

Local Constitution

ARTICLE I

Name

SECTION 1. This local union shall be known as the American Federation of Government Employees, Local No. 1033, AFL-CIO, Defense Health Agency (formerly Department of the Army), Fort Sam Houston, TX as set forth in its charter. See AFGE National Constitution, Article XIX, Section 1.

SECTION 2. The headquarters and mailing address of this local shall be prescribed in the local's bylaws.

ARTICLE II

Objectives and Methods

SECTION 1. This local does not advocate the overthrow of the Constitutional form of government in the United States. The local does not discriminate with regard to race, creed, color, national origin, sex, age, political affiliation, disability, marital status, sexual orientation, or preferential or non-preferential civil service status; and is not subject to corrupt influences or influences opposed to basic democratic principles.

SECTION 2. In the event any member(s) of the local is employed within a unit represented by an AFGE national bargaining council, the local shall affiliate with the national council(s). See AFGE National Constitution, Article XXI. The local shall pay dues and/or per capita tax to the national council for those members of the local employed within the unit represented by the council, as may be prescribed by the constitution of the council. See AFGE National Constitution, Article XXI, Section 1.

SECTION 3. This local is a separate, independent organization functioning in conformance with the AFGE National Constitution. Neither the local nor its officers, employees, members, or other persons has the authority to act, nor shall it be deemed to act on behalf of or as agent for the Federation or any of its other affiliates, unless such authority as applicable is expressly granted by the Federation by written authorization of the National President, or by an affiliate by written authorization in accordance with its governing procedures.

ARTICLE III

Membership

SECTION 1. All persons eligible for AFGE membership as prescribed by Article III of the AFGE National Constitution and who come within the local's jurisdiction as defined by its charter shall be eligible for membership in this local.

ARTICLE IV

Dues and Initiation Fees

SECTION 1. Dues shall be established and adjusted as may be necessary to ensure that they allow adequate funds for the payment of per capita tax and sufficient funds for the operating expenses of the local. See AFGE National Constitution, Article XIX, Section 4(a)(6) and 4(b)(6). Any change in the dues structure shall be accomplished by: (a) Majority vote by secret ballot of the members in good standing voting at a general or special membership meeting after reasonable notice of the intention to vote upon such question; or (b) By majority vote of the members in good standing voting in a membership referendum conducted by secret ballot.

SECTION 2(a). The local shall establish in its bylaws the amount of its initiation fee and the amount of its membership dues. See AFGE National Constitution, Article XIX, Section 4(a)(4)-4(a)(6) and 4(b)(4)-4(b)(6). Dues may be paid by payroll deduction or by advance payment for such intervals as prescribed by the local: quarterly, semiannually, or annually. If payroll deduction is available, the local may adopt a bylaw requiring payment of dues by this method. The local may establish a separate dues rate for retired members.

SECTION 2(b). Members may be dropped if dues are not paid by Tuesday of the last full workweek of the month, provided, however, that a reasonable amount of time after notice of delinquency is given.

ARTICLE V

Financial Records and Reporting

SECTION 1. All receipts, checks, and cash disbursements shall be properly recorded and accounted for in the financial records.

SECTION 2. The Treasurer shall sign and the President shall countersign checks covering proper expenditures for the local. In the absence of either the Treasurer or the President, such other officer as prescribed by the local's bylaws may sign in place of the absent officer.

SECTION 3. The officers, agents, shop stewards, or other representatives or employees of this local who handle funds or property thereof shall be bonded in accordance with law and applicable regulations. See AFGE National Constitution, Article XXIV, Section 8.

SECTION 4. In order for the bond to be effective, the local shall file with the National SecretaryTreasurer a copy of its annual audit in the format prescribed by Article XXIV, Section 8(d) of the AFGE National Constitution.

SECTION 5. All books, records, and financial accounts at all times shall be open to the inspection of the national officers or accredited representative of the National Executive Council and any duly authorized and accredited representative of the local. See AFGE National Constitution, Article XXIV, Section 9.

ARTICLE VI

Elected Officers

SECTION 1(a). The general officers shall be elected by the total membership and shall constitute the Executive Board of this local, and shall consist of the President, Treasurer, and Secretary and such others as the local's bylaws may prescribe. The local may adopt a bylaw combining the offices of Treasurer and Secretary.

SECTION 1(b). The local may establish bylaws which provide for the election of officers who are elected solely by members of a particular unit or work area and may provide that these officers will serve on the Executive Board.

SECTION 2. It shall be the duty and obligation of all local officers and all other official representatives of the local, whether elected or appointed, to support, advance, and carry out all provisions of the AFGE National Constitution, the standard local constitution and bylaws, official policies of the Federation and, to the extent not inconsistent with the foregoing, all official policies of the local. See AFGE National Constitution, Article XX, Section 2.

SECTION 3. The President shall be the executive officer of this local; he or she shall exercise general supervision over the affairs of the local and see that other officers comply with the responsibilities of their office and constitutional duties; comply with the National and standard local Constitutions; keep the membership apprised of the goals and objectives of the Federation; serve as an ex-officio member of all committees except the Election Committee, Audit Committee, and committee of investigation, or trial committee when he or she is bringing the charges or is directly or indirectly involved in the matter which gave rise to the charges; automatically serve by virtue of election to office as a local delegate to the district caucus,

council meetings, the AFGE National Convention, and such other meetings participated in by this local as the local may be entitled; preside at all local meetings; and sign all documents pertaining to the office. If the President is unable to perform his or her regular duties because of sickness, leave, TDY, or for some other legitimate reason, he or she shall delegate the responsibilities of that office to the officer designated in the local's bylaws as provided for in Section 4 of this Article.

SECTION 4. The local shall prescribe in its bylaws that the Treasurer or Secretary (or such other officer as the local may establish) shall assist the President in performing the duties of that office. If the President is absent from a local meeting, the officer so designated will preside. In the absence of the President and the officer so designated to assist him or her, a chair will be chosen by the members from among those in attendance.

SECTION 5. The duties of the Treasurer shall be to maintain a bookkeeping system as prescribed by the National Secretary-Treasurer; make a financial report at each regular meeting; keep an up-to-date roll of the members; receive all monies and/or dues paid into the local and receipt thereof; keep records of all transactions; deposit money in the bank to the credit of the local; make regular monthly reports to the NST, which includes furnishing names and addresses of all new members or members who have severed their affiliations with the local and furnishing notification of changes in members' addresses; forward per capita tax to the National Headquarters in accordance with the requirements of the AFGE National Constitution (For regular locals per capita tax is payable before the end of each month, and all monies owed the Federation must be forwarded to the NST not later than the 20th day of the following month. See AFGE National Constitution, Article XXIV, Section 5(a). For insured locals per capita tax is payable in advance to the NST before the first day of each month. See AFGE National Constitution, Article XXIV, Section 5 (b).); and perform additional duties and responsibilities as outlined in the AFGE Financial Officers Manual. Disbursements for payment of current bills (other than per capita tax, and approved budgeted expenditures) shall be approved by the local.

SECTION 6. The duties of the Secretary shall be to keep a complete record of the minutes of all meetings; maintain all election related documents (including copies of those pertaining to nominations, notices of meetings, and the minutes of any meetings, all of which must be sealed and preserved for one year after the election unless the records are requested by higher authority in the election appeal process or are still relevant), see AFGE National Constitution, Appendix A, Part I, Section 5(j); keep up-to-date the official copy of the bylaws of the local; conduct correspondence when directed by the President; and send out notices of meetings when required.

SECTION 7. No officer or agent of the local shall engage in any business or financial activities with or on behalf of this local which conflict with his or her fiduciary obligation to the local.

SECTION 8. The President and Treasurer (or Secretary-Treasurer) of the local are required to attend the Financial Officers Training class within 60 days of assuming office, whether elected or appointed, or the first available Financial Officers Training class if one is not available within 60 days of assuming office. Also, after taking the initial Financial Officers Training class, the President and Treasurer (or Secretary-Treasurer) are required to take the Financial Officers Training class every two years while holding office.

ARTICLE VII

Election Procedures

SECTION 1. The local's elections shall be conducted in accordance with the AFGE National Constitution and Appendix A thereof. Officers shall be elected for such terms as prescribed by the local's bylaws. No term shall exceed three years.

SECTION 2(a). In accordance with Appendix A, Part I, Section 1(e) of the AFGE National Constitution, the minimum qualifications for candidacy to local office are that a member must:

(1) Be a member in good standing;

(2) Be a member for one year of an AFGE local, immediately preceding the closing of the nomination process. This requirement does not apply to newly created locals or to unit-specific positions in new units; and

(3) Not be a member in any labor organization not affiliated with the AFL-CIO. See AFGE National Constitution, Appendix A, Part I, Section 1(e).

SECTION 2(b). Candidates shall not run for more than one office in the same local election; however, candidacy as a delegate shall not be considered to be covered by this provision.

SECTION 2(c). No person who is identified with corrupt influences or who is affiliated with the Communist party or other totalitarian movements may serve as an officer of the local.

SECTION 3. The local shall prescribe in its bylaws the manner by which its elections will be conducted (choose one): manual ballot or mail ballot or secure and electronic option(s).

SECTION 4. In the case of a vacancy in the office of President, such officer as may be prescribed by the local's bylaws shall fill the office for the unexpired term. Vacancies in any other office

unless otherwise prescribed by the local's bylaws shall be filled for the unexpired term by appointment by the Executive Board.

ARTICLE VIII

Executive Board and Committees

SECTION 1. The Executive Board shall meet at the call of the President.

SECTION 2. It shall be the duty of the Executive Board to devise and initiate such actions as may be necessary in the interim between the local's meetings, but such actions shall not be inconsistent with the objectives of the Federation and shall be subject to local approval.

SECTION 3. Expenditures by the Executive Board in excess of \$400 per month must have prior approval of the local's members either as authorized by the budget approved by the local or by separate vote of the local's members. All expenditures authorized by the Executive Board will be reported in writing at the next regular meeting of the local. Upon request a copy of such report will be made available to any member in good standing of the local.

SECTION 4. The Executive Board shall prepare an annual budget subject to the membership's approval, which shall ensure at a minimum that the local's revenues are sufficient to meet its financial obligations.

SECTION 5. Standing and special committees may be established in the manner prescribed by the local's bylaws.

ARTICLE IX

Delegates

SECTION 1. Delegates, alternate delegates, and proxy delegates to the AFGE National Convention, district caucus, and council meetings must be elected by name and in accordance with applicable provisions of the AFGE National Constitution. See AFGE National Constitution, Article VI, Article VIII and Appendix A, Part I, Section 6.

SECTION 2. The local's President if elected to that office shall serve as a delegate to the AFGE National Convention, district caucus, council meetings, and such other meetings at which the local is entitled to representation. If the local is entitled to additional delegates, the additional delegates shall be elected by an election called for that purpose, unless the local's bylaws prescribe that the local's other officers shall serve as delegates by virtue of election to their office. In filling a vacancy without an election, only a person who is appointed or succeeds from

a position in which the person was a delegate by virtue of election to the office may be a delegate by virtue of office in the new position.

ARTICLE X

Offenses, Trials, Penalties, Appeals

SECTION 1. All offenses, trials, penalties, and appeals shall be accomplished in accordance with the AFGE National Constitution. See AFGE National Constitution, Article IX, Section 5 and Article XXIII.

ARTICLE XI

Bylaws

SECTION 1. The local shall establish bylaws, establishing among other things the frequency and location of regular meetings, provisions for calling special meetings, a regular order of business, provisions for a quorum, the date, manner and location of nominations and elections, and other operating procedures of the local.

SECTION 2. No bylaw shall conflict with the provisions of the AFGE National Constitution, this constitution or, if applicable, the constitution of a national bargaining council.

SECTION 3. Bylaws shall be adopted and amended only after a one month notice to the local's membership and by two-thirds vote of members, either present at a membership meeting and voting, with provision for absentee vote, or by mail ballot. Such bylaws do not require NEC approval. Locals shall send a copy of their bylaws, the notice and membership meeting minutes to the district office.

SECTION 4. Copies of this constitution and the local's bylaws shall be available upon request to the Secretary to all members in good standing of the local.

ARTICLE XII

Meetings

SECTION 1. Meetings to address any and all local business may be held and conducted using any virtual/video/telephonic platform or method the local deems appropriate, in lieu of or in conjunction with any in-person meetings, so long as the meetings provide, at a minimum,

conditions of opportunity for simultaneous communication among the participating members equivalent to those of meetings held in one location.

SECTION 2. Where some local bylaws may require meetings of the local to occur at a specific physical location, it will be within the local president's authority, with the consent and advice of the local executive board, to call for a meeting to be held and conducted using any virtual/video/telephonic platform, in lieu of or in conjunction with any in-person meetings, so long as the members receive notice, at least 10 days in advance of the meeting, to every member of the local.

Bylaws

American Federation of Government Employees Local 1033

Section 1. Address

The headquarters of the local is Building 3669, Fort Sam Houston, TX 78234. The mailing address is P.O. Box 340586, Fort Sam Houston, TX 78234, US

Section 2. Meetings

- (a) Regular meetings of the local shall be held on the 2nd Wednesday of the month.
- (b) The meetings shall be held at Building 3669, Fort Sam Houston, TX 78234 commencing at 1600.
- (c) The meetings shall be hosted on Zoom or another agreed upon platform that is easily accessible for members who are remote. The recording will be available to members until the written minutes are adopted as record.
- (d) A record of all meetings shall be kept in the form of written minutes and approved by the membership during the next regular meeting.

Section 3. Special Meetings

Special meetings may be called by the President, two-thirds vote of the Executive Board or upon written petition of at least ten percent of the membership. Five days written notice of the specific purpose of the meeting must be given to the membership. No business other than that specified in the notice will be discussed.

Section 4. Vote Eligibility

Only members of the local in good standing shall be allowed to vote.

Section 5. Order of Business for Meetings

The regular order of business will be:

- (a) Roll call of officers
- (b) Reading of the minutes of the previous meeting
- (c) Report of financial condition by Local Treasurer
- (d) Reports of committees
- (e) Unfinished business
- (f) New business
- (g) Comments for the good of the local
- (h) Adjournment

Section 6. Quorum

A quorum of this local shall consist of 5 members. A quorum of any committee shall consist of a majority of the members thereof.

Section 7. Vote Method

Unless otherwise specified by law (e.g., secret ballot election or dues) or by constitution, all questions before the local will be decided by vote of the members present first by voice vote, then by a showing of hands.

Section 8. Discussion Time

The time allowed for debate of any particular issue before the local and the time allowed for speeches will be 2 minutes. The time allowed for debate may be extended by a majority of those present and voting.

Section 9. Executive Board

The general officers of this local who comprise the Executive Board are as follows:

- (a) President
- (b) Treasurer-Secretary
- (c) Executive Vice President
- (d) Chief Steward
- (e) Sergeant-at-Arms / Senior Steward

For officers other than President, Treasurer or Secretary (whose duties are prescribed by the standard local constitution, Article VI), if the local decides to establish other offices, its bylaws should reflect the duties to be performed by each, none of which should conflict with the duties prescribed in Article VI.

Section 10. President's Assistant

The Vice President shall assist the President in the performance of the duties of that office. See standard local constitution, Article VI, Sections 3, 4.

Section 11. Vacancy of President

In the case of a vacancy in the office of President, the Executive Vice President shall fill the office for the unexpired term. See standard local constitution, Article VII, Section 4.

Section 12. Sergeant-at-Arms

A Sergeant-at-Arms, also known as the Senior Steward, shall be appointed by the President. The Sergeant-at-Arms shall ensure that no one enters the meetings without proper authority; assist the presiding officer in the maintenance of order; welcome and introduce guests; see that each member's presence is recorded in a log; provide a roll to call should the recording of individual votes be necessary, and perform other duties as may be assigned by the presiding officer.

Section 13. Chief Steward

A Chief Steward shall be elected by vote of the local's membership. The role of the chief steward shall serve as an essential component of the checks and balances system for the fiduciary responsibilities held by the treasurer and president. The chief steward shall possess the authority to act as a third signer or approver for all financial actions if the current treasurer is incapacitated or otherwise unavailable. The chief steward, in their capacity as a third signer or approver, ensures transparency and accountability in the financial operations of the local. Their involvement is intended to help maintain the integrity of financial decisions and safeguards against any potential conflicts of interest. The chief steward's capability to fulfill this role requires a strong understanding of financial procedures and a commitment to upholding the highest ethical standards. Therefore, the chief steward shall receive fiduciary training to ensure efficient and compliant financial practices.

Section 14. Nominations of Officers

Nominations of officers shall be held in February and elections and installation shall be held in March after proper notice to local members. A quorum is not required for nominations and/or elections. See AFGE National Constitution, Appendix A, Part I, Section 3. Candidates shall not run for more than one office in the same election; however, candidacy as a delegate shall not be considered to be covered by this provision. A runoff election, if necessary, shall be held as soon as possible at the same meeting or by mail ballot or secure and electronic option(s).

Section 15. Election Committee

An Election Committee shall be constituted at a meeting preceding the start of the nomination procedure. See AFGE National Constitution, Appendix A, Part I, Section 2.

Section 16. Oath of Union Officers

All officers will be administered the "Oath of Union Officers" contained in the AFGE National Constitution upon their installation in office. Officers shall serve for 3-year terms, beginning in 2000 (year). (Note: Terms shall not exceed three years from installation.)

Section 17. Rule of Order

The current edition of Robert's Rules of Order Newly Revised shall govern the proceedings of all meetings of the local, when not inconsistent with the provisions of the standard local constitution, the AFGE National Constitution, or these bylaws.

Section 18. Delegates

The delegates representing the local at the AFGE National Convention, district caucus, and national council meetings shall be elected during a meeting of the local chapter. Adequate notice must be given to the local chapter's members, as outlined in the AFGE National Constitution, Appendix A, Part I, Section 3. The only exception to this election process is the local chapter's President, who serves by virtue of their office. During the aforementioned meeting or a subsequent one, the local chapter will vote on the allocation of funds to cover the attendance expenses of the delegates at the National Convention, caucus, or council meetings. (AFGE National Constitution, Appendix A, Section 6(d)).

Section 19. Committees

Such committees as may be established by the local shall be comprised of members appointed by the President subject to the approval of the Executive Board (except for the Election Committee). See Section 15 of these bylaws.

Section 20. Initiation Fee

The initiation fee for members shall be \$0.00. No initiation fee shall ensue membership.

Section 21. Membership Dues

The dues shall be \$18.50 per pay period. The amount for retired members shall be \$2.00 per month, payable on per annum basis of \$24.

Section 22. Central Labor Council

This Local shall affiliate with any and all Central Labor Councils having jurisdiction over its members.

At the time of adoption of these bylaws, our local affiliate is:

San Antonio AFL-CIO Central Labor Council, 9502 Computer Dr #201, San Antonio, TX 78229.

Section 23. Strategic Planning

The Local will be encouraged to develop a strategic action plan each year to include goals in all of, but not limited to, the following areas:

- (a) Organizing and Workplace Representation to include Legislative and Political Mobilization
- (b) Strengthening the Local
- (c) Education, and
- (d) Communications.

NOTE: The AFGE National Constitution at Article XIX, Sections 4(a)(6) and 4(b)(6) and the standard local constitution at Article IV, Section 1 require that each local establish and maintain a dues level high enough to allow adequate funds for the payment for the per capita tax and to provide sufficient funds for the operational expenses of the local. It is strongly recommended that each local consider as a minimum dues level an amount such that biweekly dues are at least equal to monthly per capita tax. Locals also are encouraged to adopt a bylaw which prescribes that the local's dues shall be increased automatically by the amount, if any, by which the National Convention increases the per capita tax. See standard local constitution, Article IV, Section 1 and Article XI, Section 3.

Section 24. Membership Approval for Contract Ratification

- (1) The Collective Bargaining Agreement between the local and employers shall receive explicit approval from the membership before being signed.
- (2) Contract Ratification Process:
 - a. Prior to the execution of any contract or collective bargaining agreement (CBA) between the local and an employer, the proposed agreement must be presented to the membership for approval through a vote.
 - b. A membership vote on the contract shall be conducted following the completion of negotiations and prior to any signing or implementation.
 - c. The vote shall be scheduled in a manner that provides sufficient time for members to review the proposed contract terms and engage in meaningful discussion. The membership vote and quorum shall be held in accordance with the local's established voting procedures during a membership meeting.
 - d. Members shall be provided with relevant documentation, including the full text of the proposed contract or CBA, well in advance of the vote to allow for informed decision-making.
 - e. The local shall promptly communicate the results of the membership vote to its members, ensuring transparency and accountability throughout the process.
- (3) Contract Implementation: The contract shall be considered approved if it receives a majority vote of the eligible members who cast their ballots. Once the proposed contract has been

approved through the membership vote, it shall be signed and executed by the local president and the highest ranking representative of the employer.