Constitution and By-Laws

for

Washington Federation of State Employees

Council No. 28, AFSCME

Preamble

To protect and advance, through united action, the welfare of public service employees, and to ensure the union is a positive force in worker's lives, families, and communities, we, the members of the Washington Federation of State Employees, in convention assembled, therefore adopt this constitution.

Article I
Name and Headquarters

Section 1. The name of this organization shall be the Washington Federation of State Employees Council No. 28 of the American Federation of State, County and Municipal Employees, AFL-CIO (AFSCME).

Section 2. The headquarters of this council shall be in Olympia, Washington.

Article II
Affiliations

This council shall be affiliated with the American Federation of State, County and Municipal Employees, AFL-CIO, and with the Washington State Labor Council, AFL-CIO.

Article III
Purpose

The purpose of this organization shall be:

A. To organize and empower individuals to create a powerful collective voice.

B. To unite the Washington State Employee Local Unions of Council 28, AFSCME, for mutual welfare, protection and advancement.

C. To achieve and maintain excellent wages, hours, benefits, working conditions, and job security.

D. To coordinate state legislative programs of Washington State Employee Local Unions of Council 28, AFSCME.

E. To represent local unions before appropriate legislative bodies, boards, commissions and committees.

F. To assist local unions with organizational, educational, publicity, and promotional programs.

G. To work with local unions in the processing of grievances and negotiating of agreements.

H. To respond to the needs and direction of the membership.

Article IV
Membership

Section 1. The membership of this council shall consist of all AFSCME state employee local unions and all AFSCME private sector local unions whose members perform services which were previously performed by, or are similar to those performed by, state employees in the State of Washington or whose members perform services which are funded directly or indirectly by the State of Washington.

Section 2. If AFSCME should revoke the charter, suspend, or expel a local union affiliated with the council, it shall automatically cease to be a member of the council. Any local, whose membership is thus terminated, shall be automatically reinstated as a member of this council upon reinstatement by the AFSCME.

Section 3. The Council 28 President is authorized, with the approval of the Council 28 Executive Board to establish alternative forms of membership, including special rules governing the rights and obligations of such members, for groups of workers for whom regular membership is determined to be inappropriate based upon the nature of the workers' employment relationship or limitations on their legal rights in the workplace. Any special rules governing the rights and obligations of such members shall, to the extent required by law, be subject to the approval of the next council biennial convention provided that, such special rules shall not be inconsistent with the International Constitution and shall not operate to diminish any rights of membership protected by the International Constitution unless such rules have been approved by the International Executive Board pursuant to Article III, Section 1H, of the International Constitution.

Article V
Policy Committees

Section 1. The council shall be divided into Policy Committees representing the employees with a community of interest within a single division or multiple divisions of an agency, a single agency, or groupings of agencies, a single bargaining unit, groupings of bargaining units, or employees or workers with a community of interest due to the performance of similar job duties. These committees are:

A. Institutions Policy Committee

B. Human Services Policy Committee

C. Transportation Policy Committee

D. Institutions of Higher Education Policy Committee

E. Department of Labor and Industries Policy Committee

F. Employment Security Policy Committee

G. United State Agencies (USA). (This committee shall represent all local union members not under the jurisdiction of an established Policy Committee.)

H. Corrections Policy Committee

I. Natural Resources Policy Committee (Washington State Departments of Agriculture, Ecology, Fish & Wildlife, Natural Resources, and the Parks and Recreation Commission, and Interagency Committee for Outdoor Recreation)

J. Public Service Policy Committee (This committee shall represent all local union members not employed by an institution of higher education or state agency.)

K. Department of Children, Youth, and Families (DCYF) committee of members who are employed within DCYF, except for those employees included in the Institutions Policy Committee and those employees who work in the DCYF Working Connections Child Care unit/division.

L. Legal Services committee of members who are employed by agencies or offices dedicated to performing public legal services, including but not limited to the Office of the Attorney General and the Office of Administrative Hearings.

M. Any new Policy Committee established by the executive board as provided in Section 2 of this article.

The Council Executive Board shall have the authority to review and modify the name and jurisdiction of any policy group between conventions. Such action shall require a two-thirds vote of the members of the executive board.

Section 2. After the biennial convention of each odd-numbered year, and before the next biennial convention, twenty-five or more of the members in good standing of one or more locals affiliated with this council may file a petition with the secretary requesting the executive board to establish a new Policy Committee. No such petition shall be considered unless it contains the signature, address and local number of each petitioner; the reasons why the new Policy Committee is desired; and the community of interest of the members who would be included in the proposed new committee. The executive board, after careful investigation, shall have the power to either grant or deny the petition, and its decision shall not be subject to review except by the delegates to a biennial convention or special meeting of the council.

Section 3. The purpose of the Policy Committees shall be to develop and carry out such programs as are peculiar to employees or workers within their jurisdiction, and on other matters to develop recommendations for consideration by the council's executive board. They shall also elect and designate representatives to the council's executive board as hereinafter provided.

Section 4. The draft minutes of the Policy Committee shall be submitted to the council headquarters office within fifteen (15) days following any meeting.

Article VI
Revenue and Expenditures

Section 1. The monthly membership dues rate of all locals affiliated with this council shall be 1.50% of each member's actual salary, each pay period, computed on each individual's salary range and step, exclusive of overtime, callback and penalty pay, shift differential, standby pay, equipment premium pay, holiday premium pay, terminal leave pay, sick leave cash-out pay, or commute trip reduction payments, up to a maximum of eighty-six dollars and ninety-nine cents ($86.99) effective July 1, 2019, provided the maximum dues payable shall be increased in direct proportion to the weighted average percentage of general salary increases for all bargaining unit members effective the month the majority of members receive the salary increase.

At the beginning of the next fiscal year following this convention, the monthly dues cap will be increased five dollars ($5.00) and will be increased five dollars ($5.00) at the beginning of each fiscal year thereafter for ten years. At the beginning of the 11th fiscal year, the cap will be eliminated.

Section 2. Effective July 1, 2008, all locals affiliated with this council shall receive a monthly per capita tax as follows:

A. For Members: four dollars and nine cents ($4.09) per member per month from total dues collected for each member unit. This amount shall be referred to as the "local member per capita tax."

B. For Representation Fee payers: three-quarters (3/4) of the local member per capita amount less the non-chargeable percentage for each fee payer unit.

The local member per capita tax shall be adjusted as follows:

C. Dues rate increase/decrease: The local member per capita tax will be increased/decreased by ten percent (10%) of the increase/decrease in the average dues resulting from a dues rate adjustment, rounded to the nearest cent effective with the month the dues increase is effective.

D. General salary increase: The local member per capita tax will be increased by the same percentage as the maximum dues payable.

E. AFSCME annual International per capita tax increase: The local member per capita tax will be reduced by 10% of the AFSCME annual International per capita tax increase amount effective with the next general salary or dues increase.

The council will remit per capita taxes to the locals within thirty (30) days of the end of each month.

The council shall place not more than ten cents ($.10) per member per month of each local's per capita tax in the council's travel fund. In addition, the council shall place not more than ten cents ($.10) per member per month of the council's per capita in the council's travel fund. The Council Executive Board shall adopt the rules governing the reimbursement for Policy Committee meetings and all other travel reimbursements from the travel fund. The Council Executive Board shall have authority to set the specific amount to be contributed to the travel fund.

Section 3. Monthly per capita taxes established by AFSCME International will be paid to AFSCME International within thirty (30) days of the end of each month.

Section 4. Monthly per capita taxes will be paid to central labor councils as determined by the executive board within thirty (30) days of the end of each month.

Section 5. Exclusive of per capita requirements referenced in Sections 2, 3 and 4, the council shall retain, per member, agency fee payer, and representation fee payer month, the amount remaining to fund the various programs contained within the approved council budget. Any net income at the end of each fiscal year will be placed in a reserve fund. The reserve fund may not be expended for any purpose without specific authorization of the Council 28 Executive Board.

Section 6. Special assessments may be levied on the members of affiliated locals by a two-thirds vote of the delegates present at a biennial convention or a special meeting of the council.

Section 7. All union dues/fees payable by members or agency fee payer and representation fee payers in certified bargaining units shall be paid to the Washington Federation of State Employees, AFL-CIO, Council 28 through payroll deduction, except where payroll deduction is not available or applicable.

Section 8. The expenses of members of the executive board for the purpose of attending executive board meetings shall be paid by the council.

Section 9. The executive board shall have the power to establish such rules, regulations and restrictions, consistent with the council's constitution, as it may deem necessary with respect to expenditures from the council treasury, subject to such modifications as may be pursuant to a majority vote of the delegates to a biennial convention or special meeting of the council.

Section 10. The council is hereby authorized to publish a newspaper for a minimum of 10 months each year.

Section 11. The executive board may allow remuneration to the president, vice-president, secretary and treasurer for services rendered in their elective capacity, but in each instance, except "time loss" and reimbursement of actual expenses, the executive board shall notify every affiliated local as to the name of the office of the recipient, the amount allowed, and the nature of the services rendered for which remuneration is allowed. No voucher or check shall be drawn in payment of any remuneration allowed by authority of this section unless the executive board then in office first authorized such payment without regard to the action taken by any previous executive board.

Section 12. No check shall be drawn on funds coming into possession of the council without documentation clearly setting forth the nature and amount of the expenditures. Each check must have the signature of the treasurer and the president, or in the absence or incapacity of either of them the vice-president in lieu of the absent person, in accordance with such rules and regulations as the executive board may prescribe; provided, that the Finance Committee may select two Council 28 staff members who may sign each check making payment of the various per capita taxes due and payments of P.E.O.P.L.E. funds to the International Union, provided each check contains two approved signatures. The signatories will approve payments made.

Article VII
Meetings

Section 1. The council biennial convention shall be held in odd-numbered years and on a Saturday and Sunday in September or October but may also be convened on the preceding Friday. The call to the biennial convention shall be issued at least 120 days preceding the commencement of the convention. The Council 28 Executive Board shall select the convention dates and city.

A. All convention committees shall meet prior to the convening of the convention, if necessary.

B. All committee members shall be notified by letter of committee appointments by the council president not later than 30 days prior to the convening of the convention.

Section 2. A special meeting of this council may be called by one-third of the affiliated locals or by two-thirds vote of the members of the executive board by filing a request with the president designating the time and place for the meeting which shall be no sooner than fourteen (14) days' subsequent to the date of such filing and the president shall immediately issue a call to the locals.

Section 3. The authority of the organization shall originate in the biennial convention or special meetings of the council. Delegates to the biennial convention or special meetings shall determine matters of policy and may delegate such authority as they may determine. The biennial convention or a special meeting of this council shall be the court of last recourse for all appeals which may be made by any member from any decision of any body or committee of the council, except as provided in Article X of the constitution of AFSCME and except for decisions on grievance merit as provided in the Council 28 Grievance Policy.

Section 4. A quorum for the transaction of business shall consist of delegates from not less than one-third of the affiliated locals properly seated at the biennial convention or special meeting of the council.

Article VIII
Representation

Section 1. Locals shall be entitled to delegates to the biennial convention or special meetings of the council on the basis of one (1) for each fifty (50) members or fraction thereof. Regardless of the number of delegates, locals shall be entitled to vote on the basis of one (1) vote for each member. 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 convention. The number of votes shall be divided equally among the delegates, with any remaining votes to be cast by the chairperson of the delegation. No fractional votes shall be permitted.

Section 2. All delegates and alternates to the biennial convention or special meetings of the council shall be members in good standing of their respective local unions.

Section 3. No delegates or alternates shall be allowed representation or recognition at the biennial convention or special meetings of the council unless their local union is a member of the council as provided in Article IV of this constitution.

Section 4. Two or three local unions may unite in sending a delegate to the biennial convention or special meeting of the council provided such delegate is a member in good standing in accordance with Section 2 of this Article of one such local unions. Said delegate shall be entitled to the votes to which the local unions so represented are entitled in accordance with Section 1 of this Article. No delegate shall represent more than three locals, including their own.

Section 5. All delegates to the biennial convention or special meetings of this council shall be elected by the respective local unions they represent, and the names of such delegates shall be certified by the president and secretary of the local union to the secretary of the council at the council headquarters office. This certification must be received at least sixty (60) days prior to the commencement of the biennial convention. The Council Executive Board shall determine the date of receipt of certification for special meetings of the council. If such certification includes two or more delegates, the certification shall designate one of the delegates as chairperson of the delegation.

Section 6. The membership of locals for the purpose of computing the number of delegates and votes to which each local is entitled at the biennial convention shall be determined on the basis of their average monthly member per capita tax payments for the twelve-month period ending ten full calendar months before the month of said scheduled meeting; provided, however, that the membership of locals which affiliate or re-affiliate after the beginning of the above-defined twelve-month period shall be determined on the basis of their average monthly member per capita tax for the full period of their affiliation up to the month preceding that of the scheduled meeting. The Council Executive Board shall determine the membership of the locals for the purpose of computing the number of delegates and votes to which each local is entitled for special meetings of the council.

Article IX
Officers

The officers of this council shall consist of: president, vice-president, secretary and treasurer.

Article X
Duties and Authority of Officers

Section 1. The president shall act at all times in a manner which will maintain the organization and benefit its members. The president shall preside at the biennial convention and all special meetings of the council, at all meetings of the executive board, appoint all committees, except the Finance and Personnel Committees and shall be a member ex-officio of all committees. The president shall have authority to call special meetings of the executive board at any time provided that reasonable notice is given to board members. The president shall have their signature on all checks drawn on council funds, as provided in Article VI, Section 12, of this constitution. At the conclusion of the term, the president shall submit a report to the council regarding the official acts during that term of office.

Section 2. The vice-president shall actively assist the president in conducting the business of the council in every way possible. In the absence of the president, the vice-president shall preside at all meetings and perform all duties otherwise performed by the president.

Section 3. The secretary in office at the time of each biennial convention or special meeting of the council shall be responsible for preparing a record of the minutes thereof within 30 days following adjournment of such convention or special meeting. The retiring officers of the council shall review this record. The president and secretary currently in office shall ensure the final preparation and distribution of such minutes to the affiliated locals within 90 days following adjournment of the convention or special meeting.

The secretary shall be responsible, with the assistance of the council office staff, to prepare and distribute minutes of the council's executive board meetings.

Draft minutes of executive board meetings shall be mailed to members of the Council Executive Board and to all locals affiliated with the council within thirty (30) calendar days after such meetings. These draft minutes shall be sent electronically to any Council Executive Board member or affiliated local who requests an electronic copy.

Section 4. The treasurer shall be responsible for the funds and financial records of the council. It shall also be the duty of the treasurer to assure the books and records of the council are audited annually by a certified public accountant in time to submit the audit report to the biennial convention, covering the two preceding fiscal years, each running from July 1 to June 30 and that a copy of each audit is sent to the International Secretary-Treasurer.

Subject to the prior approval of the executive board, the treasurer will assure that funds are borrowed, or council funds are invested in the name of the council. In the absence or incapacity of the treasurer, the president or vice-president may exercise the same authority.

The duties of the treasurer shall be to assure that:

A. All funds received are deposited to the credit of the council in financial institutions approved by the executive board.

B. All checks drawn on council funds bear their signature except those which, in the absence or incapacity of the treasurer, may be signed by the vice-president, or as provided in Article VI, Section 12, of this constitution.

C. The treasurer's report be provided to the executive board members.

D. Monthly financial statements are provided with the treasurer's report to the executive board.

E. A statement of assets handled for the purpose of computing the amount of the required surety bonds covering all officers and employees of the council is submitted to the International Secretary-Treasurer by March 1 of each year, as required by the International.

F. Affiliation fees are paid to the AFSCME central labor bodies and affiliated locals, as provided in Article VI, Sections 2, 3 and 9, of this constitution.

G. Assure the maintenance of the financial records of the council according to sound accounting practices and shall certify the same, subsequent to each annual audit of the books and records. All financial records shall be retained in their original form for a maximum of six years from the date of such records.

Article XI
The Executive Board

Section 1. The executive board of this council shall consist of the president, vice-president, secretary, treasurer, and representation from each Policy Committee which shall be based on one (1) board member for each 500 members or fraction thereof, provided that each Policy Committee shall have not less than two (2) executive board members. The Council Treasurer will notify the Policy Committees whose membership increased for a period of four (4) consecutive calendar months so as to affect that Policy Committee's representation on the Council Executive Board. Policy Committees that are entitled to additional board members as a result of an increase in membership, after the Policy Committee meeting held in accordance with Article XIV, Section 3, and before the next such meeting, may nominate and elect additional Council Executive Board members at any intervening Policy Committee meeting, so long as it is done in keeping with subsections A, B, B1, B2, and B4 of Article XIV, Section 3, of this constitution. Executive board members so elected shall serve until the next Policy Committee meeting held in accordance with Article XIV, Section 3.

Section 2. The president, vice-president, secretary, and treasurer shall be nominated, elected and installed at each biennial convention. Their term of office shall begin the day they are elected and shall end during the next following biennial convention on the day when officers of the council are again elected. All other members of the executive board shall be nominated, elected, installed and serve for the term prescribed by Article XIV of this constitution.

Section 3. No person shall be a member of the executive board and continue in office unless that person is a member in good standing of a local union affiliated with this council, and said local union must at all times be a member of this council, as provided in Article IV of this constitution, provided that the member maintains membership in the Policy Committee he/she was elected to represent.

Section 4. In the event a Policy Committee sustains a membership decrease that over a period of four (4) consecutive months would affect the executive board membership entitlement of the Policy Committee, a reduction in the number of executive board members from the Policy Committee shall occur in inverse order of election. The effective date of said reduction shall occur the first day of the month following the four (4) consecutive month period.

Section 5. AFSCME Washington Retiree Chapter 10 shall be allowed to select a retiree representative to the Council 28 Executive Board. That representative shall be entitled to attend and participate in meetings of the Council 28 Executive Board with voice but no vote on matters coming before the board. That representative must have retired as a Council 28 member in good standing.

Article XII
Duties and Authority of the Executive Board

Section 1. The Council Executive Board shall be the highest legislative and policy-making body of this council except when the convention is in session. The Council Executive Board shall possess all the legislative and policy-making authority of the convention except the power to amend the constitution, or the power to levy special assessments. The Council Executive Board shall have the authority to make binding interpretations of this constitution, and the rules and decisions of the board shall remain in full force and effect unless reversed by the biennial convention or a special meeting of the council. The Council Executive Board may designate one or more of the council officers to sign documents in the name of the council.

Section 2. An Executive Committee of the Council Executive Board is hereby created and shall be composed of the Council President, who shall serve as chairperson; the Council Vice-President, the Council Secretary, who shall serve as secretary; the Council Treasurer; and the Council Executive Director. The Executive Committee shall meet on the call of the Council President.

The Executive Committee shall have the power to act on all matters on which the Council Executive Board is empowered to act, when, in the judgment of the Council President and Executive Director, action cannot be postponed until the next full board meeting, subject to the approval of the Council Executive Board at its next meeting, except the power to fill vacancies in the membership of the Council Executive Board. The Executive Committee shall periodically review convention actions and make status reports on such actions to the full executive board and locals involved, including recommendations for further actions by the executive board. The Executive Committee shall serve as the council's legislative committee. Draft minutes of Executive Committee meetings shall be mailed to all members of the Council Executive Board and to all locals affiliated with the council within thirty (30) calendar days after such meetings.

Section 3. The Council Executive Board shall create from its membership a Finance Committee. The Finance Committee shall be composed of the Council President, the Council Treasurer who shall serve as chairperson; and three other members, who shall be elected by and from the members of the Council Executive Board. Except for the Council President and Council Treasurer, Council Executive Board members who are members of the Executive Committee shall be ineligible to serve on the Finance Committee. Major expenditures of funds of the council, other than ordinary operating expenses, and the establishment of new staff positions shall be authorized or approved by the Finance Committee. The three elected members of the Finance Committee shall be responsible for semi-annual review and recommend concurrence or non-concurrence of officers' expenditures. The sub-committee shall forward this semi-annual report to the executive board. The Finance Committee shall be responsible for the development of a proposed annual budget which shall be presented to the full executive board for adoption and such other financial matters that are referred to the Finance Committee by the executive board. All acts of the Finance Committee shall be subject to the approval of the Council Executive Board at its next meeting. Draft minutes of meetings of the Finance Committee shall be made available to the full executive board within thirty (30) calendar days following such meetings.

Section 4. The Council Executive Board shall employ an executive director. A joint meeting of the Executive Officers and Personnel Committee shall be held to review the executive director's contract and prepare a draft proposal that shall be presented to the executive board for approval at least 30 days prior to the expiration of the existing contract.

Section 5. The executive board shall prescribe such general rules as may be necessary to govern the activities of Policy Committees.

Section 6. The Council Executive Board shall hold at least three general meetings in each year. During a biennial convention year, the Council Executive Board shall hold one

general meeting within thirty (30) days preceding the biennial convention. Additional meetings will be held on call of the Council President or on call of six executive board members representing at least four different Policy Committees upon written notice to the Council President.

Section 7. The Council Secretary shall give reasonable notice of the time and place of all general meetings of the executive board to each member of the executive board and to all subordinate bodies.

Section 8. A majority of the members of the Council Executive Board shall be required for a quorum to transact business at all general meetings of the board.

Section 9. The Council Executive Board shall create from its membership a five (5) member Personnel Committee (no more than one member from any one Policy Committee). The members of this Personnel Committee shall be elected by and from the members of the Council Executive Board. The elected members of the Personnel Committee will elect their own chairperson. Executive board members with the exception of the president who are members of the Executive Committee shall be ineligible to serve on the Personnel Committee. The Personnel Committee will develop personnel policies regarding the hiring of council staff as recommendations for final approval by the executive board. The Personnel Committee will also develop recommendations on the structure and process of union management relations with the council staff's union; and the composition of any committee(s) to negotiate with the council staff's union, for final determination by the executive board.

Section 10. When charges are filed at the council level in accordance with Article X of the AFSCME Constitution, a five (5) member trial body sub-committee shall be appointed from the Council Executive Board to conduct the trial. The Council Executive Board shall, by majority vote of the board, appoint the chairperson and other four (4) members of this sub-committee. No member of the same local union or Policy Committee as the person bringing the charge or the person charged shall be eligible to serve on the trial body. The sub-committee shall report, in writing, to the full membership of the executive board who shall then make the decision and assess the penalty, if any.

Section 11. The executive board or designated committee will conduct a biennial feedback survey of membership within six months of the executive board being seated to increase member satisfaction, retention, and ensure membership can provide non-disciplinary input as a member-led and ran union. The Executive Committee, executive board, and all local presidents will be provided the survey results.

Article XIII
Nominations and Election of Officers

Section 1. Nomination and election of officers shall be conducted in accordance with Elections Code, Appendix D, of the International Constitution supplemented by the following sections:

Section 2. Nomination and election for the offices of president, vice-president, secretary and treasurer may be conducted and completed concurrently.

Section 3. All nominations shall be made from the floor during a general session of the biennial convention. A member may not be a candidate for more than one office. Nominations shall be taken by a member of the convention elections committee. Only an accredited delegate or alternate serving in the absence of a delegate shall be entitled to nominate or participate in the election.

Section 4. If more than one candidate is nominated for office, an election by secret ballot must be held. If only one candidate is nominated, the presiding elections committee member shall immediately declare said candidate elected by acclamation.

Section 5. The aggregate number of votes to which each affiliated local is entitled shall be determined as provided in Article VIII of this constitution. That number of votes, and no more, shall be divided among the accredited delegates of each local in accordance with Article VIII, Section 1, of this constitution.

Section 6. A majority of all the votes cast shall be necessary to elect a candidate. When more than two candidates are nominated for a single office, and none of them received a majority of the votes cast, all candidates except the two who received the most votes cast shall be dropped, and a second ballot shall be cast.

Article XIV
Nomination and Election of Other Members of the Executive Board

Section 1. Nomination and election of all other members of the executive board shall be conducted in accordance with Elections Code, Appendix D, of the International Constitution as supplemented by the following sections:

Section 2. Each Policy Committee shall elect the number of Council 28 Executive Board members to which they are entitled under the provisions of Article XI of this constitution.

Section 3. All Policy Committee Council 28 Executive Board members shall be nominated and elected by their respective Policy Committees in accordance with Article XI, Section 1, within sixty (60) days after adjournment of the council's biennial convention.

A. The chairperson shall issue a meeting call to all affiliated locals having membership employed in the agencies or working within the jurisdiction of the respective Policy Committees, as defined by Article V, Section 1, at least ten (10) days before the meeting at which the election is to be conducted. Such notice shall clearly indicate that the board members will be elected, and the number to be elected. Such notices shall be processed through the council office, in consultation with the executive director of Council 28.

B. The election shall be conducted in accordance with the Policy Committee Constitutions, subject to the following restrictions:

B1. No one who attends a Policy Committee meeting shall participate in the nomination or election of candidates for the executive board unless that person is an accredited delegate, or an accredited alternate serving in the absence of a delegate, actively employed in a state agency or working within the jurisdiction of the Policy Committee.

B2. All nominations shall be made from the floor.

B3. Members in good standing of any local union affiliated with Council 28, who are actively employed and or working within the jurisdiction of the Policy Committee, shall be eligible to be nominated and elected.

B4. Nomination and election shall be conducted separately for each Board position. If only one candidate for a position is nominated, the presiding officer shall then immediately declare the candidate elected by acclamation and open nominations for the next position. If more than one candidate is nominated for any one position, a secret ballot shall be cast by each delegate to the Policy Committee who is present. No candidate shall be declared elected by secret ballot unless that candidate receives a majority of all the ballots that are cast. When more than two candidates are nominated for a single position on the executive board, and no one receives a majority of all

votes cast, then all candidates except the two who received the most votes shall be dropped and a second ballot shall be cast.

B5. The Policy Committee Secretary shall forward a copy of the complete minutes to the executive director of the council within fifteen (15) days after the election. Such minutes shall list the names, phone numbers, home addresses, home email addresses and employer of the duly elected board members.

Section 4. Members of the executive board of Council 28 who are elected to represent the Policy Committee shall take office on the day they are elected. Their term of office shall expire on the day the Policy Committee again elects members to represent it on the executive board, but in any event shall expire sixty (60) days after the next biennial convention following their election to the executive board, whichever time comes first. In the event the Policy Committee fails to elect members to represent it on the executive board within sixty (60) days after the biennial convention, each vacancy occurring by reason of that failure shall be filled in the manner prescribed by Article XV, Section 3, of this constitution.

Article XV
Filling of Vacancies and Removal from Office

Section 1. Should a vacancy occur in the office of president of the council between biennial conventions, the vice-president shall become president.

Section 2. Should a vacancy occur in the office of vice-president, secretary or treasurer between the biennial conventions, such vacancies shall be filled by a majority vote of the executive board.

Section 3. Should a vacancy occur in the executive board other than in the office of president, vice-president, secretary, or treasurer, the Policy Committee from which the vacancy occurs shall elect a member to fill the vacancy. If the Policy Committee does not act within sixty (60) days after the vacancy has been announced, the executive board shall have authority to fill the vacancy by appointment of a member from the Policy Committee in which the vacancy occurred.

Section 4. Should any officer or executive board member be absent, without excuse acceptable to the board, from three regular meetings within a single term of office, that position shall automatically be vacated.

Article XVI
Obtaining Approval for Local Actions

Section 1. A local wishing to place an elective official or public officer on an official “Unfair to Organized Labor” list shall file an official written request with the Council Executive Director. This request must be approved by a majority of the Council Executive Board before such action will be permitted. If the Council Executive Board approves the request, council staff will immediately transmit to central labor bodies, the Washington State Labor Council, and the regional offices of the national AFL-CIO a full statement on why such action has been taken and the council staff shall ensure that wide publicity is given this action.

Article XVII
Amendments to the Constitution and By-Laws

Section 1. Proposed amendments to this constitution and by-laws shall be submitted in writing. The proposed amendments will be in resolution format and will include the

proposed constitutional language. Proposals submitted by a local union shall bear the signature of the local's president and secretary.

Section 2. Proposed amendments, except those proposing to change the council's per capita tax, shall be submitted to the secretary of the council at the council headquarters office at least forty-five (45) days prior to the biennial convention at which a vote is to be taken and no less than fourteen (14) days prior to a special meeting as determined by the Council Executive Board.

Section 3. Proposals to amend the constitution by changing the council's per capita tax shall be submitted to the executive board ninety (90) days prior to the opening of the biennial convention and no less than thirty (30) days prior to the opening of the special meeting. The executive board shall submit the proposed change in per capita tax with their recommendation and justification to all affiliated locals sixty (60) days prior to the opening of the biennial convention.

Section 4. The secretary of the council shall transmit proposed amendments to the delegates and each executive board member at least thirty (30) days prior to the biennial convention and no less than seven (7) days prior to a special meeting as determined by the Council Executive Board.

Section 5. The Council Executive Board may introduce amendments, except those changing the council's per capita tax, for consideration by the council at any time up to the afternoon recess on the first day of the biennial convention.

Section 6. A two-thirds affirmative vote of the delegates voting shall be necessary for adoption of proposed amendments.

Section 7. Amendments to this constitution and bylaws shall be subject to the approval of the International President in accordance with Article IX of the International Constitution.

Article XVIII
Miscellaneous Provisions

Section 1. This council's activities shall be subject to the provisions of the International Constitution. Wherever a conflict should occur between the provisions of this constitution and by-laws and those of the International, those of the International shall prevail.

Section 2. Except to the extent specified in this constitution, no officer of the council shall have the power to act as 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 president of the council or by the executive board of the council.

Approved by:

PATRICK MORAN
President

Approval date: October 1, 2026

By-Laws

Article I – Order of Business

1. Call to Order
2. Roll Call of Officers
3. Presentation of Credentials, Admission of Delegates
4. Reading of Minutes
5. Report of Committees
6. Communications and Bills
7. Nomination of officers shall be a special order of business at 10:30 a.m. on the first Saturday of the regular council meeting.
8. Election of officers shall be a special order of business held between 7:00 a.m. and the start of business on Sunday of the regular council meeting.
9. Unfinished Business
10. New Business
11. Report of Delegates
12. Welfare of Union
13. Obligation of Officers
14. Adjournment cannot take place until the Special Order of Business has been completed.

Article II – Officer Obligation

The Officer Obligation will be in accordance with the Obligation of an Officer as found in Appendix B of the AFSCME International Constitution.

Article III – Resolutions

Section 1. Members of the council may bring matters, including constitutional amendments, before the biennial convention or a special meeting of the council by means of resolutions submitted to and approved by the local union of which they are members. Such resolutions must be signed by the president and secretary of the local union submitting them. The Council Executive Board may restrict the type and/or topic of resolutions coming before a special meeting of the council.

Section 2. The Council Executive Board may introduce resolutions for consideration by the council at any time up to the afternoon recess on the first day biennial convention.

Section 3. Resolutions for consideration at a biennial convention shall be submitted in writing, to the secretary of the council at the council headquarters office at least forty-five (45) days prior to the date of the biennial convention. Resolutions for consideration at a

special meeting of the council shall be submitted no less than fourteen (14) days prior to the date of the special meeting.

Section 4. The secretary of the council shall arrange that each delegate to the biennial convention, and each executive board member, shall be sent a copy of the resolutions at least thirty (30) days prior to the date of the biennial convention.

Section 5. Resolutions from affiliated locals, except resolutions to change the constitution by changing the per capita tax, received by the secretary of the council at the council headquarters office later than forty-five (45) days prior to the biennial convention or later than the date specified for a special meeting of the council may be dealt with at the convention or special meeting prior to the afternoon recess on the first day if so decreed by a two-thirds majority vote of the delegates at that meeting.

Article IV – Council Books and Records

All books, records and financial accounts of the council shall at all times be open to the inspection of national officers or assigned representatives of the AFSCME or any duly authorized representative of any member local union of the federation.

Article V – Delegates to Conventions

The Council 28 Executive Director shall be an automatic delegate to the AFSCME International Convention as well as a delegate to the WSLC Convention and the WSLC COPE Convention. The Council 28 President shall be an automatic alternate to the AFSCME International Convention as well as a delegate to the WSLC Convention and the WSLC COPE Convention. All other delegate or alternate positions for the WSLC Convention and the WSLC COPE Convention shall be filled in the following order: Council 28 Director of Legislative and Political Action, the Council 28 Vice President, the Council 28 designated lobbyist, the Council 28 Legislative and Political Action Committee Co-Chair seat 1 and the Council 28 Legislative and Political Action Committee Co-Chair seat 2.

Article VI – Credentials for Delegates

Credentials for delegates to the biennial convention shall be submitted to the Council Secretary at the council headquarters office at least sixty (60) days before the date of the meeting which the delegates are to attend. The executive board shall determine the date of receipt of credential for special meetings of the council.

Article VII – Robert's Rules of Order

All questions of parliamentary nature not provided for in this constitution and by-laws shall be decided by Robert's Rules of Order as revised.