CONSTITUTION

OF

AFSCME COUNCIL 62

PREAMBLE

Because improvements in the working conditions of workers in general and public employees in particular can best be promoted by a Union, and because unity of purpose and action by all workers in the States of Indiana and Kentucky are the basis of the strength of our movement, subject to the provisions of the AFSCME International Constitution, we adopt this constitution.

ARTICLE I
NAME AND HEADQUARTERS

Section 1. The name of this organization shall be AFSCME Council 62 of the American Federation of State, County and Municipal Employees, AFL-CIO.

ARTICLE II
AFFILIATIONS

This Council shall be affiliated with the American Federation of State, County and Municipal Employees, AFL-CIO, and the Indiana and Kentucky State AFL-CIO's.

ARTICLE III
OBJECTIVES AND METHODS

Section 1. The objectives of this Council shall be:

a. To promote the organization of workers in general and public employees in particular.

b. To advance the social, economic and general welfare of workers in general and public employees in particular in the States of Indiana and Kentucky.

c. To provide Council 62 local unions with the necessary service to achieve their objectives, and

d. To improve the wages, hours, general wellness and quality of life of those employees represented by Council 62.

Section 2. The attainment of the objectives of this Council is to be accomplished through the employment of the following methods:

a. Organization of workers in general and public employees in particular.

b. Creation and fullest development of sentiment favorable to public service and to those we represent.

c. Promotion of required, desirable legislation.

d. Collective bargaining resulting in working agreements and contracts, and

e. Exercise of other lawful means.

ARTICLE IV
MEMBERSHIP

Section 1. All Local Unions chartered by AFSCME within the States of Indiana and Kentucky, are required and shall affiliate with Council 62.

Section 2. A per capita tax shall be paid by all local unions at two dollars ($2.00) above the minimum rate per month established by the International Constitution and shall be adjusted annually in accordance with the provisions of the International Constitution, beginning with the 1995 adjustment. All locals currently remitting dues directly by the employer shall continue such practice. All dues payments, including fair share payments, membership rosters, and all other information deemed pertinent by Council 62 shall be remitted directly to Council 62 by the employer beginning no later than January 1, 2008.

Section 3. Council 62 shall monthly place into a segregated account, an amount equal to $2.00 per member. These funds shall be used to cover the lodging expenses for one member from every affiliated local union attending the biennial Council 62 Education Conference, the Indiana and Kentucky State AFL-CIO Conventions, scholarship funds, and the self-sufficiency and solvency of Council 62.

Section 4. All memberships are continuing memberships and will continue in effect in accordance with the Collective Bargaining Agreement covering the individual member. In the absence of such language in a Collective Bargaining Agreement, membership shall continue from year-to-year unless the member notifies AFSCME Council 62 in writing that the member wishes to revoke his or her membership. Any written revocation of membership must be filed between August 1 and August 31 of the year immediately preceding the year in which the membership is to be cancelled.

ARTICLE V
MEETINGS

Section 1. Conventions of this Council shall be held every two years starting in 1985 no earlier than the month of August and no later than the month of November of that year. An Education-Legislative-Organizing Conference shall be held in the even-numbered years. The Council Executive Board shall meet at least quarterly at such time and place as set by the Council Director.

Section 2. Special Conventions of this Council may be called by the Council Director and the Council Executive Board. One-third of the locals affiliated with the Council may at any time require a special convention by filing a request with the Council Director, which petition shall name the purpose of the convention and set its date. A special convention may also be called by the International President or his authorized representatives.

Section 3. The convention call and credentials to the annual convention shall be mailed to each affiliated local union at least fifty (50) days prior to the convention.

Section 4. All sovereign powers and authority of the Council shall originate in the convention of the Council, and all matters of policy shall be determined at the convention of the Council.

Section 5. A quorum for the transaction of all Council conventions shall consist of delegates of one-third of the affiliated local unions.

ARTICLE VI
REPRESENTATION

Section 1. Locals shall be entitled to delegates on the basis of membership as follows:

0 to 100 - one delegate
101 to 200 - two delegates
201 to 300 - three delegates
301 to 400 - four delegates

More than 400 -- one additional delegate for each 1,000 additional members or fraction thereof.

Section 2. Regardless of the number of delegates, locals shall be entitled to vote on the basis of one vote for each number or fraction thereof.

Section 3. Locals entitled to more than one delegate may send fewer than their quota of delegates and the delegates present may cast the entire vote of the local on all recorded votes and elections coming before the Council. The number of votes shall be divided equally among the delegates with any remaining votes to be cast by the chairman of the delegation, as designated by the local. No fractional votes shall be permitted.

Section 4. The basis of representation in Council conventions shall be determined from the average per capita tax paid to the Council by each affiliated local union thereof for the twelve consecutive months ending with the month of May preceding the convention or for such period as per capita tax has been paid in the case of local unions chartered and affiliated with the Council less than this period. In the case of special conventions, representation shall be based on the average per capita tax paid to the Council during the twelve months immediately preceding the call of any special convention.

Section 5. Duly elected officers and members of the Council Executive Board who are not elected as delegates representing their local union shall nevertheless be entitled to all the rights and privileges of a delegate, except the right to vote.

Section 6. No local union shall be entitled to representation in any meeting of the Council unless all of its per capita tax and other just obligations to the International Union and the Council have been paid in full by or on the day credentials are presented at the meeting.

Section 7. To be accredited, delegates must be on the floor when the vote is taken, and voting by proxy shall not be permitted. All issues except amendments to this constitution shall be decided by a majority vote of the accredited delegates voting, except as otherwise specifically provided in this constitution.

Section 8. All delegates to the convention of the Council shall be elected in accordance with Section 3A and C of Appendix D, Elections Code of the International Constitution. They shall be in good standing in the local, and the names of such delegates shall be certified by the proper officers of the locals to the Secretary of the Council at least ten days prior to the time of the convention.

Section 9. Expenses of delegates attending these conventions shall be the responsibility of their local union, except as otherwise specifically provided in this constitution.

Section 10. Expenses of Council 62 officers and Executive Board members to attend meetings and carry out any necessary business, as authorized by the Council Director, shall be paid by the Council. Mileage shall be paid at the following flat rates: 0-30 miles = $0.00, 31-100 miles = $20.00, 101-200 = $30.00, 201-300 = $40.00, 301-400 = $56.00, and 401+ = $66.00, unless unanimously changed by the Council 62 Executive Board. Other expenses shall be paid at the same rate and under the same policies established for Council personnel.

ARTICLE VII
OFFICERS AND COMMITTEES

Section 1. The officers of the Council shall be: a President, Vice-President, Recording Secretary-Treasurer, a Council Director and eleven (11) additional Board Members and these fifteen (15) officers shall constitute the Executive Board of the Council. At least one Executive Board Member shall be a member of a local union representing members in Kentucky and at least one Executive Board Member shall be from the JCAESP, AFSCME Local 4011. Not more than one officer and/or Board Member shall be from the same local union. In addition, there shall be elected three (3) Trustees. Beginning with the election to be held at the 2005 convention, the Trustees shall be elected for four year terms.

Section 2. Officers shall be elected for a term of four years, beginning in 1973.

Section 3. All elections within this Council shall be conducted in accordance with Appendix D, Elections Code of the International Union Constitution.

Section 4. Nominations shall be made at a regular or special meeting of the Council. At least fifty days' notice shall be given to the locals prior to the nomination 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 5. No member shall be eligible to hold office unless all accounts and per capita tax due the Council and the International Union are paid in full by the local union of which he is a member, and unless he has been a member in good standing in his local for the year preceding the election.

Section 6. Officers shall be elected by secret ballot vote, and the balloting shall be so conducted as to afford to all delegates a reasonable opportunity to vote.

Section 7. Vacancies in office shall be filled for the remainder of the unexpired term by a majority vote of the Executive Board.

Section 8. Unexcused absence of an officer, as determined by the Executive Board, from two meetings of the Executive Board in a twelve month period shall automatically cause his removal from office.

Section 9. Every officer shall, upon assuming office, subscribe to the Obligation of an Officer, contained in Appendix B of the Inter-national Constitution.

Section 10. The President, with the approval of the Executive Board shall appoint such standing committees as are required by the by-laws. The President shall appoint such special committees as he may be authorized to do so by the Executive Board of the Council.

Section 11. All officers and employees shall be bonded in the amount of ten percent of the assets annually handled by the Council, as provided in Article IX, Section 19, of the International Constitution.

ARTICLE VIII
DUTIES OF OFFICERS AND COMMITTEES

Section 1. The President shall sign all authorized orders on the treasury of the Council and countersign all checks drawn against the funds held by the Council. At the conclusion of his term, he shall submit a report to the Council regarding the progress and standing of the Council and regarding his official actions during his term of office. In the absence of the

Council Director, the President shall preside at all meetings of the Council and the Executive Board.

Section 2. The Vice-President shall assist the President in the discharge of his official duties and in the absence of the President or his inability to serve, the Vice-President shall preside at all meetings and perform all duties otherwise performed by the President.

Section 3. The Recording Secretary-Treasurer shall keep a record of the proceedings of the Executive Board meetings and of the conventions of the Council and shall perform such other duties as may be required by the officers of the Council. The Recording Secretary-Treasurer shall keep an accurate statement of the receipts submitted to the Council and disbursements of the Council. He shall cause to be deposited all monies received by the Council in a bank in which the deposits are insured by the Federal Deposit Insurance Corporation, which bank shall be selected by the Executive Board. He shall sign all checks drawn against the funds held by the Council and these checks shall be countersigned by the President or the Council Director. He shall report the financial status at each meeting of the Executive Board and at each meeting of the Council. He shall submit his books and records for audit by a CPA whenever required by the Executive Board.

Section 4. The Executive Board shall meet at such times and places as shall be determined by the Council Director or a majority vote of the Board. Special meetings of the Executive Board may be called by the President or the Council Director. A quorum shall consist of fifty percent (50%) of the board members. The Executive Board shall transact all business of the Council that is necessary to be transacted between conventions. The Executive Board shall study all matters that may come to its attention and shall report to the Convention.

Section 5. The Council Executive Board may delegate its authority to employ the necessary staff employees and its authority to obtain office space and employ any office personnel necessary to carry out the administrative functions of the Council to the Council Director, but it may not delegate its responsibilities.

Section 6. The Council Director, with the approval of the Executive Board shall appoint a Political Action Committee. The Political Action Committee shall consist of membership based on Congressional District boundaries, and shall make recommendations to the executive board regarding all aspects of political activity which have an effect on members of Council 62, including but not limited to candidate endorsements. No local union may make any endorsements on behalf of or bind Council 62 in any way on political activities.

Section 7. The Council Director shall submit an organizing plan for approval and adoption to the Executive Board.

Section 8. Special and standing committees shall perform such duties as are assigned to them.

Section 9. Necessary legal expenses will be paid for local unions, upon approval of the Council 62 Executive Board.

Section 10. The Council Director shall preside at all meetings of the Council and at all meetings of the Executive Board and he shall be a member ex-officio of all committees. He shall direct negotiations with employers, direct all organizing activity within the Council's jurisdiction, and carry out the legislative program of the Council. He shall be responsible for the content of all Council publications and public statements. He shall engage, assign, supervise, and terminate such clerical, technical and other staff employees as are found necessary by the Executive Board for proper service, organization, education, research, publicity and related Council activities with Executive Board approval. He shall establish and administer fair and equitable personnel policies placed in his charge, subject to the approval of the Executive Board. He shall report to the Convention and to the Executive Board on all his official activities

and submit plans and proposals to meet the current and future needs of the Council, including written reports to the Council, its Executive Board and affiliated local unions. He shall execute the policies of the Council and the Executive Board and the provisions of the constitution and be responsible for their observance by the Council staff. He shall submit an operating budget to the Executive Board. The proposed operating budget shall be subject to revisions and approval by the Executive Board. The budget shall be based on the Council's fiscal year, which shall be the same as the calendar year. He shall ensure that there is not deviation from the budget without prior approval of the Executive Board.

Section 11. Except to the extent specified in this Constitution, no officer of the Council shall have the power to act as an agent for or otherwise bind the Council in any way whatsoever. No member or group of members or other person or persons shall have the power to act on behalf of, or otherwise bind the Council, except to the extent specifically authorized in writing by the Director of the Council or the Executive Board of the Council.

ARTICLE IX
POLICY COMMITTEES

Section 1. The purpose of the policy committees shall be to coordinate the activities of the members they represent and advise and assist the Council in dealing with matters affecting their respective groups.

Section 2. The members of each policy committee shall have the right to organize and operate their respective policy committee in any way they desire, as long as they do not usurp the functions and activities delegated to the council or its Executive Board by this constitution.

Section 3. Each policy committee shall finance its own activities with funds contributed by the various locals having members in the Committee.

Section 4. Policy committees may include, but not be limited to the following: Mental Health Policy Committee, State University and City Schools Policy Committee, and City/County Policy Committees Professional and Human Services Policy Committee.

Section 5. The following Regional vice-presidents will be elected every four years along with the Council 62 officers in the same year. These Regional vice-presidents will have the responsibility to assist local unions in their occupational group with regard to servicing, organizing and education. The following are the occupational groups, by Regions:

Region 1 - Mental, Correctional and Special Institutions

Region 2 - Cities and Counties

Region 3 - Professional and Human Services

Region 4 - Universities and City Schools

Region 5 - Wishard Health Services, Non-Profit and Private Sector

Section 6. Policy committees shall meet quarterly at the call of the Regional Vice Presidents of the committees. Regional Vice Presidents shall prepare and present their policy committee activities to the Executive Board upon the request of the Council Director and/or the Executive Board.

ARTICLE X
DELEGATES TO CONVENTIONS

Section 1. The delegates to the International Convention of the American Federation of State, County and Municipal Employees, AFL-CIO shall be the President, and the alternate, the Vice-President.

ARTICLE XI
AMENDMENTS

Section 1. Proposed amendments to this Constitution shall be submitted in writing to the Executive Board and to the International Union at least thirty days prior to the regular or special meeting of the Council at which a vote is taken. The proposed amendments and the recommendations of the Executive Board and the International President shall be submitted to the next meeting of the Council. A two-thirds vote of the delegates present and voting at this meeting shall be necessary for adoption, except for amendments to Article IV, Section 2, which shall require a majority vote of the delegates present and voting, provided that notice of such proposals to amend Article IV, Section 2 shall be given to each local union at least thirty days prior to the convention at which the proposal is to be considered.

Section 2. This Constitution and all Amendments thereto shall not take effect until ratified by the American Federation of State, County and Municipal Employees, AFL-CIO.

Section 3. Procedures on charges, trials, disciplinary actions, penalties and appeals shall be in accordance with the provisions of the International Constitution.

ARTICLE XII
MISCELLANEOUS

Section 1. Robert's Rules of Order shall be the guide to parliamentary procedure where not in conflict with this Constitution.

Section 2. All affiliated locals must notify Council 62 of newly elected officers and stewards (appointed and elected). Council 62 will, at least bi-annually, offer local union officer and steward training programs designed to acquaint new activists with the duties and responsibilities of their office; the union's structure and available services; and general skills necessary for the successful completion of their duties/responsibilities. Elected and appointed officials must attend an available training program within one year of assuming office.

Section 3. The Council shall not normally appoint or select local union officials to additional committees or Council activities until the training specified in Section 2 is completed. Stewards shall complete training specified in Section 2 within one year or, following consultation with the local union president, they shall relinquish their stewardship.

Section 4. Gender specific pronouns used in this constitution are intended to refer equally to either gender.

APPROVED BY:

GERALD W. McENTEE
International President

Approval Date: 11/2/2007