method for making nominations. If the nominations are to be made at a meeting, the notice also shall inform members of the manner whereby members who will be absent unavoidably from the meeting may make and/or accept nominations.

3. Notice of nominations only must be timely to provide members with a reasonable opportunity to nominate candidates. Such notice, at a minimum, must be given at least ten (10) days prior to the date set for making nominations. If a single notice is used for nominations and elections both the requirements relating to nominations and those relating to elections must be followed.
 4. Notices of election (whether the election is combined with the nomination or is a separate proceeding) must be mailed to each member at his or her last known address not less than fifteen (15) days prior to the date of the election, or in the case of election by mail ballot, the date on which the ballot must be received to be counted. The notice shall specify the positions to be filled in the election, the time (including split-polling times, if applicable), date, place or manner of election (i.e., mail or manual ballot), and provisions for run off elections (including the same details as to procedures, time and place, as required for the initial election) The notice also must provide instructions for absentee ballot where the election is to be conducted at a meeting, except at a combined nomination/election meeting.
- B. If any AFGE publication is to be used to provide notice for nominations or elections, such notice must be printed in a conspicuous place on the first page of the publication. If notice of the election is to be provided through the publication, it must be mailed to the members at least fifteen (15) days prior to the date of the election or, if the election is by mail ballot, the date on which the ballots must be returned.

SEC. 4. CAMPAIGN RULES

- A. All candidates for office must be treated equally with respect to the availability of lists of members and mailing of campaign literature. Upon request of a candidate, the AFGE local conducting the election shall comply with all reasonable and timely requests of the candidate to distribute to its members at the candidate's expense, by mail or otherwise, campaign literature in aid of his or her candidacy, provided the same opportunity is provided to all candidates.

- B. No monetary or other resources of AFGE shall be contributed or applied to promote the candidacy of any candidate in an election. Resources include, but are not restricted to, dues monies and assessments, publications, facilities, office equipment, stationery or other supplies. While the preceding restrictions apply to use of AFGE resources to promote the candidacy of any candidate, such resources may be used for such things as notices, factual statements of issues not involving the candidates and other expenses necessary to conduct an election.

SEC. 5. ELECTION PROCEDURES

- A. The election shall be conducted by one of the following methods, as prescribed by the constitution of the local conducting the election: manual ballot, or mail ballot.
- B. The treasurer or secretary-treasurer shall furnish to the Election Committee the names and addresses of all members and an indication as to whether or not they are members in good standing. The Election Committee shall notify all members that nominations are invited; it shall also conduct the nomination and election process.
- C. The Election Committee shall prepare ballots. The candidates shall be listed either on the ballot or, if the election is conducted at a meeting and it proves necessary, by posting in the election area.
- D. Where an election is conducted by manual ballot:
 - 1. The Election Committee shall furnish to each member voting one ballot. The Committee also will provide for sealed ballot boxes in which members may deposit the ballots. Each ballot box will be under the personal supervision of a member of the Election Committee. The Committee will make appropriate arrangements to insure that each member votes a secret ballot such as, for example, individual booths, enclosures, or areas which provide such privacy to each member while voting.
 - 2. Members who are unable to attend the election polls, upon timely written request to the Election Committee, shall be furnished ballots and properly marked envelopes in which to return their ballots to the Election Committee. If timely returned, the absentee

ballots shall be opened and counted with the remainder of the ballots.

- E. Where the election is conducted by mail:
1. The Election Committee shall mail ballots to all members in good standing along with properly marked envelopes in which to return their ballots to the Election Committee. The mailing shall include instructions concerning the voting procedure and specify a deadline, by date and time, for the return of ballots to a specified location. The return envelopes shall provide for the insertion of a blank envelope (containing the marked ballot) within another envelope bearing the voter's name so as to ensure voter secrecy.
 2. As soon after deadline as possible, the Election Committee shall convene to tally the ballots. Any ballots either received after the deadline or in envelopes which do not identify the ballot as that of an eligible voter shall not be counted as valid ballots.
- F. Each candidate shall be afforded an opportunity to have a reasonable number of observers, who are members, present throughout the election procedure, including the tally of ballots.
- G. At the conclusion of the balloting, the Election Committee shall tally the total ballots cast (or in an election by mail the ballots received), the ballots challenged, the ballots voided, the number of valid ballots cast for each candidate, and the total number of valid ballots cast. The Election Committee shall prepare a written report and inform the members of the results as soon as possible.
- H. A majority of the valid votes cast is required for election to any office. If warranted, a runoff election shall be held as soon as possible. For offices other than delegates and other multiple same-type offices (e.g., trustees for auditing), the runoff shall be between the two candidates receiving the greatest number of votes, whose position on the ballot shall conform with the order of their nomination. For the office of delegate and other multiple same-type positions, the procedure prescribed by Section 6C.2 herein shall be followed.

- I. All election-related documents (including those pertaining to nominations and the minutes of any meetings) must be sealed and preserved for one year after the election.

SEC. 6. DELEGATES TO DISTRICT CAUCUSES, COUNCIL MEETINGS, OR THE NATIONAL CONVENTION

- A. Delegates to district caucuses, council meetings, or the National Convention, must be elected by secret ballot of the members on whose behalf they will serve as delegates. Delegates, alternate delegates, and proxy delegates must be elected by name.
- B. Delegates may be nominated and/or elected as part of a regular election of officers or in a separate proceeding, as may be prescribed by the constitution of the AFGE entity conducting the election. Officers of the appropriate AFGE entity may, by virtue of their election to office serve as delegates, if prescribed by the applicable constitution.
- C. In an election for delegates, members will be afforded the opportunity to determine the number of delegates, up to the full entitlement as provided by the national or council constitution involved.
 1. Those candidates receiving a majority of the valid ballots will be elected as delegates and alternatives, provided the number of such candidates does not exceed the number of positions to be so filled. If the number of candidates receiving a majority of the valid ballots exceeds the number of positions to be filled, then a runoff will be conducted among the candidates in the same manner as prescribed by the following section.
 2. If after the election some positions remain unfilled because fewer candidates received a majority vote than the number of positions to be filled, a runoff shall be conducted among those candidates receiving the highest number of votes. The number of candidates will correspond to the number of positions remaining to be filled, plus one. In the runoff, the candidate receiving the least number of votes will be eliminated and the other candidates will be elected to the positions.

- D. In the event that the entity on whose behalf a delegate is elected is unable to authorize funds sufficient to send a full allotment of delegates, then the authorization shall be applied in the following order: (1) delegates selected by virtue of their elected position within the entity in accordance with the established hierarchy of positions; (2) other delegates in accordance with the number of votes received by each. A decision by an entity to authorize funds for less than the full number of delegates elected does not preclude the remaining delegates from participating, on their own expense, as delegates.
- E. Alternate delegates shall be selected as replacements for delegates, as appropriate, in accordance with the number of votes received by each.
- F. Any notice(s) of nomination and election pertaining to delegates shall inform members of the manner whereby delegates will be elected, as prescribed by this section.
- G. Members must be given a reasonable opportunity to nominate and elect delegates prior to nominating and voting for a proxy delegate. Proxy votes may be carried only by a delegate whose own election as a delegate is in accordance with these rules.