

Constitution

for

Illinois Public Employees Council Number 31

Preamble

Workers organize labor unions primarily to secure better wages and better working conditions. We hold that they also organize in order to participate in the decisions which affect their work. One of the fundamental tenets of democratic government is the consent of the governed. Unions are an extension of that idea. Union members are both workers and citizens.

Collective bargaining is an expression of citizenship in employment. Participation in the political life of the nation is but another aspect of that citizenship. In the same way that unions are dedicated to the improvement of the terms and conditions of employment, we are equally dedicated to exert ourselves, individually and collectively to fulfill the promise of American life.

For unions, the workplace and the polling place are inseparable, and the exercise of the awesome rights and responsibilities of citizenship are equally required at both.

Unions are under a solemn obligation: to represent members forcefully and effectively in negotiations with management and to conduct internal union affairs according to democratic standards.

Therefore, we the delegates assembled in official convention of the Illinois Public Employees Council Number 31, of the American Federation of State, County and Municipal Employees, hereby adopt this constitution and this bill of rights.

Bill of Rights

The Bill of Rights for Union Members contained in the constitution of the International Union shall be the Bill of Rights for this council.

Article I

Name and Headquarters

Section 1. The name of this organization shall be Illinois Public Employees Council Number 31 of the American Federation of State, County and Municipal Employees, AFL-CIO.

Section 2. The headquarters of this council shall be located in Springfield, Illinois.

Article II

Affiliations

This council shall be chartered by the American Federation of State, County and Municipal Employees and shall affiliate with the Illinois Federation of Labor and Congress of Industrial Organizations.

Article III

Objectives

Section 1. The objectives of this council shall be to carry out, on a statewide basis, the objectives of the American Federation of State, County and Municipal Employees.

Section 2. The specific objectives of this council shall be as follows:

- B. The per capita tax rate for any local paying less than its maximum council per capita tax rate shall increase by two cents per member per month for each dollar per month wage increase received by a majority of the members of such local as a result of a negotiated general wage increase or the amount provided in accordance with Article IX, Section 6, of the International Constitution, whichever is greater, until such time when the local union reaches its maximum.
- C. Any increase in per capita tax pursuant to paragraph B, above, shall become effective when a majority of the members from such local receive the wage increase upon which the per capita tax increase is based.
- D. For the purposes of paragraph B, above, any percentage wage increase or other variable wage increase within a local shall be averaged across the membership of such local or across the contract covering the majority of the members of more than one local to determine the average amount per month by which the wages of members of such local(s) have increased.
- E. The minimum per capita tax for newly chartered locals whose average wage is \$15 an hour or less, with the exception of paragraph G below, shall be the minimum council per capita tax permitted by the International Constitution. This rate will be adjusted annually in accordance with Article IX, Section 6, of the International Constitution with the resulting amount rounded up to the nearest five cents. Local unions organized after January 1, 2014, whose members' average wages exceed \$15 per hour shall pay a council per capita tax mid-way between the minimum council per capita tax permitted by the International Constitution and the maximum Council 31 per capita tax in the month that the local union first pays per capita tax.
- F. Any newly chartered local whose membership is covered by an existing contract shall pay the per capita tax rate being paid by those local(s) covered by that contract.
- G. Local unions whose members' average hourly wage is \$15 an hour or less must submit a certification annually to the President/Director in April for the preceding twelve-month period containing the average wage data on which the certification is based. The President/Director shall promptly act on such certification and notify each applying local union of the determination as to its eligibility for the reduced per capita tax rate. Any local which loses its eligibility for the reduced rate under this paragraph shall have its per capita tax rate adjusted to the applicable rate as set forth in Section 2. Such adjustments shall be effective the July 1 immediately following the month of April in which certification was filed or due to be filed and shall remain in effect until it is determined the local qualifies for the reduced rate.
- H. Each local union whose members are covered by a fully enforced agency shop agreement and whose local union's percentage of membership is not more than five (5) percent less than the average percentage of membership for all locals having such agreements or which has as members more than ninety percent (90%) of the employees within its jurisdiction shall receive a rebate on its per capita tax in an amount equal to one dollar (\$1.00) per member per month, provided that in order to be eligible for this rebate for any year, a local must be in compliance with Section 3 of this article. The President/Director shall promptly notify each local union of the determination of its eligibility for the rebate. Any local which loses its eligibility for the rebate shall have its per capita tax rate adjusted to the applicable rate in Section 2, paragraph A or Section 2, paragraph E, sixty (60) days from the date of being informed of its ineligibility unless the local union re-qualifies for such rebate within such sixty (60) day period. The rebate provided for in this section may be temporarily suspended by the Council Executive Board if it determines that the funds which would otherwise be rebated are needed for the purpose of providing strike assistance or paying insurance for members on strike or for maintaining the council's ability to deliver its normal

Article V
The Convention

Section 1. All sovereign power of this council shall be vested in the council convention when the same is in session.

Section 2. Regular conventions shall be held once each odd-numbered year. The time and place for the holding of the convention shall be set by the Council Executive Board; provided, however, that the convention shall begin between the first day of September and the last day of November.

Section 3. Special conventions may be called at any time and upon thirty days' notice by the Council Executive Board. One-third of the affiliated locals can, by resolution properly adopted and forwarded to the Council President/Director compel the calling of a special convention, for the purpose or purposes set forth in the resolution. A special convention can also be called by the International President or the International President's authorized representative.

Section 4. The basis of representation at any convention shall be the average number of members on which per capita tax was actually paid to the council by each affiliated local union for the twelve-month period ending with the fourth full month prior to the opening of the convention. In the case of any local organized or affiliated after the beginning of the twelve-month period, the basis of representation shall be the average number of members on which per capita tax was actually paid to the council for the full number of months for which per capita tax has been paid. In the case of local unions which represent school district or university employees, a majority of whom work only during the academic year, the basis of representation shall be the average number of members on which per capita tax was actually paid to the council each month during the academic year in the twelve month period ending with the fourth full month prior to the opening of the convention.

Section 5. Locals shall be entitled to delegates on the basis of membership as follows:

100 or fewer, one delegate
more than 100 but not exceeding 200, two delegates
more than 200 but not exceeding 300, three delegates
more than 300 but not exceeding 400, four delegates
more than 400, one additional delegate for each 1,000
additional members or fraction thereof.

No delegate may represent or vote on behalf of any local except the local of which such delegate is a member. Local unions may elect one alternate for every delegate.

Section 6. Regardless of the number of delegates, locals shall be entitled to vote on the basis of one vote for each member or fraction thereof. Locals entitled to more than one delegate may send fewer than their quota of delegates and the delegates present may cast the entire vote of the local on all recorded votes and elections coming before the convention. The number of votes shall be divided equally among the delegates, with any remaining votes to be cast by the chairperson of the delegation, as designated by the local. No fractional votes shall be permitted.

Section 7. Each delegate must be a member in good standing of the local such delegate represents. Any member of the Council Executive Board who is not elected as a delegate representing a local union shall nevertheless be entitled to all the rights and privileges of a delegate except the right to vote.

Section 8. At least sixty days prior to each regular convention, the Council Secretary shall send to each local a copy of the convention call, accompanied by the appropriate number of credential forms. In the case of a convention at which election of officers is to take place, this shall be indicated in the convention call.

Section 4. The Chairperson and the Co-Chairpersons, in the case of the State Employees Conference Board, of each of the Conference Boards hereinafter established shall, by virtue of election to such chair, serve as a member of the Council Executive Board. No person can serve simultaneously as an officer at-large or regional Vice-President and as a Conference Board Chairperson or Co-Chairperson, except that the Executive Vice-President from the university sector, the Executive Vice-President from the local government sector, and the Executive Vice-President from the private public service worker sector shall by virtue of office serve as chairpersons of their respective conference boards.

The State Employees Conference Board shall have three Co-Chairpersons, no two of whom may be employed within the same bargaining unit.

Section 5. Nominations and elections of the Conference Board Chairperson or Co-Chairpersons shall take place at the regular convention. The Conference Board Chairperson or Co-Chairperson shall be nominated and elected by delegates representing local unions within the jurisdictions of each of the Conference Boards. In any situation where a local union is represented in the jurisdiction of two or more Conference Boards, the votes of said local union shall be divided on a basis proportionate to the membership in each of the Conference Boards. The term of office for Conference Board Chairpersons or Co-Chairpersons shall be four years.

Section 6. To be eligible for office, a member must be in good standing for one year immediately preceding the election in a local union properly affiliated with this council or in the case of a newly established local, must be a charter member of said local. No retired member shall be a candidate for office, nor shall any member who retires continue to serve in office beyond his/her retirement date, except as provided for in Section 12 of this article. No full-time staff employee of the International Union or any subordinate body shall be a candidate for any office except for the office of President/Director.

Section 7. All matters concerning nominations and elections in this council shall be subject to the provisions of Appendix D, entitled Election Code, of the International Union Constitution.

Section 8. Every officer shall, upon assuming office, subscribe to the Obligation of an Officer contained in Appendix B of the International Constitution.

Section 9. All vacancies in office shall be filled by vote of the executive board. Vacancy of a regional Vice-President must be filled from that region where the vacancy occurs and based upon the requirements of Section 3 of this article. Vacancies among the conference board chairpersons or co-chairpersons serving on the Council Executive Board shall be filled by a person otherwise eligible to serve in such office.

Section 10. Should any officer be absent from three consecutive executive board meetings without excuse acceptable to the board, that office shall be declared vacant and filled in accordance with this constitution.

Section 11. The Council Executive Board shall be composed of: the President/Director, three Executive Vice-Presidents, Secretary, Treasurer, Conference Board Chairpersons, or Co-Chairpersons, and the regional Vice-Presidents.

Section 12. The President of Retiree Chapter 31 shall, by virtue of office, be a member of the Council 31 Executive Board with full voice and vote.

Article VII Duties of the Officers

Section 1. The President/Director shall preside at all meetings of the executive board and all conventions. The President/Director shall, subject to approval of the executive board, appoint all standing and special committees of the council. The President/Director shall be a

- G. By virtue of election, serve as the council's delegate to conventions of the International Union and to conventions of all other bodies with which this council is affiliated.
- H. Carry out such other duties as are provided in this constitution or the executive board may direct.

Section 6. The executive board of the council shall be the governing body of the council between conventions. All matters affecting the policies, aims and means of accomplishing the purposes of the council not specifically provided for in this constitution or by action of the convention shall be decided by the executive board. The executive board shall meet not less often than quarterly, at the call of the President/Director or of a majority of the members of the board. A report of all actions of the board shall be made at each convention. A majority of the members of the executive board shall be required for a quorum.

Article VIII Standing and Special Committees

Section 1. The executive board is empowered to establish a PEOPLE Committee structure to: (1) promote the legislative program of this council; (2) organize and promote voter registration and get-out-the-vote campaigns; and (3) encourage the highest possible degree of membership participation in support of candidates for office favorable to the goals of this council. The PEOPLE Committee is authorized to solicit and accept voluntary contributions from AFSCME members for use in political campaigns and, in so doing, shall act in partnership with the PEOPLE Committee of the International Union.

Section 2. Standing or special committees shall be appointed by the council President/Director, subject to the approval of the Council Executive Board. In making such appointments, due consideration shall be given to providing representation to the several regions and/or, where appropriate, to representation by local unions having particular interests in the subject matter assigned to a particular committee.

Article IX Conference Boards

Section 1. There are hereby established four conference boards as follows:

- A. Local Government Employees Conference Boards
- B. State Employees Conference Board
- C. University Employees Conference Board
- D. Private Sector Public Service Workers

The University Employees Conference Board shall consist of the representative(s) of each local union having members employed by any university institutions of higher learning or other appropriate educational employees may be represented on the University Conference Board subject to Section 2 of this Article.

The Local Government Employees Conference Board shall consist of the representative(s) of each local union having members employed in any local government entity, including local school boards.

The Local Government Employees Conference Board shall have a standing committee for: 1) local unions with members employed by local school boards. Said committee shall be comprised of Local Government Employees, Conference Board representatives employed by local school boards; and, 2) local unions with members employed by units of local government,

recommendation of bargaining goals; the establishment and recommendation of standard contract provisions; the exchange of information regarding the settlement of grievances; mutual assistance in organizing, servicing, and bargaining; and, where appropriate, joint bargaining with a common employer.

Memoranda of understanding and supplemental agreements governing collective bargaining agreements affecting the State Civil Service Employees Conference Board when negotiated during the terms of a contract shall be subject to ratification by the board or appropriate committee selected in accordance with the board's procedures.

Article X Miscellaneous Provisions

Section 1. This council 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 this council shall have the power to act as agent for or otherwise bind the 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 council except to the extent specifically authorized in writing by the President/Director of the council or by the executive board of the council.

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 this local union or of the American Federation of State, County and Municipal Employees.

Article XI Amendments


Section 1. This constitution may be amended by proposals properly introduced at the convention and approved by a two-thirds vote of the convention. Such proposals shall be submitted, in writing, to the Secretary of the council at the council headquarters, not later than ten days prior to the opening of the convention. No proposal to amend the constitution can thereafter be introduced except by permission of two-thirds of the convention.

Section 2. Any proposed amendment, which is submitted to the Council Secretary at least forty-five days prior to the opening of the convention shall be reproduced in full and mailed to each affiliated local union not later than thirty days prior to the opening of the convention, and any proposed amendment which is so introduced and distributed may be approved by a majority of the convention.

Section 3. The Council Executive Board shall review and make a recommendation to the convention on any proposal to amend the constitution.

Section 4. Any amendment approved by the convention shall be immediately submitted to the International President and such amendment shall take effect only upon written approval of the International President.

Approved by:



LEE SAUNDERS
President

Approval date: November 1, 2013