

**WISCONSIN  
PROFESSIONAL  
EMPLOYEES COUNCIL  
LOCAL 4848**

***CONSTITUTION & BYLAWS***

*Founded 1993*

**As Amended – May 01, 2010**

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# **WPEC CONSTITUTION & BYLAWS**

## **CONSTITUTION**

### **ARTICLE I NAME**

**Section 1:** The name of this Union shall be the Wisconsin Professional Employees Council, AFT-W, AFT, AFL-CIO (WPEC).

**Section 2:** The headquarters of the Union shall be in Dane County, Wisconsin, as designated by the Executive Council.

### **ARTICLE II AFFILIATIONS**

**Section 1:** This local Union shall be affiliated with AFT-Wisconsin (AFT-W); the American Federation of Teachers (AFT) - Public Employees; and the AFL-CIO.

### **ARTICLE III OBJECTIVES**

**Section 1:** The objectives of the Union shall be:

- a) To promote the welfare of all state employees in general and members of the Fiscal and Staff Services bargaining unit in particular.
- b) To pursue fair and improved wages, hours and working conditions for Fiscal and Staff Services employees.
- c) To promote just and equitable hiring and promotional practices based on responsibilities, professional excellence and professional requirements.
- d) To promote objective methods of judging meritorious service.

- e) To raise the standards of the public employee profession and to promote the use of the best management practices in State government.
- f) To advance and protect the integrity of efficient, honest government in Wisconsin.
- g) To bring the locals of AFT-W into a relationship of mutual assistance and cooperation with each other and with organized labor.
- h) To pursue the objectives of the Union by all lawful means including collective bargaining, cooperation with all elected state officials, supporting legislation, affiliation with other employee organizations, litigation and promulgation of information about the membership of WPEC.

## **ARTICLE IV MEMBERSHIP**

**Section 1:** Regular membership shall be available to members of the Fiscal and Staff Services bargaining unit of State of Wisconsin employees and members of the Fiscal and Staff bargaining unit of the University of Wisconsin Hospital and Clinics Authority (hereinafter: UWHCA). Any person so employed whose employment has been terminated and who has a grievance pending concerning the termination shall continue to be eligible for regular membership in the Union.

**Section 2:** Regular members of the Union who are no longer eligible to continue regular membership, due to retirement from State service, retirement from the UWHCA or leave of absence, shall be admitted, upon application, as associate members without voting rights.

**Section 3:** Individuals outside the jurisdiction of either fiscal and staff bargaining unit shall be admitted, upon approval by the WPEC Executive Council, as associate members without voting rights. The Executive Council shall draft and publish guidelines which it shall follow in approving the admission as associate members of individuals who are outside the jurisdiction of either fiscal and staff bargaining unit who request membership.

**Section 4:** Application for membership shall be made in the manner and form prescribed by the Executive Council.

**Section 5:** No person otherwise eligible for membership in this Union shall be denied membership on the basis of race, creed, color, national origin, gender, political belief, disability or sexual orientation.

**Section 6:** Dues for members shall be assessed as defined in the By-laws of the Union. Dues are to be obtained through payroll deductions, whenever possible, as provided by State law and by agreement with the UWHCA. Dues not obtainable through payroll deduction shall be collected in the manner and form prescribed by the Executive Council. Dues shall increase automatically in an amount equal to any increase in per-capita payments required by the AFT-W and AFT at the time such increases occur.

## **ARTICLE V OFFICERS**

**Section 1:** The officers of this Union shall be President, Vice-President, Treasurer, Recording Secretary and Membership Secretary. Each of the officers shall sit on the Executive Council. All elected officers of the Union shall be bonded, and the costs of bonding the officers shall be borne by the Union.

**Section 2:** The duties of the President shall be as follows:

- a) Act as the chief executive officer of WPEC.
- b) Preside, when present, at the Convention and meetings of the Executive Council.
- c) Sign all necessary papers and documents on behalf of WPEC and share with the Treasurer the power to sign and endorse checks and make deposits.
- d) Call regular and special meetings of the Convention and the Executive Council.
- e) Make a report to the membership at least once each year, summarizing the past year for WPEC and outlining plans for the next year.
- f) Maintain communication with AFT-W staff representatives, AFT-W officers, the AFT-W Executive Board and AFT.

- g) With the approval of the Executive Council:
  - 1) Appoint the Bargaining Team.
  - 2) Appoint the members of all other standing and ad hoc committees except the Bargaining Support Committee from a pool of regular members who volunteer for such committees. Only stewards are eligible to serve on the Stewardship and Grievance Committee.
  - 3) Appoint Bargaining Support Committee members for classification groups where no one was elected to serve on the Bargaining Support Committee.
- h) Serve as an ex-officio member of all committees, except Audit and Election.
- i) Serve as a delegate to any council meeting, conference or convention that allows for a WPEC representative or appoint such representative. If there will be a cost to the Union, such costs are required to be approved by the Executive Council.
- j) Perform other duties as designated by the Executive Council and exercise such powers as are incidental to the office.
- k) Report to the annual convention on the disposition of resolutions passed at the previous convention.

**Section 3:** The duties of the Vice-President shall be as follows:

- a) Assume the duties and office of the President in the event the President permanently vacates the office of President.
- b) Perform all duties of the President in the absence or disability of the President.
- c) Assist the President as requested by the President.
- d) In the absence of the President, sign all necessary papers and documents on behalf of WPEC and share with the Treasurer the power to sign and endorse checks and make deposits.
- e) Perform other duties as designated by the Executive Council.

**Section 4:** The duties of the Recording Secretary shall be as follows:

- a) Record (or arrange for recording), compile, maintain and distribute all minutes of Executive Council, Convention, committee meetings and district meetings within WPEC.

- b) Maintain all official WPEC records and documents.
- c) Process all official WPEC correspondence.
- d) Issue the call for all annual and special Conventions.
- e) Serve as acting President during the simultaneous absence or disability of the President and Vice-President.
- f) Take care and custody of the seal and charter of WPEC.
- g) Serve on the Communications Committee.
- h) Perform other duties as designated by the Executive Council.

**Section 5:** The duties of the Membership Secretary shall be as follows:

- a) Maintain membership and bargaining unit records.
- b) Prepare and submit a monthly membership report to the Executive Council.
- c) Assist the Treasurer in preparing a monthly per-capita membership report to AFT-W and AFT.
- d) Mail new member packets to all employees who have become members of WPEC.
- e) Serve on the Membership Committee.
- f) Perform other duties as designated by the Executive Council.

**Section 6:** The duties of the Treasurer shall be as follows:

- a) Supervise the collection of dues of membership, including working with state agencies to effectuate automatic dues deductions.
- b) Receive and maintain all money, property and securities of the Union.
- c) Deposit all money and securities in the name of the Union in a financial institution as designated by the Executive Council.

- d) Keep accurate records of all receipts and disbursements.
- e) Serve on the Budget Committee.
- f) Share with the President the power to sign and endorse checks and make deposits.
- g) Prepare and submit a monthly financial report to the Executive Council and an annual report to the Convention.
- h) Call for the Audit Committee to convene annually and cooperate in providing that committee with all necessary information. The Treasurer may not be a member of the Audit Committee.
- i) Make timely payment of all bills authorized by the adopted budget of the Union and the Constitution. Expenses not so authorized must be approved by the Executive Council.
- j) Submit a monthly per-capita membership report to AFT-W and AFT, in the manner and form required by AFT-W and AFT, and make timely payment of all per-capita affiliation fees due to all national and state affiliates of WPEC and the South Central Federation of Labor, AFL-CIO.
- k) Prepare and file in a timely manner, any and all appropriate tax returns on behalf of WPEC.
- l) Perform other duties as designated by the Executive Council.

**Section 7:** A vacancy in an office other than President during the term of the officer will be filled by appointment of the Executive Council for the length of the unexpired portion of the term.

**Section 8:** In order to serve as an elected officer in the Union, a person must have a dues authorization card on file with the Union for at least one month before the date that the ballots are counted.

## **ARTICLE VI ELECTION OF OFFICERS**

**Section 1:** The election of officers shall take place in even numbered years by secret ballot at the annual Convention. Candidates for office may only be nominated by regular members.



**Section 2:** The Election Committee shall have general responsibility for the conduct of elections in accordance with this Constitution. Any challenge concerning the eligibility of any nominee shall be referred to the Election Committee for decision, and the decision shall be reported to the Executive Council prior to the election. The Election Committee shall also report, as expeditiously as possible, the results of the balloting, together with recommendations regarding any protests which have been lodged regarding the conduct of an election. No member of the Election Committee may be a candidate for office.

Not less than ~~fifteen (15)~~ ninety (90) days prior to the annual Convention, a notice of the nominations and elections shall be mailed to each regular member at the member's last known address. Nominations may be made at a regular or special Convention, may be made by the petition of any 10 regular members up to 30 days prior to the convention, nominations for president shall require the petition of 20 regular members. Those nominated shall be afforded the opportunity to decline, and the name of any nominee who declines shall not appear on the ballot. Write-in votes shall not be valid for any purpose.

In any case where there is only one nominee for office, such nominee shall be declared elected. In all other cases, election shall be by secret ballot.

Any candidate whose name is to appear on the ballot shall have the right to have present an official observer of the candidate's own choosing, who must be a regular member of the Union, in all places where ballots bearing the candidate's name are to be cast or counted.

Upon completion of the voting, the ballots shall be tabulated and the candidate for each office receiving a majority of the votes cast for that office shall be declared elected. Those elected shall be installed in office upon adjournment of the convention.

Any regular member may challenge the eligibility of any nominee by filing such challenge with the Election Committee prior to the holding of the election. The Committee shall make a determination regarding the challenge, and shall report its ruling to the Executive Council. The Executive Council shall either accept or reject the ruling of the Election Committee prior to the election.

Any protest concerning the conduct of an election may be lodged at the meeting at which the election is conducted or by filing such protest in writing with the Executive Council within ten (10) days following the election. Such protests shall be decided by the Executive Council not later than thirty (30) days after the filing of the protest.

If the Executive Council determines that there were violations which may have affected the outcome of the election, it may order such election or any part thereof set aside, and a new election held. Any officers who have been installed prior to such determination shall remain in office pending the outcome of any new election or a future appeal.

**Section 3:** Elected officers shall serve two-year terms of office. No officer may hold the same office for more than five (5) consecutive terms.

**Section 4:** Each officer shall be elected by a majority of the total votes cast for all duly nominated candidates. If no candidate receives a majority of the vote, a secret ballot run-off election ~~shall~~ will be held between the candidates receiving the two (2) top two vote-getters by secret ballot vote totals. The winning candidate must achieve a majority of the run-off ballots cast, ~~for the top two vote-getters~~, and voting must continue until that result is reached.

**Section 5:** Removal of an officer:

- a) Removal of an officer for neglect of duty, malfeasance in office or misappropriation of funds may be initiated by any regular member by circulating a petition among the regular membership. The petition shall state the alleged offense committed by the officer. The petition must be signed by at least ten percent of the regular membership and shall be filed with the Chair of the Election Committee.
- b) Upon receipt of a valid petition as described in subsection (a) above, the Election Committee shall schedule and conduct a special election by mail ballot regarding the removal of the officer. Removal of the officer will not be effective unless at least two-thirds of those voting in the special election vote to remove the officer. The Election Committee shall certify the results of the special election to the Executive Committee.

## ARTICLE VII DISTRICTS AND DISTRICT REPRESENTATIVES

**Section 1:** For the purpose of selecting district representatives, providing representation to all members of WPEC and other purposes within this Constitution and as designated by the Executive Council, the State shall be divided into seven districts. A regular member is in the district which covers his or her work address. The districts are defined as follows:

- a) District 1: Western - State facilities in Barron, Buffalo, Burnett, Chippewa, Crawford, Douglas, Dunn, Eau Claire, Jackson, La Crosse, Monroe, Pepin, Pierce, Polk, St. Croix, Trempealeau, Vernon and Washburn Counties
- b) District 2: North Central - State facilities in Adams, Ashland, Bayfield, Clark, Florence, Forest, Iron, Juneau, Langlade, Lincoln, Marathon, Marquette, Oneida, Portage, Price, Rusk, Sawyer, Taylor, Vilas, Waushara and Wood Counties.
- c) District 3: Fox Valley - State facilities in Brown, Calumet, Dodge, Door, Fond du Lac, Green Lake, Kewaunee, Manitowoc, Marinette, Menominee, Oconto, Outagamie, Shawano, Sheboygan, Waupaca and Winnebago Counties.
- d) District 4: (Reserved)
- e) District 5: Milwaukee and Southeast - State facilities in Milwaukee, Jefferson, Kenosha, Ozaukee, Racine, Walworth, Washington and Waukesha Counties.
- f) District 6: State facilities in Columbia, Dane, Grant, Green, Iowa, Lafayette, Richland, Rock and Sauk Counties and all state offices located outside of the State of Wisconsin.
- g) District 7: All WPEC-represented employees at the UWHCA.

**Section 2:** Each district shall hold an annual meeting between 30 to 60 to 90 days before the annual Convention. The district representative shall chair the annual meeting. At such meeting, in even-numbered years, those present shall elect a district representative by secret ballot. Candidates for district representation may only be nominated by regular members. Procedures for elections shall be made in accordance with Article VI, Section 2-, except that nominations shall be made not less than seven days before the annual district meeting, and petitions for nomination are not required. The person receiving a majority of votes cast shall be elected district representative for that district. If no candidate receives a majority, a secret ballot run-off election ~~shall~~ will be held between the ~~two~~ candidates ~~who receive~~ receiving the greatest number of two (2) top votes totals. The winning candidate must achieve a majority of run-off ballots cast. Those elected shall be installed in office upon adjournment of the convention.

**Section 3:** In the event of a vacancy of a district representative seat on the Executive Council, the seat will be filled by a special election as called by the Executive Council for the unexpired portion of the term. If such election fails to elect a representative, then the President, with the approval of the Executive Council, shall appoint a qualified member to serve for the unexpired portion of the term.

**Section 4:** District representatives shall serve two-year terms. No district representative may hold the same seat for more than five (5) consecutive terms.

**Section 5:** In order to serve as a district representative, a person must have a dues authorization card on file with the Union for at least ~~one month~~ 30 days before the date of the annual district meeting.

**Section 6:** Nothing in the above shall be construed as restricting the establishment of chapters within each district for the purpose of improving representation of the membership and improving communication within the Union. Recognition of chapters shall be recommended by the appropriate district representative to the Executive Council for their approval.

## **ARTICLE VIII THE EXECUTIVE COUNCIL**

**Section 1:** All members of the Executive Council shall be regular dues-paying members. If a member of the Executive Council leaves the jurisdiction of WPEC, that Executive Council position shall immediately become vacant.

**Section 2:** The Executive Council shall consist of the following:

- a) The officers of the Union: President, Vice-President, Treasurer, Recording Secretary and Membership Secretary.
- b) One district representative for each District described in Article VII, Section 1.
- c) Six council members elected at-large.
- d) Any regular member not named above who represents WPEC on the Executive Board of AFT-W or AFT, who shall serve in an ex-officio capacity without voting rights.

**Section 3:** The Executive Council shall be the governing body of this Union when the Convention is not in session. All matters affecting the policies, aims and means of accomplishing the purposes of this Constitution not specifically provided for in this Constitution or by action of the Convention shall be decided by the Executive Council.

**Section 4:** The Executive Council shall meet at least bi-monthly and at the call of the President. A majority of the voting members of the council shall constitute a quorum to conduct business.

**Section 5:** At-large council members shall be elected at the annual Convention in even-numbered years by secret ballot. Candidates for at-large seats may only be nominated by regular members. The ballot shall list all those names placed in nomination for the at-large seats. Each delegate member may vote for six candidates. The six candidates who receive the greatest number of votes shall then be elected to the at-large seats. In case of a tie for the sixth seat, a secret ballot run-off election will be held among the tied candidates. The run off voting must continue until the six candidates receiving the greatest number of votes are determined. Those elected shall be installed in office upon adjournment of the convention.

**Section 6:** At-large council members shall serve two-year terms. If a vacancy occurs during the term of an at-large council member, the President, with the approval of the Executive Council, shall appoint a qualified member to serve the unexpired portion of the term.

**Section 7:** In order to serve as an at-large council member, a person must have a dues authorization card on file with the Union for at least ~~one month~~ 30 days before the date that the ballots are counted.

## ARTICLE IX THE CONVENTION

**Section 1:** A Convention shall meet annually at a time and place to be selected by the Executive Council, for the specific purpose or purposes which shall be clearly defined in the call to the Convention.

**Section 2:** A special Convention may be called for a specific purpose by petition signed by at least ~~40 percent of the elected delegates~~ 10 percent of the regular membership, clearly defining the specific purpose of the special Convention. The petition shall be submitted to the Election Committee for verification. When verified, the Executive Council must call the Convention. The special Convention shall be conducted no later than 60 days after the submission of the petition. The convention call shall be issued no later than 30 days prior to the set date of the special Convention.

~~**Section 3:** Each district shall be entitled to send delegates to any annual or special Convention. A maximum of one delegate and one alternate shall be allowed for every ten regular members or fraction thereof in the district.~~

**Section 4:** ~~Each district delegation shall have one vote for every regular member in the district. The votes allocated to each district shall be split evenly among the delegates present at the time of voting. Extra votes shall be assigned by lots, with no delegate getting more than one of the additional votes.~~

**Section 5:** ~~Delegates shall be elected at the annual district meetings described in Article VII, Section 2. The elections shall be conducted in the manner and form established by the Election Committee. Delegates so elected shall serve for all annual and special Conventions until the next annual district meeting.~~

**Section 63:** A majority of ~~elected delegates~~ the total number of registered members in attendance at the opening of the Convention shall constitute a quorum to conduct business at any Convention.

**Section 74:** Delegates to the AFT-W Convention shall be elected by the ~~delegates~~ members at the WPEC Convention ~~on an at large basis~~ in the number allocated by the AFT-W Convention. Nominations for WPEC delegates to the AFT-W Convention shall be made at the WPEC Convention.

Delegates to the AFT Convention shall be elected in even numbered years by the members present at the WPEC Convention in the number allocated by the AFT Constitution. Nominations for WPEC delegates to the AFT Convention shall be made 30 days prior to the WPEC Convention.

## **ARTICLE X BARGAINING**

**Section 1:** Sections 2 through 8 below establish the structure for WPEC bargaining with the State of Wisconsin on behalf of state employees. Section 9 establishes the structure for WPEC bargaining with the UWHCA for employees of the UWHCA.

**Section 2:** The President shall solicit volunteers to serve as Classification Representatives for each classification in the bargaining unit.

The classification representatives shall serve as liaisons to the Bargaining Support Committee and the Bargaining Team on all issues relevant to collective bargaining for their respective classifications.

**Section 3:** The Bargaining Support Committee is a group drawn from the classification representatives. The Executive Council shall divide the classifications into 20 to 30 groupings, taking into consideration the similarities, needs and geographic location of the various classifications. The classification representatives from each grouping will then chose one of their number to serve as a member of the Bargaining Support Committee. Bargaining Support Committee members shall be elected and shall serve until the end of the bargaining cycle.

**Section 4:** The Bargaining Support Committee shall have the following duties and responsibilities:

- a) Survey the membership and tabulate the results;
- b) Identify and prioritize issues;
- c) Develop initial bargaining proposals;
- d) Communicate with the membership;
  - 1) Receive and act on reports of matters concerning the bargaining process; and
  - 2) Keep the regular membership informed on the status of negotiations.
- e) Vote on the recommendation of the tentative agreement.

**Section 5:** Tentative agreement on an entire contract can be achieved only by a majority vote of the Bargaining Team. Once such a tentative agreement (on a contract) is reached, it will be presented to the Bargaining Support Committee. The Bargaining Support Committee by majority vote will recommend to the membership either accepting or rejecting the tentative agreement. The Bargaining Support Committee shall then report to the entire regular membership regarding its recommendation and the reasons therefore. The report to the entire regular membership shall include any minority report opposing the recommendation, if one is submitted by any member of the Bargaining Support Committee. Any minority report(s) shall include the names of all those making the minority report(s) and shall be clearly labeled as a minority report(s).

**Section 6:** The contract shall be ratified by a simple majority of the members voting in a ratification election cast by a secret ballot by mail. Procedures in the By-Laws will insure a secured ballot. Information for the purpose of explaining the tentative agreement will be made available to all members once the tentative agreement and ballots have been mailed to members.

All contract changes and the majority / minority reports of the Bargaining Support committee along with the ballots shall be sent by U. S. mail to the last known home address of each regular member at least 15 days prior to the date determined to be the final date to be received. The ballots will be tabulated by the Election Committee at the WPEC office no later than 5 days after that final date.

**Section 7:** The Bargaining Team is the group of at least twelve (12) regular members who will go to the bargaining table to negotiate contracts with the State. The members of the Bargaining Team shall be chosen by the President, with the approval of the Executive Council. Before choosing the Bargaining Team, the President shall provide an opportunity for all regular members to identify their interest in serving on the Bargaining Team and to describe any of their relevant skills.

**Section 8:** Bargaining for WPEC-represented employees of the UWHCA shall be conducted by a Bargaining Team consisting of WPEC members employed by the UWHCA. The Bargaining Team shall be appointed by the President, with the approval of the Executive Council. The Bargaining Team shall have the same duties and responsibilities of the Bargaining Team and Bargaining Support Committee for state employees, as described above. Ratification of a contract with the UWHCA shall be by a simple majority vote of those WPEC members employed by the UWHCA voting in a ratification election cast by secret ballot.

## **ARTICLE XI COMMITTEES**

**Section 1:** All members of standing and ad hoc committees (except the Bargaining Support Committee, as outlined in Article X, Section 3) shall be appointed by the President from a pool of regular members who volunteer for such committees, except only stewards are eligible to serve on the Stewardship and Grievance Committee, which shall be comprised of stewards. Such appointments shall be made with the approval of the Executive Council. Once appointed, each committee shall choose one of their number to act as chair of the committee.

**Section 2:** The standing committees of the Union shall be as follows:

- a) Election Committee.
- b) Audit Committee.
- c) Bargaining Support Committee.
- d) Membership Committee.



- e) Stewardship and Grievance Committee.
- f) Budget Committee.
- g) Communications Committee.
- h) Committee on Political Education (COPE) Committee.
- i) Constitution Committee.
- j) Convention Committee.
- k) Policy and Procedure Committee.
- l) Organizing Committee.

The standing committees shall have duties as defined by the Executive Council and the WPEC Constitution.

**Section 3:** The Executive Council shall have the power to create ad hoc committees as necessary. Such committees shall have a specific purpose and a specific time in which to complete their work. Extensions of time for ad hoc committee work may be granted by the Executive Council.

**Section 4:** All committees of the Union, both standing committees and ad hoc committees, shall report annually to the convention of delegates.

## **ARTICLE XII CHIEF STEWARD, STEWARDS AND GRIEVANCES**

**Section 1:** The Chief Steward shall be elected annually by a majority vote of the stewards. The Chief Steward shall have the following duties:

- a) Facilitate the appropriate training of stewards.
- b) Present for consideration to the Stewardship and Grievance Committee, steward candidates who have submitted a completed application, including the endorsement of two WPEC members and steward training.

- c) Report all worksite problems and issues to the Stewardship and Grievance Committee and, where appropriate, the Executive Council.
- d) Facilitate the appropriate services for all grieved bargaining unit employees through the Stewardship and Grievance Committee and the Executive Committee.

**Section 2:** Only regular members may serve as stewards after being appropriately trained in the handling of grievances, internal organizing and membership recruitment. The Stewardship and Grievance Committee shall determine who is eligible to serve as a WPEC Steward. Stewards shall be approved or removed by a majority vote of the Stewardship and Grievance Committee, or a majority of members in worksites of 10 or more members. Each steward shall have the following duties and responsibilities:

- a) processing of first and second step grievances; assist with third steps;
- b) keep records of meetings and investigations pertinent to grievances;
- c) distribution and communication of union business to the regular membership;
- d) collection of information from the regular membership and communication of the needs, problems and concerns of the regular membership to the Chief Steward and, where appropriate, the Executive Council; and
- e) regular membership recruitment.

**Section 3:** The Executive Council shall be responsible for reviewing grievances. The Executive Council shall determine the extent and manner of involvement by the Union on behalf of a grieved employee in the bargaining unit. If the Executive Council determines that the nature of the grievance merits such support, it may provide funded counsel for the grievant. The extent of such financial support shall be within the discretion of the Executive Council. The Executive Council shall establish an appeal procedure for grievance support decisions.

## **ARTICLE XIII PROCEDURES**

**Section 1:** Robert's Rules of Order, Newly Revised, shall govern the conduct of meetings of the membership, the Executive Council, the Convention, district meetings, and all committee meetings. Where Roberts Rules of Order, Newly Revised, is inconsistent with the Constitution, the Constitution shall prevail.

## **ARTICLE XIV AMENDMENTS**

**Section 1:** The Constitution may be amended by a two-thirds vote of the annual Convention. The first Constitution adopted at the 1993 WPEC Constitutional Convention may be amended by a majority vote of the 1994 annual Convention.

**Section 2:** The By-laws of the Union may be amended by a majority vote of the annual Convention.

**Section 3:** Proposed amendments to either the Constitution or the By-laws shall be submitted to the Executive Council in writing at least 90 days prior to the annual Convention. Amendments may only be submitted by regular members. All proposed amendments shall be reviewed by the Constitution Committee and the Executive Council after submission. The Constitution Committee shall give notice to all regular members, in the call to the Convention, of any proposed amendments. The proposed amendments shall be presented to the delegates along with the recommendations of the Constitution Committee and the Executive Council. A proposed amendment which is not so submitted may be initiated on the floor of the annual Convention upon the consent of a majority of the delegates present.

## **ARTICLE XV MISCELLANEOUS PROVISIONS**

**Section 1:** The WPEC Constitution shall comply with the AFT-W and AFT Constitutions and with State and Federal law.

**Section 2:** The By-laws shall be subordinate to and must be consistent with the WPEC Constitution.

## BY-LAWS

**Section 1:** Effective July 1, 2003, WPEC dues for regular members and fee payers shall be levied at the rate of \$3.00 per month. Effective September 1, 2005, WPEC dues for regular members and fee payers shall be levied at the rate of \$3.35 per month, plus AFT, AFT-W, and AFL-CIO per capita payments. Effective September 1, 2007, WPEC dues for regular members and fee payers shall be levied at the rate of \$3.55 per month, plus AFT, AFT-W, and AFL-CIO per capita payments. Effective May 1, 2010 WPEC dues for regular members and fee payers shall be levied at the rate of \$2.90 per month, plus AFT, AFT-W, and AFL-CIO per capita payments. Effective September 1, 2010 WPEC dues for regular members and fee payers shall be levied at the rate of \$3.55 per month, plus AFT, AFT-W, and AFL-CIO per capita payments. Whenever the AFT, AFT-W, or AFL-CIO increases their per capita payments, the Executive council may, by a 2/3 vote, reduce the WPEC portion of the dues by an amount up to the amount of the affiliate's per capita increase. Any such reduction in the WPEC portion of the dues will only be effective until the next WPEC Convention. Dues for the following members and fee payers shall be levied as indicated:

- (a) Members and fee payers whose annualized salary for that portion of their employment within the bargaining unit is less than \$34,000 ~~the starting annual salary for a full-time employee in the lowest pay range in the fiscal and staff services bargaining unit~~ shall have their dues levied at one-half the regular rate.
- (b) Employees earning under \$12,000 for employment within the bargaining unit shall pay a per-capita levy for such members at one-quarter the regular rate.
- (c) Laid-off employees, or employees on unpaid leave, shall pay a per-capita levy equal to the cost of the per-capitas required by WPEC's affiliates.
- (d) All members under (a), (b), and (c) immediately above shall be entitled to receive full benefits of membership in WPEC.
- (e) Employees who belong to another bargaining unit shall not receive credit for dues paid to that other bargaining unit.
- (f) Associate members shall pay a per-capita levy as determined by the Executive Council.

**Section 2:** Ratification of the Contract.

- a) To facilitate and insure the validity of the ratification process, the Election Committee will:
  - 1. Confirm the final date for the receipt of ballots.
  - 2. Establish a secure repository for storage of received ballots.
  - 3. Count and publish the results of the ballot.
    - a. A group of three Election Committee members will retrieve the ballots from the secure repository.
    - b. Ballots must remain in the custody of the three individuals as they are delivered to the location where they will be authenticated and counted.
    - c. Individuals who are not members of the Election Committee may participate in the authentication process under the supervision and direction of the Election Committee.
    - d. Count the ballots and publish the results within 24 hours of their retrieval.  
Raw vote totals will be made available to WPEC members upon request.
  - 4. If three members of the Election Committee are unable to meet in a timely manner to count ballots, the President may make temporary substitute appointments to the Election Committee.
  - 5. The location where the ballots are authenticated and counted will accommodate a minimum of ten witnesses.
- b) To insure that the membership understands the provisions of the tentative agreement, the Bargaining Support Committee shall provide opportunities for members to discuss the tentative agreement prior to the final date set by the Election Committee.