



# WEST VIRGINIA POSTAL WORKERS UNION

## CONSTITUTION AND BYLAWS *as*

### *amended April 27, 2024*

#### **Article 1: Name**

West Virginia Postal Workers Union, AFL-CIO

#### **Article 2: Objectives:**

1. To unite the members of the American Postal Workers Union in the State of West Virginia into a unified force for the economic and social well-being of all Postal Employees.
2. To cooperate effectively with all other bona fide postal employee organizations in carrying forward a program for improved working conditions for their membership.
3. To cooperate with the National American Postal Workers Union, AFL-CIO, State and Local councils of AFL-CIO.
4. To provide educational opportunities of all WVPWU members. To actively pursue legislative issues on both the state and national level. To provide a consistent and timely flow of information to member locals and members-at-large.
5. To provide representation and support to local presidents and stewards who are in Postal Facilities where management personnel have no or little accountability for their actions. If necessary, the State President will assign an appropriate in state, nationally authorized advocate to go into the facility to intervene on the local's behalf.

#### **Article 3: Membership**

1. All members of all locals, all Members-at-Large holding a membership in West Virginia or residing inside the physical boundaries are members of the West Virginia Postal Workers Union.
2. They shall be expected, as are all good Union People, to pay the assessed State Per Capita Tax for the good of all. Where no chartered Local exists, Members-at-Large may pay per capita tax directly to the State Secretary-Treasurer.
3. Members of this Union who retire from the Postal Service may maintain full membership with all the rights of such membership by continuing to pay full capita tax to the APWU plus the full WV State dues as outlined in Article 8 Section 1 of the constitution.
4. Honorary members shall be elected by a special resolution to be approved by a two-thirds vote of a State Convention.
  - A. Honorary members shall not be liable for the payment of state registration fees or banquet tickets.



B. Honorary members shall be notified in writing of said membership and presented a memento of same at the earliest possible opportunity.

C. The names of honorary members shall be recorded in this section of the Constitution. As of 2007 honorary members of the WVPWU are:

1. Pat Schneid-President Emeritus
2. Tina Bell
3. Tommy Harper
4. Linda Coleman
5. Doug Mirowski
6. James Cox, Permanent Chaplain
7. David Daniel-President Emeritus
8. Lawrence "Hot Dog" Tharp
9. Nancy Olumekor
10. Gary Shorter

D. If a Local elects a Honorary member as a delegate to the State Convention, it is the Local's responsibility to cover the registration fee.

#### **Article 4: Convention and State Meetings**

1.

A. The West Virginia Postal Workers Union shall convene annually at 8:30 a.m. on the last Thursday in April unless the executive board due to legitimate reason changes the convention dates and times. The Convention shall be called to order, committee assignments, chair appointments, housekeeping, announcements made, and committee meetings scheduled. In no case shall this session exceed 30 minutes. The Friday and Saturday sessions shall convene at 9:00 a.m. There shall be an educational seminar for the duration of the Thursday of the State Convention to be conducted by the national officers assigned to the State Convention or other qualified persons as provided by the WVPWU. The State Executive Board shall determine the subject matter prior to the Convention.

B. The Secretary-Treasurer shall forward blank resolution and constitution forms to the locals prior to the convention with a reminder to have all proposals ready for submission to the appropriate committees upon arrival to Thursday's general session.

2. The location of the State Convention shall be determined by Delegates present and voting at the Convention. The city receiving the most votes shall be designated as the Convention City. Convention sites will be selected two (2) years in advance.



3. The State shall contribute up to Five Thousand (\$5000) dollars annually to the host local to help defray the cost of the convention. This contribution will be made after the host local submits receipts for reimbursement to the State Secretary-Treasurer. If a local requires an advance of funds to cover deposits and such within 6 months of the convention date, they may request \$1000 with the approval of the WVPWU Executive Board. In the event the Host local incurs excessive debt from convention costs, it may apply for additional funds after the convention. A detailed financial statement of the convention costs may be submitted with the request. Additional payment shall not be automatic. Supplemental payment shall only be considered in the event of the occurrence of extremely unusual conditions causing unavoidable costs. Payment shall be subject to availability of the state funds with the approval of the State Executive Board. Payments for receipts submitted by the Host Locals will be paid by the State within 14 days.
4. There shall be a fall seminar to be held in conjunction with the Washington Regional Council Meeting.
5. There shall be an Executive Board and Executive Council meeting at every West Virginia state convention and there shall be an Executive Board and Executive council meeting at every Washington Regional Council Meeting.
6. No decision shall be made that impacts the established convention agenda or adversely affects the financial standing of the State or Local organization without prior approval of the State Executive Board.
7. Executive Board Meetings-upon the written request of three members of the Executive Board to the President/Secretary-Treasurer, a meeting will be held within fourteen (14) days at a central location.
8. Executive Council Meetings-upon written request of three members of the Executive Council to the President/Secretary-Treasurer, a meeting will be held within thirty (30) days at a central location.

**Article 5: Representation**

1. As per Federal Law and the National Constitution of the American Postal Workers Union, all members shall have equal representation at all State functions. To entitle a Local to representation, at the State Convention, the per capita must be paid through the second quarter.
2.
  - A. Each Local and Area Local shall be entitled to the following representation: One (1) delegate vote for every ten (10) local members. Any fraction of ten (10) to be rounded to the nearest applicable number (e.g.44-4, 45-5). Any local under ten members has one vote. Representation shall be based on the average amount of per capita tax, paid quarterly, from the second calendar quarter of the preceding year through the first calendar quarter of the current year.
  - B. Members-at-Large shall be permitted to vote one (1) vote each, providing not more than three (3) members-at-large attend the Convention; additional delegation shall revert to the one to ten ratio as per 2A above.
  - C. Each State Officer shall have a voice in all state functions. Each State Officer shall have a vote at the State Convention if so delegated by their Local. D.



1) The WV State Executive Board shall solicit MAL attendance at each State Convention/Spring Seminar through written invitation to be composed and mailed by the Secretary-Treasurer no less than three months prior to Convention. The invitation shall include a form approved by the Executive Board that resembles that for the Scholarship application. The invitation shall also state RSVP procedures that include the requirement to return the completed form/application within two weeks of receipt if interested.

2) From the applications received, the Executive Board shall select no less than one MAL for whom full expenses will be paid to attend Convention/Seminar. This selection shall be made, by majority vote of the Executive Board, taking into consideration the length of service, geographic location, and expressed willingness to participate. Selection(s) will be numbered in order of preference. This selection(s) shall be made, and the successful MAL notified, not less than two months prior to Convention/Seminar.

3) Full MAL expenses shall include mileage and 16 hours' LWOP; lodging and per diem shall not exceed three days each. MAL credentials shall be handled in accordance with procedures outlined in 3. D.

3.

A. All Local Delegates must have credential signed by the local President and Secretary.

B. Alternate delegates may be seated in the absence of regular delegates upon presentation of credentials.

C. Method of roll call voting-One or more delegates shall cast the full number of votes to which its Local is entitled.

D. Delegate credentials will be mailed to Locals at least sixty (60) days prior to convention date and returned at least thirty (30) days prior to the convention. Local officers' credentials shall contain said officers title in the Local. When committee assignments are made, the State President will use the information in order to more efficiently utilize the talents of Local Officers.

E. The state will reimburse each local a total of two hundred and fifty dollars (\$250.00) for one (1) delegate 35 years or younger who will attend the state convention.

F. If a Local elects a State Officer as a delegate of the state convention- it is the Local's responsibility to cover the registration fee.

### **Article 6: Duty of Officers**

1. President: The President will preside at Conventions and meetings of the Executive Council and Board, appoint the necessary committees at each a convention, be an ex officio member of all committees, fill all inter-convention vacancies, subject to the approval by a majority of the members of the State Executive Board, and be responsible for the coordination of all work of the West Virginia Postal Workers Union, and all activities of its officers. He/She shall represent all crafts, and delegate the authority of a craft representative as needed. The President shall be an automatic delegate to the



## WEST VIRGINIA POSTAL WORKERS UNION

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National Convention and Washington Regional Council Meetings at full expense and shall represent the State at all other necessary function. The President shall be paid a salary of \$500 per quarter.

2. Vice-President: The Vice-President will serve as directed by the President. He/she shall serve in the absence of the President in all state functions and shall become President upon vacancy of the office. The Vice-President will be responsible for organizing any new members. The Vice President shall serve as Advisor and State Liaison to the host local for the State Convention. The Vice-President shall be paid a salary of \$100 per quarter.
3. Secretary-Treasurer: The Secretary-Treasurer will monitor the recording of the membership of each Local, along with the name and address of each member-at-large, and provide the Vice President and Convention Delegates with a list of Locals and members-at-large at the Convention and shall provide an updated list to the Vice President on September 15<sup>th</sup> each year for the purpose of organizing. The Secretary- Treasurer will receive and deposit all monies of this Union in a banking institution acceptable to the membership and distribute the same only by voucher. The financial records of this Union shall be recorded and maintained in accordance with generally accepted accounting procedures and practices. The Secretary-Treasurer will issue a receipt within ten days for all monies received from the member Locals. All invoices and legal debts of this Union will be paid by check showing the exact purpose of that check. The Secretary-Treasurer, under the direct supervision of the President, will keep minutes of the proceedings and all other records of this Union, do all correspondence of this Union as requested by the President, retaining one copy for file, and providing a copy to the Vice-President. The President shall furnish at least one week in advance of the mailing date, any and all correspondence that is to be mailed to Locals or Executive Board members. Each month when information and reports are available, the Secretary-Treasurer shall record any changes to the Constitution and Bylaws and distribute copies to all Locals and State Officers of same and the State Convention Minutes within sixty (60) days following the Convention. Minutes of the Convention shall be provided to each Delegate at the following Convention. The Secretary-Treasurer shall be paid a salary of \$500 per quarter.
4. Legislative Director: The Legislative Director will administer Legislative programs at State, Area, and Local levels. The Legislative Director shall be paid a salary of \$100 per Quarter.
5. Director of Union Services: The Director of Union Services will administer educational programs at the State, Area, and Local levels. Education shall be a mandatory part of the West Virginia Postal Workers Union. The Director shall be an automatic representative of the West Virginia Postal Workers Union to the Postal Labor Unions Summer School and shall represent the West Virginia Postal Workers Union at Washington Regional Council Meetings at full expense. No less than one (1) major educational seminar will be held every year; and, at the discretion of the Executive Board, District seminars shall be held when necessary. The Director of Union Services shall be paid a salary of \$100 per quarter.
6. Editor: The Editor will be responsible for the maintenance of the WV Postal Workers Union website and shall be paid \$100 each quarter for that purpose. All articles placed on the website are subject to final approval by the President.
7. Each State Officer shall be entitled to be a candidate for delegate to the National Convention.



8. All Officers traveling on State business must submit a report to the State President within fourteen (14) days of his/her return. The report shall include references to available materials and/or documents.

The President shall convey said report by email to all Local Presidents as soon as possible.

9. OFFICER'S OATH OF OFFICE:

I, name, having been duly elected to office in the (state) (local) of the American Postal Workers Union, AFL-CIO, do solemnly pledge to uphold the Constitution and Bylaws of the American Postal Workers Union AFL-CIO and of the (state) (local).

I further pledge to perform the duties of my office to the best of my ability. I promise that at the conclusion of my term of office, I will turn over to my successor all books, papers, records, and documents that are the property of the APWU (state) (local).

And I further pledge that once I no longer hold an office with the American Postal Workers Union and am no longer a bargaining unit employee, I will never testify in support of the United States Postal Service in any United Postal Service arbitration or administrative hearing about internal Union discussions and/or decisions that are made by the Union or Union leaders in regard to the American Postal Workers Union's contractual positions and/or American Postal Workers Union's internal policies. I further subscribe and affirm that if I resign or enter into an EAS position, whether detail or permanent within one year of resignation or completion of term of office, I will subject myself to full reimbursement to the American Postal Workers Union for any and all training I received during the preceding year whether National, State, or Local.

Last, but not least, I promise to purchase only union made articles, whenever available. Failure to perform any of the above will mark me as an individual devoid of honor and destitute of integrity.

**Article 7: Organization-Elections**

1. The Executive Board of the West Virginia Postal Workers Union shall consist of the following: President, Vice-President, Secretary-Treasurer, Legislative Director, Director of Union Services, and Editor.
2. The Executive Council shall consist of the Executive Board, all Local Presidents, two (2) Members at-Large, selected by the Executive Board. The Executive Board shall select one member of the Retirees Association and one member of the Auxiliary, when present, to participate in Executive Council meetings and activities. The Council's function will be to make recommendations to the Executive Board.
3. The Election of Officers will be held at the State Convention every third year, beginning in 1987. Any vacancies between elections shall be filled by special election at the next Annual Convention.
4. All elections shall be by secret ballot and in accordance with Article 5 Item #2.
5. Eligibility for Office: To be eligible for nomination, the candidate must be a member in good standing and be present at the Convention or have submitted a letter of consent to the chairperson of the Election Committee.
- 6.



A. The Election Committee will be appointed at the start of each Convention to conduct nominations and elections of officers when necessary.

B. Tabulation of the election shall not be valid unless in the presence of no less than three (3) members of the Election Committee.

C. Any challenge to the Election must be submitted to the Election Chairperson (in writing or by email) for consideration by the Election Committee. To be valid, challenges must be sent within 48 hours of the close of the State Convention. The Election Committee shall respond (in writing or by email) to the challenger within 14 days of receipt of the challenge.

**Article 8: Revenue Fiscal Year**

1. The revenue of the West Virginia Postal Workers Union shall be derived from per capita tax paid by Local Unions and Members-at-Large. Per capita shall be as follows: MAL: PSE-\$12 per member per pay period plus the per capita tax set by the National APWU Constitution and By-Laws and Career-\$20 per member per pay period plus the per capita tax set by the National APWU Constitution and By-Laws; All locals: \$2.50 per member per month.

2. Per capita tax will be paid on a quarterly basis (January 1, April 1, July 1, and October 1,) on a prepaid basis. If dues are not received within ten (10) days of due date, notices will be sent out by the State Secretary-Treasurer. Exceptions can be made with the approval of the Executive Board.

3. Voucher System

A. Anyone incurring an expense attributable to this Union will initiate any expense or LWOP voucher for payment. All receipts or other supporting documentation must be attached to this voucher. B. A person performing duties for the West Virginia Postal Workers Union while on annual leave or leave without pay from their regular job will receive lost time pay, with the approval of the President.

C. All vouchers must be submitted no later than thirty (30) days after the incurred expense, or it will be disapproved. D.

1. The claimant must secure two approving Executive Board signatures prior to a voucher being paid.
2. Normally, the President and Secretary-Treasurer shall approve vouchers.
3. No officer shall sign approval on their own voucher.

E.

1. All approved expense vouchers shall be paid within ten (10) days of receipt. 2.

All pay vouchers shall be paid to coincide with the Postal biweekly pay periods in which the charged time occurred, providing the voucher is received at least three (3) days in advance of said pay date.



F. Disapproved vouchers will be presented at the next Executive Board meeting unless said voucher is withdrawn by the claimant.

4. Fiscal Year: The fiscal year of the West Virginia Postal Workers Union shall run from January 1 through December 31 of each year.

5. Flexible budget:

A. A flexible budget will be made up each year at the State Convention. The budget will serve as the guideline for expenditures to run the State Organization. Officers of the Executive Board will submit projected budgets to the Budget Committee on Thursday of the State Convention.

B. The Budget Committee will be made up of designees from as many different member Locals as possible.

C. The budget will include all normal and necessary expenses of the Union, such as, scheduled trips, programs, newsletter, officer expense, telephone, postage, Summer School, and any other expense that can be reasonably foreseen.

D. Not less than 40% of the annual income will be earmarked for education and representation by doing the following:

1. Sponsor educational seminars.
  2. Handle grievances for MAL's for those not represented by active locals.
  3. Assist locals who request assistance and need the expertise of the State Officers.
- E. The budget will be presented as a motion on the floor of the Convention and amended/approved by the body.

F. Changes to the budget during the course of the year require a majority vote of the Executive Board.

4. Per diem and mileage:

A. Mileage will be paid at the prevailing GSA rate. In conformance with the National Constitution, no state officer shall be permitted mileage expenses for their travel if they drive an automobile that was fully assembled in a foreign country and imported into this country.

B. Per diem for meals and incidental expenses will follow the Government Travel Allowance Rates. Alternatively, the claimant may elect to report expenses in full, not to exceed the GSA rates.

5. Advance Expenses:

A. Advance expenses may be issued, when submitted and approved on the standard expense voucher, limited to 80% of projected expenses. If per diem and mileage are the only advance expenses, they will be advanced 100%.





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- B. Documentation and receipts, with a voucher for the remainder due the claimant, must be submitted within ten (10) days after the close of the event.
  - C. If the requirements of (B) above are not met, no further vouchers will be approved for the claimant, until the requirements of (B) are filed.
6. Transportation Costs: If a West Virginia Postal Workers Union member is on State Business, and uses their own automobile in lieu of air transportation, they will be allowed reimbursement for the mileage or the cost of the airfare, whichever is less.
  7. The books shall be audited annually at the State Convention. The Audit Committee should have as many local treasurers as are available as its members. Other delegates shall be appointed to it as necessary.
  8. If the Office of the Secretary-Treasurer becomes vacant between Conventions, the President will appoint an Audit Committee to audit the books and oversee the transfer of the Secretary-Treasury to the new Secretary-Treasurer. There will be at least three (3) members on this committee from different Locals (or member-at-large), only one (1) of whom may be current State Officer.

#### **Article 9: Protection-Local and Membership**

1.

A. The West Virginia Postal Workers Union accepts as part of this Constitution Article 15 of the National Constitution of the American Postal Workers Union as the official procedure used as membership protection except where the name National appears, these portions shall refer to the State Organization.

B. Any offense submitted to the State Organization may also be submitted to the National American Postal Workers Union for disposition.

2. Three (3) members (From at least three (3) Locals, or two (2) Locals and a member-at-large), who have sufficient proof to show that a State Officer or Officers have acted dishonestly or otherwise detrimental to the best interests of the rank and file may file a petition for recall with the State Executive Board. Two (2) copies of the charges must be submitted with petitions for recall. The State Executive Board shall send one (1) copy of charges to the Officer against whom the charges have been preferred. The Officer (s) who has recall proceedings filed against him/her shall be given fifteen (15) days to reply to the charges in writing. If, after fifteen (15) days, the Executive Board has failed to receive a reply, it shall proceed with the recall.

3.

A. In the event an Officer(s) fails to perform satisfactory during the year, the Executive Board may after a hearing is conducted in accordance with the National Constitution recommend to the Convention that the position(s) be declared vacant. Such recommendations must be supported by a 2/3 vote of the Convention.



B. Upon successful passage of said recommendation, the office (s) shall be declared vacant and filled in accordance with Article 7.

**Article 10: Dorothy Meadows and Cecil F. Romine Scholarships**

1. Members to be awarded the Dorothy Meadows and Cecil F. Romine Scholarships shall be selected from applications submitted to the Director of Union Services stating why and how the Summer School could be beneficial to their local, state, and national union. Said application shall be screened by local President approval or disapproval and recommendations must be submitted with the application. Applicants shall be selected by the Executive Board of the West Virginia Postal Workers Union, and consideration will be given to all applicants who are dues-paying members of the West Virginia Postal Workers Union. The Executive Board shall rank all applicants in ascending order. In the event the selected applicant (s) cannot attend, the Director of Union Services shall notify the next top applicant (s) who will attend as alternate (s).

2. The West Virginia Postal Workers Union shall make every effort to send at least one (1) scholarship to the Postal Labor Unions Summer School. The number of scholarships available will be determined at the Executive Board meeting at each State Convention and will depend on available funds. The West Virginia Postal Workers Union shall pay the tuition, mileage, and forty (40) hours of LWOP (Leave without pay.)

**Article 11: Auxiliary**

1. The West Virginia Postal Workers Union shall support and build the Auxiliary.
2. The WVPWU will recognize the APWU POWER organization.

**Article 12: Convention Banquet**

1. There will be a Convention Banquet Friday evening after business is finished for the day. Business will resume as usual at 9:00 a.m. Saturday morning. Elections will be held on this day if vacant offices are open. The senior APWU officer in attendance will install new officers.

**BY-LAWS**

**Article 1: Quorum**

1. Fifteen (15) delegates and three (3) locals shall constitute a quorum.

**Article 2: Rules of Order**

1. The rules of order shall be written by the Rules Committee before the start of business on Friday.

A. When a delegate wishes to speak, he or she shall state his or her name and the name of the local he or she represents.



B. When a delegate is called on a point of order, he or she shall cease speaking until the question or order is settled.

C. When a delegate is addressing the convention, he or she shall be limited to 5 minutes of time.

D. In the absence of other authority, the Roberts' Rules of Order shall prevail to govern the deliberations of this union.

E. No constitutional amendments will be accepted after the close of the business day on Friday.

F. All state officers shall be seated at the head table during business sessions and shall be identified by name plates.

**Article 3: Order of Business**

1. Roll call of officers
2. Appointment of committees
3. Report of credentials committee
4. Recognition of Visitors and Guests
5. Financial reports
6. Report of officers
7. Committee reports
8. Unfinished business
9. New business
10. Selection of convention city
11. Election and installation of officers
12. Adjournment

The order of Business may be transposed with the delegates' consent.



This Constitution and By-Laws was amended on April 27, 2024.

A handwritten signature in blue ink, appearing to be 'Sinikka A. Melvin', is written above a horizontal line.

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Sinikka A. Melvin, President

A handwritten signature in black ink, appearing to be 'Ben Wyatt', is written above a horizontal line.

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Benjamin Wyatt, Secretary-Treasurer