

**Constitution**

**for**

**Minnesota Department of Public Safety Employees**

**Local 3142**

**Article I**

**Name**

The name of this organization shall be Minnesota Department of Public Safety Employees Local Number 3142 of the American Federation of State, County and Municipal Employees, AFL-CIO.

**Article II**

**Affiliations**

This local union shall be affiliated with Minnesota Council Number 5 of the American Federation of State, County and Municipal Employees; the Minnesota AFL-CIO; and the appropriate local central bodies of the Minnesota AFL-CIO.

**Article III**

**Objectives**

Section 1. Objectives

- A. To promote the organization of state employees of the Department of Public Safety.
- B. To promote the welfare of the membership and to provide a voice in the determination of terms and conditions of employment.
- C. To promote civil service legislation and career service in government.
- D. To provide services and activities designed to assist members and affiliates.

Section 2. Methods

- A. Support the objectives of the American Federation of State, County and Municipal Employees.
- B. Commitment to the process of collective bargaining as the most desirable, democratic and effective method of achieving these objectives.
- C. Employing available legislation.
- D. Promote effective political action.

**Article IV**

**Membership and Dues**

Section 1. All employees in state of Minnesota bargaining units 2, 3, 4, 6, 7 and 25 at the Minnesota Department of Public Safety are eligible for membership in this local union, subject to the requirements of the constitution of the International Union.

Section 2. All rights and privileges of membership in this union shall be granted on

the basis of equality and shall not be denied on the basis of race, color, creed, national origin, political belief, sex, disability, religion, affectional preference or age.

Section 3. Application for membership shall be made on a standard application form and such form includes a valid authorization for payroll deduction of dues. Applications received for membership shall be presented by the treasurer at any regularly scheduled meeting.

Section 4. Effective October 24, 2016, the bi-weekly dues rate of AFSCME Local 3142 shall be one hundred and thirty-five percent (135%) of one hour of the individual's pay and exclusive of overtime or any differential pay.

Section 5. Membership dues shall be payable monthly in advance to the local treasurer and in any event shall be paid not later than the 15th day of the month in which they become due. Any member who fails to pay dues by the 15th day of the month in which they become due shall be considered delinquent, and upon failure to pay dues for two successive months shall stand suspended. Provided, however, that any person who is paying dues through a system of regular payroll deduction shall for so long as such person continues to pay through such deduction method, be considered in good standing.

Section 6. A member suspended under the above section may be reinstated to membership in the local on payment of all arrearages or upon payment of a reinstatement fee of \$12.00 plus the current month's dues.

#### **Article V Meetings**

Section 1. Regular meetings of this local shall be held once each month, at a time and place to be fixed by the membership or the local executive board. Fifteen (15) days' advance notice shall be given in a proposed agenda form.

Section 2. Special meetings may be called by the local president, the local executive board, or by petition filed with the president and signed by 5% of the members of the local. Special meetings may also be called by the International President or by an authorized representative of the International President.

Section 3. The quorum for meetings of this local shall be ten (10) members of the local in good standing.

#### **Article VI Officers, Nominations and Elections**

Section 1. The officers of this local shall be a president, a vice-president, a secretary, a treasurer and nine executive board members elected to terms of two (2) years beginning with the election held in 1987. One executive board member shall be elected from each of the following divisions: Patrol, Driver and Vehicle Services, Capitol security, Fire Marshall, Emergency Services, Liquor Control and the Bureau of Criminal Apprehension. In addition, there will be one Radio Communication Operator in Public Safety and one representative from other areas not represented by the above provided that if there is no candidate for any of the aforementioned areas, that executive board member shall be elected from the local's membership at-large. If there is only one nominee for executive board member from any of the aforementioned areas, such nominee shall be declared elected. These thirteen (13) members shall constitute the local's executive board. In addition, there shall be three (3) members elected to three (3) year terms of office as trustees except that in the initial election, one trustee shall be elected for a one (1) year term, one for a two (2) year term, and one for a three (3) year term.

Section 2. Nominations shall be made at a regular or special meeting of the local. At least fifteen days' advance notice shall be given the membership prior to the nomination meeting. A nominating committee may be appointed or elected to make nominations, but whether or not such nominating committee is used, nominations shall be permitted from the floor at the nomination meeting. After initial elections of officers, all elections shall take place yearly in September beginning in 1982. To be eligible for office, a member must have been in good standing for at least one (1) year immediately preceding the election, provided, however, that for initial election of the new local, the one year good standing be waived. No retired member shall be a candidate for office.

Section 3. Officers shall be elected by secret mail ballot. Balloting shall be conducted by transmitting to all members in good standing a ballot, and providing two envelopes for the return thereof. One of the return envelopes shall be marked with the word "BALLOT" clearly indicated on the outside; the other shall contain the name of the person voting to be checked against the eligible members' register in the presence of tellers. The election committee shall act as tellers, and certify the results to the executive board. Balloting shall be conducted so as to provide a minimum of fifteen (15) days during which the votes may be cast and ballots returned, not later than 4:30 p.m. of the date specified on the ballot. After all eligible ballots have been received, they shall be tabulated and the candidate for each office receiving a majority of the votes cast shall be declared elected.

Section 4. All matters concerning nominations and elections in this local union shall be subject to the provisions of Appendix D, entitled Elections Code, of the International Union Constitution.

Section 5. Vacancies in office shall be filled for the remainder of the unexpired term by vote of the executive board.

Section 6. Every officer shall, upon assuming office, subscribe to the Obligation of an Officer contained in Appendix B of the International Union Constitution.

Section 7. No retired members shall be a candidate for delegate or alternate. Elections for delegates to conventions, negotiations, workshops, and other similar activities shall not require a majority of the votes cast.

## **Article VII Duties of Officers and Executive Board**

Section 1. The president shall preside at all meetings of the local union and of the executive board. The president shall be a member of all committees except election committees. The president shall countersign all checks drawn against the funds of the local. The president shall appoint all standing committees and all special committees of the local, subject to the approval of the executive board.

Section 2. The vice-president shall assist the president in the work of that office. In the absence of the president or in the president's inability to serve, the vice-president shall preside at all meetings and perform all duties otherwise performed by the president. The vice-president may, with the approval of the executive board, be authorized to act as co-signer of checks drawn on the funds of the local union in place of either the president and/or the treasurer. In addition, the vice-president shall serve as coordinator of all stewards.

Section 3. The secretary shall keep a record of the proceedings of all membership meetings, and of all executive board meetings. The secretary shall carry on the official correspondence of the local except as the executive board may direct otherwise, and shall be responsible for other duties as so required by the executive board.

Section 4. The treasurer shall receive and receipt for all monies of the local union.

The treasurer shall deposit all money so received in the name of the local union in a bank or banks selected by the membership. Money so deposited shall be withdrawn only by checks signed by the president (vice-president) and by the treasurer. The treasurer shall prepare and sign checks for such purposes as are required by the constitution or are authorized by the membership and/or the executive board. The treasurer shall prepare and submit the monthly membership report to the International Union office and see that a check is drawn in payment of the local union's per capita tax each month and sent to the Secretary-Treasurer of the International Union. The treasurer shall keep an accurate record of receipts and disbursements and shall, once each month, submit to the membership a monthly operating statement of the financial transactions for the previous month. The treasurer shall act as custodian of all properties of the local union. The treasurer shall, at the expense of the local union and through the International Union, give a surety bond for an amount to be fixed by the executive board of the local. The treasurer shall see that any financial reports required by the International Union Constitution to be submitted to the International Union are submitted in accordance with the International Union Constitution. The treasurer shall maintain the official list of the local.

Section 5. The trustees shall make or cause to be made at least semi-annually an audit of the finances of the local, including the finances concerning any health and welfare, pension, insurance or other benefit programs covering members of such local, and shall report to the membership on the results of such audit.

Section 6. The executive board shall be the governing body of the local union except when meetings of the local union are in session. All matters affecting the policies, aims and means of accomplishing the purposes of the local not specifically provided for in this constitution or by action of the membership at a regular or special meeting shall be decided by the executive board. The board shall meet at the call of the president or of a majority of the members of the board. A report on all actions taken by the executive board shall be made to the membership at the next following meeting. A majority of the members of the executive board shall be required for a quorum.

#### **Article VIII Miscellaneous Provisions**

Section 1. This local union shall at all times be subject to the provisions of the constitution of the American Federation of State, County and Municipal Employees.

Section 2. Except to the extent specified in this constitution, no officer of the local union shall have the power to act as agent for or otherwise bind the local union in any way whatsoever. No member or group of members or other person or persons shall have the power to act on behalf of or otherwise bind the local union except to the extent specifically authorized in writing by the president of the local union or by the executive board of the local union.

Section 3. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern this local union in all cases to which they are applicable and in which they are not inconsistent with this constitution and special rules of this local union or of the American Federation of State, County and Municipal Employees.

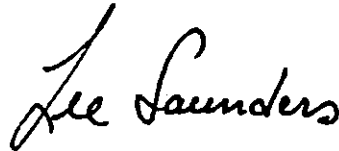
#### **Article IX Ratification of Agreements**

All collective bargaining contracts, memoranda of understanding, or any other agreements affecting members' wages, hours, or other terms and conditions of employment shall be presented to the membership for acceptance or rejection. All members shall have an equal right to vote and each vote cast shall have equal weight. A majority of the votes cast shall decide the issue.

**Article X  
Amendments**

This constitution may be amended, revised, or otherwise changed by a majority vote of the members voting on such proposed change and such change shall take effect only upon written approval of the International President. Proposed amendments to this constitution must be made at a regular or special meeting of the local union and read and voted on at a subsequent meeting of the local union, adequate and proper notice having been given to the membership prior to the date on which the vote is taken. A written copy of the proposed amendment shall be furnished to every eligible voter at the meeting at which the vote is taken.

Approved by:

A handwritten signature in black ink that reads "Lee Saunders". The signature is written in a cursive style with a large initial "L".

LEE SAUNDERS  
President

Approval date: November 1, 2016