

CONSTITUTION
OF THE
AFSCME RETIREE COUNCIL

ARTICLE I
NAME

The name of this organization shall be the AFSCME Retiree Council.

ARTICLE II
AFFILIATIONS

This organization shall be affiliated with the American Federation of State, County and Municipal Employees, AFL-CIO.

ARTICLE III
OBJECTIVES

The objectives of the AFSCME Retiree Council shall be to carry out the objectives of the American Federation of State, County and Municipal Employees, with particular emphasis on those objectives as they pertain to retired members of AFSCME.

ARTICLE IV
COMPOSITION AND REPRESENTATION

Section 1. The AFSCME Retiree Council shall be composed of the president or principal officer of each retiree chapter of AFSCME, who shall serve by virtue of that office, and such additional representation as any chapter may be entitled to receive by virtue of its membership in accordance with Section 2 of this Article.

Section 2. In addition to its president, each retiree chapter having more than 10,000 but not more than 25,000 members shall be entitled to one additional representative; each retiree chapter having more than 25,000 but not more than 50,000 shall be entitled to two additional representatives; and each retiree chapter having more than 50,000 members shall be entitled to three additional representatives.

Section 3. Each retiree chapter whose membership entitles it to receive representation on the Retiree Council in addition to its president shall select such additional representatives according to its own practices, procedures and customs.

Section 4. In the event a member of the Retiree Council who is serving ex-officio as a chapter president ceases to hold the office of chapter president, such member's seat on the Retiree Council shall be immediately vacated and shall be filled automatically by the newly elected president of such retiree chapter.

Section 5. In the event a vacancy occurs on the Retiree Council in a position which had been held by a member of a Retiree Chapter entitled to more

than one representative on the Council, who was designated by such Chapter to serve on the Council in addition to such Chapter's president, such vacancy shall be filled by that chapter according to its own procedures, customs and practices.

ARTICLE V MEETINGS

Section 1. Regular meetings of the Retiree Council shall be held once each year. In the even-numbered years, such meetings shall be held in conjunction with the AFSCME International Convention. In the odd-numbered years, such meetings shall be held during the month of June, unless some other time is determined to be more appropriate.

Section 2. Special meetings of the Retiree Council may be called by the AFSCME International President.

Section 3. The quorum for meetings of the Retiree Council shall be a majority of its membership.

Section 4. In the event that the president of a retiree chapter who is that Chapter's sole representative on the Retiree Council is unable to attend an Annual Meeting of the Council, such chapter shall be entitled to send an alternate to attend the Annual Meeting with voice and vote in place of its president and such alternate shall be selected by the chapter according to its own procedures, customs and practices.

Section 5. All matters affecting the policies, aims and means of accomplishing the purposes of the Retiree Council not specifically provided for in this constitution shall be decided by the Retiree Council: provided, that such decisions shall not be inconsistent with the established policies and other decisions of the AFSCME International Convention or International Executive Board.

ARTICLE VI OFFICERS AND ELECTIONS

Section 1. The officers of the AFSCME Retiree Council shall be a chair, a vice-chair and a secretary. These officers shall be elected for a term of two years in the even-numbered years at the meeting of the Retiree Council held in conjunction with the AFSCME International Convention.

Section 2. To be eligible for election to any of the offices provided for in Section 1 of this Article, a candidate must be a member in good standing of a retiree chapter or sub-chapter and a regular member of the Retiree Council who has served on the Retiree Council during each of the twelve consecutive months ending with the month in which the election is held. No more than one of the officers may be members of the same retiree chapter.

Section 3. Each member of the Retiree Council shall have the right to nominate a candidate for each of the offices provided for in Section 1 of this Article. If there is only one eligible nominee for any office, such nominee shall be declared elected. If there is more than one eligible nominee for any office, a secret ballot election shall be held among the members of the Retiree Council to elect such officer. A majority of the valid ballots cast for any office shall be required to elect, and, in the event no candidate receives a majority, a run-off election shall be held between the two candidates receiving the highest number of votes.

Section 4. In the event of a vacancy in the office of chair of the Retiree Council, the vice-chair shall fill such vacancy until the next regular meeting of the Retiree Council, at which the position shall be filled for the remainder of the unexpired term, or for a full term, as appropriate, through the procedures set forth in Section 3 of this Article. In the event of a vacancy in the office of vice-chair or secretary of the Retiree Council, the duties of that position shall be carried out, on a temporary basis, by the incumbent in the other position referred to in this sentence, and the vacancy shall be filled in accordance with the mail ballot procedure set forth in Section 5 of this Article: provided that, if such vacancy occurs within the ninety day period immediately preceding an annual meeting of the Retiree Council, the vacancy shall remain unfilled until such meeting, at which it shall be filled for the remainder of the unexpired term, or for a full term, as appropriate, through the procedures set forth in Section 3 of this Article.

Section 5. When a mail ballot election is required to fill a vacancy pursuant to Section 4 of this Article, such election shall be conducted as follows:

- a. Immediately after the occurrence of the vacancy, the chair of the Retiree Council shall send notice of the vacancy to each member of the Council advising them of the existence of the vacancy, their right to nominate a candidate to fill such vacancy and that such nominations must be submitted, in writing, to the chair of the Retiree Council, not later than fifteen days after the notice of the vacancy.
- b. After the expiration of the fifteen day period referred to in the preceding subsection, a determination shall be made as to whether there is more than one eligible nominee. If there is only one eligible nominee, such nominee shall be declared elected. If there is more than one eligible nominee, a secret ballot election shall be conducted by mail as set forth in subsection c of this Section.
- c. Immediately after it has been determined that there is more than one eligible nominee to fill the vacancy, a ballot shall be prepared listing the office to be filled and the names of the candidates nominated. Such ballot shall be mailed to each member of the Retiree Council along with a blank envelope into which the ballot is to be placed after it has been marked by the voter and a second, pre-addressed and postage paid envelope into which the first envelope containing the ballot is to be placed prior to mailing. The outer envelope shall also contain blanks on which the voters shall be required to print and sign their names. The instructions which accompany the ballots and envelopes shall advise each voter of the procedure to be used in completing the ballots and that the return ballots must be received by a date specified in the instructions which shall be not less than twenty nor more than thirty days after the date on which the ballots are sent out.

ARTICLE VII DUTIES OF OFFICERS

Section 1. The Chair shall:

- a. preside at all meetings of the Retiree Council.
- b. be a member of all committees except election committees.
- c. appoint all standing committees and all special committees of the Retiree Council, subject to the approval of the Council.
- d. report to the Retiree Council at each meeting regarding the progress and standing of the Council and the Chair's official acts.

Section 2. The Vice-Chair shall:

- a. assist the Chair in the work of the Chair's office.
- b. in the absence of the Chair or in the Chair's inability to serve, preside at all meetings and perform all duties otherwise performed by the Chair.

Section 3. The Secretary shall:

- a. keep a record of the proceedings of all Retiree Council meetings.
- b. carry on the official correspondence of the Retiree Council, except as the Council may direct otherwise.
- c. perform such other duties as the Retiree Council may require.

ARTICLE VIII
MISCELLANEOUS PROVISIONS

Section 1. The Retiree Council shall at all times be subject to the provisions of the Constitution of the American Federation of State, County and Municipal Employees and the decisions of the AFSCME International Executive Board.

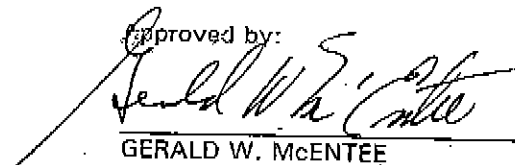
Section 2. Except to the extent specified in this Constitution, no officer of the Retiree Council shall have the power to act as agent for or otherwise bind the Retiree Council in any way whatsoever. No member or group of members or other person or persons shall have the power to act on behalf of or otherwise bind the Retiree Council except to the extent specifically authorized in writing by the Retiree Council or the AFSCME International Executive Board.

Section 3. *Robert's Rules of Order, Newly Revised*, shall be the guide in all cases to which they are applicable and in which they are not inconsistent with this constitution and special rules of the Retiree Council or of the American Federation of State, County and Municipal Employees.

ARTICLE IX
AMENDMENTS

This constitution may be amended, revised, or otherwise changed by a majority vote of the members of the Retiree Council 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 submitted in writing to the secretary at least ninety days prior to an annual meeting of the Retiree Council and distributed to each member of the Retiree Council at least sixty days prior to such meeting: provided, that any proposed amendment which has not been so submitted and distributed may be adopted by a two-thirds vote of the Retiree Council.

Approved by:


GERALD W. McENTEE
International President

Date

9/25/95