

NEW YORK CITY  
ACCOUNTANTS, STATISTICIANS AND ACTUARY



CONSTITUTION  
OF  
LOCAL 1407

LAST AMENDED: MAY 24, 2018



May 24, 2018

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President

Elissa McBride  
Secretary-Treasurer

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New York, NY

Maf M. Uddin, President  
AFSCME Local 1407  
125 Barclay Street  
New York, NY 10007

Dear Brother Uddin:

We have completed our review of the amendments to the Local 1407 Constitution, which you submitted. The amendments have been approved with the following revisions:

1. Article II. We have updated this article to reflect the official name of Council 37.
2. Article IV, Section 3. We have updated the dues language to reflect the local's current dues rate as provided by staff at District Council 37.
3. Article X, Section 1. We have updated your reference to *Robert's Rules of Order* to match the current language in Appendix C, Article VIII, Section 3, of the *International Constitution*.
4. Article X, Section 3. We have added required constitutional language that is found in Article IX, Section 50A, of the *International Constitution*.

Enclosed are two complete copies of the local constitution, as amended, with my signature of approval on the final page. Should the local amend this constitution in the future, please submit the amendments for approval after they have been adopted by the membership.

In solidarity,

LEE SAUNDERS  
President

LS/MA:nw

Enclosures

- cc: Mike Sukal, Director, O&FS  
James Howell, Eastern Regional Director, O&FS  
John English, Area Field Services Director, O&FS  
Henry Garrido, Executive Director, AFSCME District Council 37  
Robin Roach, General Counsel, AFSCME District Council 37  
Yvette R. Burkeforehand, Secretary, AFSCME Local 1407

## **Constitution**

for

### **New York City Accountants, Statisticians and Actuaries**

**Local 1407**

#### **Article I Name**

The name of this local shall be New York City Accountants, Statisticians and Actuaries Local Number 1407 of the American Federation of State, County and Municipal Employees, AFL-CIO.

#### **Article II Affiliations**

This local shall be affiliated with New York City District Council of AFSCME Municipal Local Unions #37 of the American Federation of State, County and Municipal Employees; the New York State AFL-CIO; and the New York City Central Labor Council, AFL-CIO; and Municipal Labor Committee subject to the provisions of Article IX, Section 4, of the International Constitution. The local shall have the right to appeal to the International Union if it does not wish to join any council in its locality.

#### **Article III Objectives**

The objectives of this local union are:

- a) To promote the welfare of the membership and to provide a voice in determination of the terms and conditions of employment. We are committed to the process of collective bargaining as the most desirable, democratic and effective method to achieve this. Both as union members and as citizens, we shall also employ available legislative and political action.
- b) To support the aims and objectives of the American Federation of State, County and Municipal Employees, of the general labor movement and worthy causes.

#### **Article IV Membership and Dues**

Section 1. All accounting, statistical, actuarial and related employees of the City of New York, New York, and its related authorities, boards of public corporations, except those employed in cultural institutions, the Triborough Bridge and Tunnel Authority, the Off-Track Betting Corporation and the student centers and educational opportunity centers related to the City University of New York, and except those within the jurisdiction of Local 1070, are eligible for membership in this local union subject to the requirements of the constitution of the International Union.

Section 2. Applications for membership shall be made on a prescribed application form and shall be forwarded to the treasurer or designated representative of the local union.

Section 3. Dues for full-time employed, for part-time employed and for hourly employed members are subject to the checkoff provisions of the union contracts and shall

be withheld from the biweekly paychecks of members. The biweekly membership dues of the local shall be \$29.50 per full-time employed member and \$21.65 per part-time and hourly employed members effective July 1, 2017, as voted by the membership or as mandated by the International Union, Article IX, Sections 5 and 6, of the AFSCME Constitution, or by the District Council, Article III, Section 2a, of the District Council 37 Constitution.

Section 4. a) Any member that retires or obtains a position or title not covered by this local union's collective bargaining agreement and upon the discontinuance of the payment of dues through their agency's checkoff procedure shall cease to be members in this local union, except under the following conditions.

b) If the member referred to in Section 4a is an incumbent officer of the local, council, or the International Union, such member may, by payment of the full amount of dues, retain full membership status until the end of his/her term of office.

#### **Article V Charges, Trials, Disciplinary Action, Penalties, and Appeals**

Procedures on charges, trials, disciplinary action, penalties and appeals shall be in accordance with Article X of the International Constitution

#### **Article VI Meetings**

Section 1. Regular meetings of this local shall be held at least monthly. No regular meetings in July and August.

Section 2. Special meetings may be held at the call of the president, or in the president's absence or incapacity, at the call of the executive board. Twenty-five (25%) percent of all the members of the local may at any time require a special meeting by filling a request therefor with the president or secretary which petition shall name a date for the meeting which shall be no earlier than fifteen days subsequent to the date of the filing of such petition.

Section 3. The number of members required for a quorum at a regular or special meeting of the local shall be thirty-five (35).

Section 4. The executive board shall meet at least four (4) times a year (quarterly) and/or at the call of the president or at such times as seem expedient to a majority of the members of the board.

#### **Article VII Officers, Committees, Nominations, Elections, and Removals**

Section 1. The officers of this local shall be a president, a vice-president, a treasurer, and a secretary.

Section 2. Nominations and/or elections shall be made and/or held at a regular or special meeting of the local. At least fifteen (15) days' advance notice shall be given the membership prior to the nomination and/or election meeting. A nominating committee may be appointed or elected to make nominations, but whether or not such nominating committee is used, nominations shall be permitted from the floor at the nomination meeting.

Section 3. a) The officers, trustees, sergeant-at-arms and delegates to District Council 37 and central labor council shall be elected by a secret mail ballot. Ballots shall

be distributed and returned to the election committee so that results will be announced at the June general membership meeting. The terms of office shall be for three (3) years beginning June 1991.

b) The officers shall be elected by a majority vote. When more than two (2) candidates are nominated for office and a majority vote is not obtained a run-off election shall be held between the two (2) candidates receiving the most votes.

c) The trustees, sergeant-at-arms and all delegates shall be elected by a plurality of the votes cast.

d) Executive board members shall be elected by secret mail ballot, by a majority of the votes cast at an election held by members of each agency for which a board member is eligible. Ballots to be distributed and returned to the election committee so that results will be announced at the January general membership meeting. The terms of office shall be for three (3) years beginning January 1992.

e) The procedure for elections shall be consistent with the election manual issued by the International.

Section 4. To be eligible for any office or delegate position, an individual must be a member in good standing and a member of the local for not less than one (1) continuous year immediately preceding the date of election.

Section 5. a) The executive board shall consist of the officers and chapter delegates elected from each of the mayoral and non-mayoral agencies of the City of New York. Representatives for each chapter shall be as follows:

<u>MEMBERS</u>	<u>DELEGATES</u>
35 - 150	1
151 - 300	2
301 - 450	3
451 - 600	4

For agencies with an excess of 600 members, there shall be one additional board member for each 150 members. The unexcused absence of an officer or executive board member from three consecutive board meetings shall cause his or her office to be vacated automatically.

b) Those agencies with less than 35 members shall be combined into one group for the purpose of electing executive board member(s) as per the above schedule.

Section 6. There shall be elected three (3) members who shall act as trustees. The terms of office shall be for three (3) years beginning June 1991.

Section 7. There shall be elected one (1) member who shall serve as the sergeant-at-arms. The term of office shall be for three (3) years beginning June 1991.

Section 8. Whenever a vacancy occurs among the officers or officials, vacancies shall be filled as follows:

- a) Where the remainder of the unexpired regular term is nine months or longer, an election shall be held among the general membership to elect an officer, and only among the members of the department involved to elect a chapter member to the executive board.
- b) Where the remainder of the unexpired term is less than nine months, the executive board by a majority vote shall elect an officer from among the

general membership, or a member of the executive board from among the members of the department with the vacancy.

- c) All terms of office commenced under this regulation shall terminate on the regular expiration date.

Section 9. The president shall appoint standing and special committees with the approval of the executive board.

Section 10. All monies expended must be authorized and approved by the membership at a regular meeting, except for the right of the president, with concurrence of the executive board, to expend a maximum of five hundred dollars (\$500) for any single expense.

### **Article VIII Duties of Officers, Executive Board, and Committees**

Section 1. The president shall act at all times in a manner which will maintain the organization and benefit its membership. The president shall preside at all meetings of the executive board and at all meetings of the local union and shall be a member of all committees. The president and the treasurer shall sign all checks drawn against the funds of the local. In the event of absence of either and/or both, then the secretary and the vice-president shall act on their behalf. The president shall see to it that monies due the International Union are forwarded to the International office in accordance with the constitution of the American Federation of State, County and Municipal Employees. At the conclusion of the term, the president shall submit a report to the local regarding the progress and standing of the local and regarding the official acts of the president during the term of office.

Section 2. The vice-president shall assist in general work among the members to keep the organization active and shall assist the president in giving the local union tone and direction. In the absence of the local union president or of the inability to serve, the vice-president shall preside at all meetings and perform all duties otherwise performed by the president. In the event of the resignation, removal or death of the president, the vice-president shall assume all duties and powers of the president until the next regular election or special election authorized by the executive board. The vice-president shall be an ex-officio member of all committees.

Section 3. The treasurer shall receive and take charge of all money, property and securities of the local delivered to the treasurer by the officers of the local. The treasurer shall deposit all money so received to the credit of the local and in the name of the local in a bank or banks selected by the executive board. All disbursements shall be made by check which must bear the union label. All checks must be signed by the treasurer and countersigned by the president. The treasurer shall prepare and submit a monthly membership and financial report to the membership. The treasurer shall keep an accurate record of receipts and disbursements and at each regular meeting of the local, shall render an operating statement of the financial transactions of the local for the previous month.

Section 4. The secretary shall keep a record of the proceedings of all general membership and executive board meetings of the local, carry on correspondence of the local, and perform such duties as may be required by the officers of the local.

Section 5. An audit of the local's finances shall be made at least annually by the trustees and a report thereof shall be submitted to the local.

Section 6. The executive board shall be the governing body of the local when the local itself is not in session. All matters affecting the policies, aims and means of accomplishing the purposes of the local not specifically provided for in this constitution or

by action of the local at a regular or special meeting shall be decided by the executive board, which shall meet at the call of the president or at such times as seen expedient to a majority of the members of the board, but at least quarterly. A report on all actions taken by the executive board shall be made to the membership at the next following meeting. A majority of the members of the executive board shall be required for a quorum. The funds or property of the local cannot be divided gratuitously among the members, but shall remain intact for the use of the local for its legitimate purposes while ten or more members remain therein. Whenever there are fewer than ten members, or when the local disbands or discontinues its affiliation or its charter is removed, all funds, properties and assets of the local shall revert to the International Union and it shall be the duty and responsibility of the local union officers to transmit all monies and books and other properties of the local to the International Secretary-Treasurer of the American Federation of State, County and Municipal Employees or to the accredited representative of the International upon demand and such funds shall be utilized by the International for organizational work in the area where the local had its existence.

Section 7. The sergeant-at-arms shall under the direction of the presiding officer maintain proper order and decorum within the meeting hall, and shall perform such other duties as the presiding officer shall require.

#### **Article IX Election of Delegates**

Section 1. a) By virtue of the fact that officers of this local are required to be elected to office by majority vote on secret ballot per Article VII, Section 3a, of this constitution and per Article IV, Section 9, of the International Constitution, such officers are hereby automatically constituted as delegates to any International Convention. The remainder of the delegates and alternates to be chosen shall be elected by a secret mail ballot by a plurality of the votes cast.

b) Nominations and/or elections as per Article IX, Section 1a, shall be made and/or held at a regular or special meeting of the local. At least fifteen (15) days advance notice shall be given to the membership prior to the nomination and/or election meeting. A nominating committee may be appointed or elected to make nominations, but whether or not such nominating committee is used, nominations shall be permitted from the floor at the nomination meeting.

Section 2. There shall be elected delegates to District Council 37 and the central labor council, the number of delegates in each to be determined by District Council 37 and the central labor council respectively, based on the total membership of the local. Said delegates shall be elected by secret mail ballot by a plurality of the votes cast. The term of office shall be for 3 years beginning June 1991. The president, by virtue of election to his or her office, shall be an automatic delegate to both District Council 37 and the central labor council delegate bodies.

#### **Article X Miscellaneous Provisions**

Section 1. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern this local union 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.


Section 2. Except to the extent specified in this constitution, no officer of the union shall have the power to act as agent for or otherwise bind the local union 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 local union except to the extent specifically authorized in writing by the president of the union or by the executive board of the union.

Section 3. This local union shall at all times be subject to the provisions of the constitution of the American Federation of State, County and Municipal Employees.

**Article XI  
Amendments**

This constitution may be amended, revised, or replaced or otherwise changed by a two-thirds vote of the members voting, provided proper and adequate notice of the proposal has been given to all members.

Approved by:

A handwritten signature in black ink that reads "Lee Saunders". The signature is written in a cursive style with a large, prominent initial "L".

LEE SAUNDERS  
President

Approval date: May 24, 2018