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**CONSTITUTION AND BYLAWS OF
DIVISION 240 OF THE
NEW YORK STATE PUBLIC EMPLOYEES
FEDERATION AFL-CIO AT
THE STATE INSURANCE FUND**

ARTICLE I: NAME

This organization shall be known as the New York State Public Employees Federation AFL-CIO, Division #240, herein after referred to as the Division.

ARTICLE II: OBJECTIVES

This Division shall be the local formal communicative and administrative body of the New York State Public Employees Federation at The State Insurance Fund. It shall exist to promote the welfare of its members and its constituency with respect to all terms and conditions of employment.

ARTICLE III: MEMBERSHIP

(A) This Division shall include all PS&T employees working for The State Insurance Fund.

(B) Any member of P.E.F., in the Division constituency, is a member of the Division.

ARTICLE IV: DIVISION COUNCIL

SECTION 1. The Division Council shall be comprised of the stewards elected by their appropriate constituencies. The term of

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Office shall commence on October first, subsequent to the duly certified election on even years. All council members shall be official PEF representatives of the division. The Officers shall be elected by the Division Council by secret ballot at the first council meeting of the new term. The term of the Division Council Officers shall be the same as the term of Stewards (See Article V Sec. 4). The officers shall be known as Division Council Leader, one Assistant Division Council Leader for the Home Office, one Assistant Division Council Leader for the District Offices, a Division Secretary and a Division Treasurer.

- A. Effective upon adoption of this document, no person shall hold more than one elected position in the Division Council, to include the aforementioned offices in Section 1., as well as the Chair of the Statewide Labor Management Committee.
- B. The Term of office for all elected positions shall conform with the provisions in Article V Section 4 of this document.

SECTION 2. The Council, in its first meeting, subsequent to the duly certified steward's election, shall decide which Assistant Council Leader shall perform the duties of the Council Leader in his/her absence.

SECTION 3. The Division Council shall establish such committees as may be necessary for the functioning of this Division. The following committees must be established: Auditing, Budget, Communications, Constitution & Bylaws, Grievance, Health & Safety, Labor/Management and Membership. All committee members must be approved by the Division Council. Except for the Grievance and the Labor Management Committee, membership on a committee need not be restricted to elected stewards.

- A. The Council Leader shall appoint all committee members except for the Statewide Labor Management Committee members. All chairs except for the Statewide Labor Management shall be elected by their respective committee members. Chairs must be approved by the Division Council.

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- B. The Division council shall elect/select/reaffirm the Labor Management chair. The chair shall select committee members, who must be approved by the Division council. Committee members must be stewards.

SECTION 4. The Division Council shall have the responsibility to approve a budget within the funding provided by PEF and shall be required to approve any expenses varying from the amounts budgeted by line item. All checks drawn from division funds must be co-signed.

SECTION 5. The Council shall summarize its Division activities, including a financial statement, on a quarterly basis. This shall be forwarded to the appropriate Regional Coordinator(s).

SECTION 6. The Division Council must hold at least four (4) meetings per year.

SECTION 7. A special meeting may be called by fifty (50) percent plus one member of the Division Council.

SECTION 8. A quorum shall consist of at least fifty (50) percent plus one member of the Division Council.

SECTION 9. Timely notification of all meetings shall be sent to the appropriate Regional Coordinator(s) and Departmental Executive Board Member(s).

SECTION 10. The Division Council Leader

The Division Council Leader shall:

- (a) Be the responsible and chief administrative officer of the division.
- (b) Preside and keep order at all meetings of the Council and the Division.
- (c) Present an agenda for all meetings after consultation with the Council members.

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- (d) Insure that all Division Officers, Stewards and Committees perform as authorized by this Constitution and the Council.
- (e) Be an ex-officio member of all standing committees of the Division.
- (f) Make no agreements that are inconsistent with the policies of the Division.
- (g) Perform other duties as deemed necessary.

SECTION 11. The Assistant Council Leader shall

The duties of the Assistant Council Leader shall be:

- (a) Assist the Council Leader in his/her duties as requested by the Council Leader or by the Division Council.
- (b) Perform the duties of the Council Leader during his/her absence, at the request of the Division Council, pursuant to Section 2 of this Article.
- (c) Perform other duties as assigned by the Division Council.

SECTION 12. The duties of the Division Secretary

The duties of the Division Secretary shall be:

- (a) To record and make available minutes of the proceedings of each Division and Council meetings.
- (b) To present typewritten minutes of each meeting of the Division and/or Council for approval at the next meeting.
- (c) To furnish the Treasurer a copy of all motions approved regarding the finances of the Division.
- (d) To act as custodian of all non-financial records of the Division.
- (e) To receive and distribute appropriately, all official communications and correspondence of this Division.

SECTION 13. The duties of the Division Treasurer

The duties of the Division Treasurer shall be:

- (a) To account for the financial matters of this Division.
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- (b) To receive and record all monies paid to this Division.
- (c) To disburse funds as directed by the Council.
- (d) To pay and record all just bills and creditors in a timely manner, bearing in mind, that two (2) signatures are necessary on each check. The Treasurer must be a signatory on all checks except in his/her absence. Besides the Treasurer, other persons authorized to sign the checks shall be the Council Leader, the Secretary and the Assistant Council Leader as pursuant in Section 2 of this Article.
- (e) To maintain accurate records of all financial transactions of this Division.

- (f) To have available, within 72 hours, the financial records of the Division for inspection by any officer of this division or PEF, at their request.
- (g) To submit all books receipts and records to an audit to be performed at least once per year.
- (h) To turn over all financial records to a successor.
- (i) To be bonded.

SECTION 14. The Duties of the Steward

Duties of a steward shall include but are not limited to:

- (a) Completing as soon as possible after his/her initial election, the Steward Training Certification Program as prescribed by PEF;
- (b) Communicating union news and policy to the membership at the site he/she represents and all information that comes to him/her from the union, and conveying to the PEF leadership the concern, new developments and problems of the membership or the Division;
- (c) Acting as the first-line liaison between management, the union leadership and membership for the resolution of problems and the handling of grievances;
- (d) Being able to prepare a meeting agenda, conduct an effective meeting following that agenda; to familiarize himself/herself with PEF rules of parliamentary procedure and Robert's Rules of Order and be able to comply with the same;

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- (e) Making himself/herself knowledgeable with the respective PEF collective bargaining agreement(s), the steward manuals, departmental/agency procedures and policies as well as the Civil Service Law, if applicable;
- (f) Posting all information he/she receives from the union; and making every effort to fully understand the contents in order to be prepared for questions from the membership;
- (g) Recruiting new members and seeing that new employees are given the proper orientation to both their work and their union. This orientation should encourage new employees to get involved in union activities;
- (h) Interact knowledgeably and appropriately with management and his/her peers, keeping in mind that his/her physical appearance, promptness and courtesy help to make the task less of a challenge;

- (i) Representing his/her constituency at divisional, regional and meetings of organized labor in the community;
- (j) Developing personal skills and competencies to provide valuable contributions and sincere and dedicated service to the union and his/her constituents, demonstrating at all times the professional attitude this union exemplifies;
- (k) Conducting his/her PEF activities with honesty and integrity.

SECTION 15. PEF Departmental Executive Board Members

The PEF Departmental Executive Board Members shall:

- (a) Be a member of this Division Council, if he/she is a member of this constituency.
- (b) Inform the Division constituency of all matters of concern before the PEF Executive Board.
- (c) Relate all matters of concern as expressed by this Division constituency to the PEF Executive Board or the appropriate representatives.
- (d) Serve on the Statewide Labor Management Committee.
- (e) Serve on the Statewide Health & Safety Committee.

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SECTION 16. The Division Council in consultation with the appropriate Regional Coordinator(s) shall:

Determine the appropriate steward constituencies, provided this apportionment does not exceed the number allowed for this Division. Unless changed by PEF, the intra-departmental steward allocation shall be based on one (1) steward per fifty (50) PS&T unit members.

SECTION 17. Upon succession, all elected representatives must turn over all records and documents in an orderly fashion to their replacements.

SECTION 18. All Council members must serve to enhance the well being of the Division Constituency and respect all legitimate inquiries concerning the operation of this Division.

ARTICLE V: ELECTIONS

SECTION 1. The Division Council, maintaining fair apportionment, shall select the Stewards Election Committee. No candidate for election shall serve on the Election Committee. At the discretion of the Council the Election of the Stewards may be conducted by PEF Divisions Department. Such action shall be initiated by the Council Leader.

SECTION 2. The Elections Committee shall coordinate all upcoming elections with the appropriate PEF Regional Coordinator(s), who shall insure fair elections.

SECTION 3. The Elections Committee shall give reasonable opportunity to potential candidates to have their names submitted to the committee. Nominations for any elected position within the Division shall be made by petition signed by not less than ten (10%) percent of the members of the appropriate constituency and the names of such provided for such nominations and filed with the Chairman of the elections committee.

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SECTION 4. The term of office for all positions shall be two (2) years, and shall commence on October 1, subsequent to the duly certified election on even years. Any vacancy, which occurs, shall be filled by a special election to be held within sixty (60) days of the vacancy's occurrence. This vacancy will occur when notification is given to the Council Secretary.

SECTION 5. All members of the Division shall have the opportunity to vote by written secret ballot for representatives from their constituency. The balloting will be conducted in the manner prescribed in this constitution and will guarantee the right of each member to vote. The Elections Committee shall provide at least ten (10) days notice before the elections.

SECTION 6. Election balloting may be on-site, by mail, or by a combination of the two. The election results shall be promptly announced after the close of the balloting.

SECTION 7. All ballots should provide adequate space for a write-in vote and should clearly state the date upon which the ballots must be returned and received. The distribution of the ballots and the

return of the completed ballots shall be accomplished in such a manner as to guarantee each member an opportunity to cast his/her ballot without the necessity of his/her physical presence at the polling place. The Elections Committee and the appropriate Regional coordinator(s) shall be responsible for the custody and counting of the ballots.

ARTICLE VI: STRUCTURE

SECTION 1. Parliamentary procedure shall be in accordance with Roberts' Rules of Order, newly revised, insofar as they do not conflict with the Constitution of this Division, or the Constitution and Bylaws of P.E.F.

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SECTION 2. Regular Division work site membership meetings will be held as necessary. Meetings shall be called by the Council Leader; a majority vote of the Division or by a petition signed by ten (10) percent of the Division respected constituency. A minimum of five days notice is to be given.

SECTION 3. A quorum of five (5) percent shall be required for a Division work site membership meeting.

SECTION 4. The fiscal year of the Division shall be concurrent with the fiscal year of PEF, which presently is April 1 to March 31.

ARTICLE VII: RECALL

A petition, signed by sixty (60) percent of the regular membership in any appropriate division constituency, which requests the removal of that constituency's officer or representative, shall remove that person from office upon certification of the petition by the Secretary; provided, however, that should the Secretary be the subject of the recall, the council Leader shall provide such certification. A vacancy which occurs as a result of a recall shall be filled pursuant to Article V., Section 4., above.

ARTICLE VIII: AMENDMENTS

SECTION 1. The Constitution may be amended in whole or in part by:

- (a) A 2/3 vote of the Division Council followed by a majority vote of the division constituency, or,
- (2) A petition signed by sixty (60%) percent of the Division constituency.

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SECTION 2. Amendments may be proposed by the Division Constitution Committee or a petition signed by twenty (20%) percent of the Division constituency.

SECTION 3. Notification

- (a) Any proposed amendment must be submitted in writing to the Division Constitution Committee, which will forward it to the PEF Divisions Department.
- (b) The PEF Executive Board will review amendments to assure constitutional soundness and consistency with PEF's Constitution and Bylaws.

SECTION 4. Membership Vote on Amendments

- (a) The Division constitution committee must submit the proposed amendment(s) in writing to the Division constituency at least one month prior to any vote for approval.
- (b) Ratification by the members shall be by mail ballot sent by PEF allowing one month for completion and return.

ARTICLE IX: BILL OF RIGHTS FOR DIVISION MEMBERS

SECTION 1. No person, otherwise eligible for membership shall be denied membership on the basis of race, color, sex, age, creed,

national origin, prior union membership, sexual preference or political persuasion.

SECTION 2. Membership shall have the right to receive accurate information relating to the affairs of the Division.

SECTION 3. An annual financial report will be printed in the Division publications.

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SECTION 4. Members shall not be restricted in the exercise of their right of freedom of speech concerning the operation of this Division or any other. Active and open discussion of Division affairs and the expression and/or publication of views of Division members shall be protected within this Division.

SECTION 5. Members shall be encouraged to participate in the affairs, management, and administration of this Division.

SECTION 6. Membership service shall be a primary goal of this Division.

SECTION 7. Communication to the membership shall on all matters be timely and accurate.

SECTION 8. When acting in their official capacity, all council members shall act only in the best interest of PEF, this Division and its members.

(Amended: 4/8/98)