

APWU

Upper Piedmont South Carolina
Area Local 168
American Postal Workers Union AFL-CIO

Constitution and By-Laws

Amended February, 2024

PREAMBLE

We, the Postal Workers of America and the Upper Piedmont South Carolina Area Local, in order to form a more perfect Union establish this constitution.

We, who come from the diverse divisions, believe that in unity there is strength.

We believe that all Postal Workers and all members of labor have the right to economic, political and social justice; that they have the inherent right to earn a living and to be paid for the services they perform; that all Postal Workers have the right to expect to have decent shelter, food and clothing and the right to see that their children have the best of education. The investment of the worker's lifeblood in giving services gives them that right.

We further believe that all people are created equal with the right to determine their own destiny and to participate in the forces and events that affect them.

We believe that all Postal Workers have the right, regardless of race, color, creed, sex or national origin, to hold their heads high and to have respect for themselves as individuals.

We believe, therefore, that, in the spirit of the Declaration of Independence and the U.S. Constitution, all people are free and have the right to come together to promote the common cause of all.

We also believe that all members have certain basic rights within our Union and shall be secure in those rights.



In order to give life to the Preamble to the Constitution and to the Constitution itself, the Members' Bill of Rights has been established.

Members' Bill of Rights

1. Every member has the right to be respected as a human being.
2. Every member has the right to be respected as a Brother or Sister of this Union.
3. Every member has the right to freedom of speech and the right to be heard.
4. Every member has the right to freedom to listen.
5. Every member has the right to the freedom of the press.
6. Every member has the right to participate in the activities of the Union.
7. No member shall be denied the right to seek any office or the right to vote in this Union because of race, color, creed, sex or religion.
8. Every member has the right to support the candidate of his/her choice and to participate in that right with others.
9. Every member has the right to a fair trial, to be represented by an individual of his/her choice and to proper appeal procedures.
10. Every member has the right to be secure in his/her basic rights without fear of political, economical, physical or psychological intimidation.

The Constitution and By-Laws of the Upper Piedmont South Carolina Area Local #168, American Postal Workers Union, AFL-CIO

As Revised February, 2024

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Article 1 Title

The name of this organization shall be the Upper Piedmont South Carolina Area Local #168, American Postal Workers Union, AFL-CIO, hereinafter referred to as the Local.

Article 2 Objectives

1. It shall, as its basic function, the obligation to represent the interests of all Union Members and to provide prompt, reliable, efficient and frequent communication between its membership and to bind the Local together.
2. It shall have ready access through education and a maximum degree of knowledge of existing and future operations of the United States Postal Service.
3. It shall form a common council with each division, with each represented by a proportion equal to its membership.
4. It has been demonstrated, by past experience, that the AFL-CIO movement best exemplifies the method for advancing the interest of all wage earners; therefore, we desire to remain in full affiliation with the body and to work as an autonomous local within the American Postal Workers Union for solidification of the entire movement.

5. The Local affirms its belief in a single Union for all Postal Workers in non-supervisory positions and will make every effort to unite within one organization, regardless of sex, age, creed, color, political affiliation or nationality, all employees under the jurisdiction of the American Postal Workers Union.

6. The Local agrees to work for repeal of laws which are unjust to Labor and the Postal Workers; such as, the denial of the right to strike and the denial of the right to support political candidates of our choice; and to educate all member in the area of economic, political and social justice.

Article 3

Membership

1. Eligibility: Any non-supervisory employee, regardless of level or grade, within the jurisdictional claim of the Local is eligible for membership. No person shall be denied membership because of sex, race, creed, color, religion, political affiliation or national origin, age, sexual orientation or handicap.
2. Application: Individuals seeking membership in the Local must do so by executing a Form 1187, "United States Postal Service Authorization for Deduction of Dues".
3. Associate Members: Those members promoted to a supervisory position may maintain their membership for health benefit purposes (or other APWU benefits) by paying all national and local per capita dues. They shall have "NO VOICE OR VOTE"; nor will they be able to attend membership meetings.
4. Retirees: Members of this Union who retire from the Postal Service may maintain full membership with all rights of such membership.

Article 4

Dues

1. The dues of this local shall be \$26.31 per pay period for career employees and \$18.41 per pay period for postal support employees (PSE) which includes those National per capita dues and assessments as provided in the National Constitution. Retiree membership dues shall be paid directly to Nationals.
2. The Local dues may be changed at a local or special meeting by a majority vote by secret ballot, subject to a 15-day posted notice of the meeting.
3. Dues for all future members of this Local shall be paid through payroll deductions. Dues for members not on dues with holding shall be paid yearly at the beginning of the calendar year, by January 15.

Article 5 Meeting

1. Membership Meetings: The regular monthly membership meeting shall be held on the third Sunday of each month, except for the months of July, August and December when there will be no monthly meetings.
2. Time and Length: The regularly scheduled monthly membership meeting shall convene at 2:00 PM and end at 4 PM. The Executive Board will maintain the right to change the time of a meeting due to special circumstances.
3. Quorum:
 - A. A Quorum shall be constituted when thirteen (13) members and officers have signed the Local Union's Meeting Attendance Sheet.
 - B. If, by 15 (fifteen) minutes a quorum is not present, the Chair shall poll those in attendance as to whether or not there is any objection to conducting the necessary and ordinary business of the Local. There being no objection, the meeting may proceed. No motions needing a two-thirds (2/3) vote will be in order; nor, will a constitutional amendment vote be in order.
4. Special Meeting:
 - A. The President and/or the majority of the Executive Board may call a special meeting.
 - B. The President must, upon receipt of a petition signed by thirty-five (35) members in good standing, within three (3) days post a "Notice of Special Meeting".
 - C. The membership may vote to hold a special meeting. That motion is to include the date, time, place and purpose.
 - D. Notice of all special meeting shall be posted in all facilities associated with this Local for no less than ten (10) days.
 - E. All Notices of Special Meeting posted must include the date, time, place and purpose of that meeting.
 - F. Thirteen (13) members and officers must be present and sign the Attendance Sheet, which will then constitute a quorum for that meeting.
 - G. The provisions of Article 5, Section 3.B shall not be operable at a special meeting.
5. Meeting Register: The Secretary-Treasurer shall be charged with the responsibility of maintaining a register in which every member and guest will be maintained in the permanent records of the Local.

6. Fraternal Rights and Privileges: The Local, by a majority vote, may extend Fraternal Rights and Privileges to any guest.
7. Debate:
 - A. No discussion or debate may begin until a motion has been duly made and recorded.
 - B. Identification: Any member speaking on a motion will first give his/her name.
 - C. No member may speak to the issue more than once until all wishing to speak have had the opportunity to do so.

Article 6

Fiscal Year

The Local fiscal year shall begin on January 1 and end on December 31.

Article 7

Elections

1. The election of officers shall be by nomination at the October meeting of this Local and notice of such nominations shall be posted at all offices twenty (20) days prior to the October meeting. No member shall be placed on the ballot for more than one (1) office. No write-in votes will be allowed.
2. An Election Committee of not less than three (3) will be appointed at the September meeting. The ballots shall list the names of all candidates nominated for each office in alphabetical order, except any incumbent shall have preference. The ballot shall be placed in an envelope marked "OFFICIAL BALLOT", with instructions: "Place this envelope in the enclosed envelope and return by mail. Do not alter your name and address. No other endorsements are permitted on this envelope." The envelope containing the ballot, along with a stamped envelope endorsed on the sealing side with the member's name and address and addressed to the address on the opposite side, shall be placed in an envelope addressed to all members and shall be mailed out fifteen (15) days prior to the election. Ballots must be returned by 1200 hours two (2) days prior to the November meeting. Two Ballot Committee members or one Ballot Committee member and a witness shall remove the ballots from the Local's box and the ballots shall be placed directly into a locked ballot box. By the November meeting, the committee shall open the ballot box and verify the legality of each ballot by the use of a membership check list. The committee shall then remove the envelope marked "OFFICIAL BALLOT" and place the mailing envelopes in a large envelope and seal. The envelopes containing the ballots shall be opened and ballots counted. Each candidate may be present during the counting of the ballots. If a candidate cannot be present, he/she may appoint one Union member as the representative. This appointment must be received by a member of the election committee prior to the counting of the ballots. All observers must adhere to the rules the election committee has set forth during the counting of the ballots. Results will be given at the November meeting and all offices shall be provided with a list for posting. Any ballots where the member's name and address have been removed or

caused to be illegible will be disallowed. Any member not receiving a ballot must notify the committee within ten (10) days after ballots are mailed out. Such member will be presented a duplicate ballot and the committee shall record such action and said ballot shall be discussed by the committee. At the opening of ballots, the committee will rule whether said ballot is allowed or disallowed.

3. Run-off Election: If an executive board position has more than 2 candidates, a candidate must garner 50% +1 of the votes to win the office. If any candidate fails to do so, there shall be a run-off election between the two leading vote-receiving candidates. The run-off shall follow normal election procedures. There shall be no run-off if there are only 2 original candidates.
4. The Secretary-Treasurer will be responsible for the retention of the ballots for one (1) year as required by law.
5. Members of the Executive Board shall be delegates to all State and National Conventions and the Regional Craft Conference and to be paid travel and per diem, if finances are available.

Article 8

OFFICERS

1. The officers of this Local shall be:
 - A. President and Delegate to the National, State and Division Conventions.
 - B. Vice-President and Delegate to the National, State and Division Conventions.
 - C. Secretary-Treasurer and Delegate to the National, State and Division Conventions.
 - D. Clerk Division Director and Delegate to the National, State and Division Conventions.
 - E. Maintenance Division Director and Delegate to the National, State and Division Conventions.
 - F. Motor Vehicle Division Director and Delegate to the National, State and Division Conventions.
 - G. Organizational Director and Delegate to the National, State and Division Conventions.
 - H. Industrial Relations Director and Delegate to the National, State and Division Conventions.

2. The aforementioned officers shall be required to attend or be excused a minimum of six (6) membership meetings per year. Failing to do so will result in the office being declared vacant.
3. The Local Executive Board:
 - A. Shall consist of the President, Vice-President, Secretary-Treasurer, Clerk Division Director, Maintenance Division Director, Motor Vehicle Division Director, Organizational Director and Industrial Relations Director.
 - B. Shall be required to meet monthly at a time and place of their choosing. That time and place shall be posted two (2) days prior to the meeting.
 - C. Members of the Executive Board shall be delegates to all State and National Conventions and the Regional Craft Conferences.
4. Any steward, trustee, or officer of the Local who submits a PS991 form for any EAS position shall relinquish his/her position effective immediately upon submission.
5. No member of the Local will be allowed to serve as a steward, trustee, or officer within one year of being detailed to/or receiving higher level EAS management pay.

Article 9

Duties of Executive Board Officers

1. President: The President shall serve as the Chief Administrative Officer of the Local; shall be charged with carrying out the policy of the Local; serve as the Local's official representative with the US Postal Service, appoint all committees; shall certify stewards as recommended by the directors after verifying eligibility; fill all Executive Board vacancies with the concurrence of the Executive Board within thirty (30) days of becoming vacant; preside at all meetings; be an ex-officio member of all committees, except the Election Committee; sign all warrants and checks of the Local; shall transfer all books, records, papers and other properties of the Local to his/her successor within three (3) days of resignation or end of term of office; and direct all officers of the Local with respect to their official duties. Shall attend an APWU sponsored financial training course at least once per year; Shall be paid \$400.00 per month for the faithful performance of his/her duties.
2. Vice-President: The Vice-President shall preside in the absence of the President and, in the case in the death or resignation of the President, shall assume all duties of the President for the remainder of the term. In the event of temporary disability of the President, the Vice-President shall assume the duties of President until such time as the Executive Board deems necessary and shall carry out such duties as directed by the President; shall transfer all books, records, papers and other properties of the Local to his/her successor within three (3) days of resignation or end of term of office; Shall attend an APWU sponsored financial training course at least once per year; Shall be paid \$100.00 per month for the faithful performance of his/her duties.

3. Secretary-Treasurer: The Secretary-Treasurer shall serve as the fiscal officer of the Local, carrying out the duties hereafter enunciated and such other duties as directed by the President which are not incorporated within the Local Constitution.

1) Collect and deposit all monies due to the Local.

2) Issue warrants to promptly pay the authorized bills of the Local.

3) Open a checking account from which all the Local's bills will be paid. Any check drawn on that account shall be signed by the Local President and the Local Secretary-Treasurer. In the event neither of the aforementioned officers are able to sign the check, the Vice-President shall sign the check for the officer unable to sign.

4) Maintain a Receipts and Disbursements Journal, recording the financial transactions of the Local.

5) Report to the membership as to the financial condition of the Local at each regular monthly meeting.

6) Keep an accurate record of the actions of all regular and special meetings and report the same to the membership.

7) Conduct all communications of the Local, maintaining a record of same.

8) Post all meeting notices of the Local as provided in the Constitution.

9) Keep a current inventory of the assets of the Local.

10) Shall be paid \$300.00 per month for faithful performance of his/her duties.

11) Shall transfer all books, records, papers and other properties of the Local to his/her successor within three (3) days of resignation or end of term of office.

12) Shall attend an APWU sponsored financial training course at least once per year.

13) Shall prepare a yearly budget to be presented no later than the February general membership meeting.

4. Clerk Division Director: The Clerk Division Director shall serve as the Chief Steward of the Clerk Craft, review all Clerk Division grievances, will recommend for certification and train Clerk Division Stewards with respect to the interpretation of the Collective Bargaining Agreement (local/national); shall be responsible for investigating the removal of a clerk craft steward for just cause and presenting to the Executive Board for a vote (majority vote counts/director breaks a tie vote); shall conduct yearly reviews to determine if a steward is still needed to represent the section they were appointed to represent; shall transfer all books, records, papers and other properties of the Local to his/her successor within three (3) days of resignation or end of term of office; and such duties as assigned by the President. Shall be paid \$100.00 per month for the faithful performance of his/her duties.

5. Maintenance Division Director: The Maintenance Division Director shall serve as the Chief Steward of the Maintenance Craft, review all Maintenance Division grievances, will recommend for certification and train Maintenance Division Stewards with respect to the interpretation of the Collective Bargaining Agreement (local/national); shall be responsible for investigating the removal of a maintenance craft steward for just cause and presenting to the Executive Board for a vote (majority vote counts/director breaks a tie vote); shall conduct yearly reviews to determine if a steward is still needed to represent the section they were appointed to represent; shall transfer all books, records, papers and other properties of the Local to his/her successor within three (3) days of resignation or end of term of office; and such duties as assigned by the President. Shall be paid \$100.00 per month for the faithful performance of his/her duties.
6. Motor Vehicle Division Director: The Motor Vehicle Division Director shall serve as the Chief Steward of the Maintenance Craft, review all Motor Vehicle Division grievances, will recommend for certification and train Motor Vehicle Division Stewards with respect to the interpretation of the Collective Bargaining Agreement (local/national); shall be responsible for investigating the removal of a motor vehicle craft steward for just cause and presenting to the Executive Board for a vote (majority vote counts/director breaks a tie vote); shall conduct yearly reviews to determine if a steward is still needed to represent the section they were appointed to represent; shall transfer all books, records, papers and other properties of the Local to his/her successor within three (3) days of resignation or end of term of office; and such duties as assigned by the President. Shall be paid \$100.00 per month for the faithful performance of his/her duties.
7. Organizational Director: The Organizational Director shall be responsible for the development of a new member orientation program and a continued effort to increase and maintain the membership of the Local. He/she will work at the direction of the President to increase the effectiveness of the Local on matters related to social, economic and general welfare of the Membership. He/she will be responsible for the Local publication, if any, and will assist the Local with research and education; shall transfer all books, records, papers and other properties of the Local to his/her successor within three (3) days of resignation or end of term of office; Shall be paid \$100.00 per month for the faithful performance of his/her duties.
8. Industrial Director: The Industrial Relations Director shall be responsible for activities between the Local and the appropriate US Postal Service Management Official on matters concerning mechanization, health and safety, participate at the direction of the President in Labor-Management meeting, research and advise the Officers and the Membership on matters affecting their working conditions and contract interpretation. It will be his/her responsibility to maintain the Union's computer, and insure that is in working order at all times. It will be his/her responsibility to create/maintain the UPSCAL website and be an admin/moderator of any social media accounts for UPSCAL; shall transfer all books, records, papers and other properties of the Local to his/her successor within three (3) days of resignation or end of term of office; Shall be paid \$100.00 per month for the faithful performance of his/her duties.

The term of office for all elected officers shall be three (3) years, with the term beginning January 1 and ending on December 31.

Article 10

Committees

1. The President, with concurrence of the Executive Board, shall appoint the following Committees and Committee Chairpersons:
 - a. Membership Committee (_____ Members)
 - b. Grievance Committee (_____ Members)
 - c. Constitution and By-Laws Committee (_____ Members)
 - d. Scheme Committee (_____ Members)
 - e. Safety Committee (_____ Members)
 - f. Human Relations Committee (_____ Members)
 - g. Recreation and Entertainment Committee (_____ Members)
 - h. Education Committee (_____ Members)
 - i. Power Committee (_____ Members)
2. Board Of Trustees (_____ Members)
 - A. A minimum of three (3) trustees will be appointed no later than the February general membership meeting.
 - B. Trustees shall be responsible for meeting with the Secretary-Treasurer, at a minimum, once a year to audit the financial records of UPSCAL for the period since the last review.
 - C. A report shall be given at the next available general membership meeting after an audit has been performed, by the Chairperson, or any other trustee, if the Chairperson is not available.
 - D. At least one (1) trustee shall attend an APWU sponsored financial training course at least once per year.
 - E. Trustees may serve more than one (1) term of appointment.
3. All appointments shall be concurrent with the term of office of the President. Removal shall be for “just cause” and concurred by the Executive Board.

Article 11

Charges

1. Any member in good standing may bring charges, pursuant to Article 15 of the National Constitution and the provisions of the constitution, against any officers for the malfeasance or misfeasance of office.
2. Such charges must be submitted, in writing, to the Secretary-Treasurer of the Local, via certified mail. The must be accompanied with such physical evidence as the charging party has to substantiate said charges. The Secretary/Treasurer shall notify the President or Vice-President (if the charges are against the President) within twenty-four (24) hours of receiving such.
3. The President or the Vice-President (if the President is the subject of the charge) shall appoint a three (3) member Hearing Committee within ten (10) days of notification of the Secretary-Treasurer.
4. The Hearing Committee shall notify the charged officers within forty-eight (48) hours of its being established. Such notification shall be in writing, including a copy of the charges and evidence. The Hearing Committee shall convene no less than ten (10) days or later than twenty (20) days after notice to the charged officer. The charging party shall receive, via certified mail, a copy of the notice to the charged officer.
5. The Hearing Committee will consider, with the charging party present, testimony and evidence with the charged officer having the opportunity to cross-examine any and all witnesses. The charged officer may then offer testimony and evidence in defense. The charged party shall have the opportunity to cross-examine. The Hearing Committee will retain the right to question all witnesses. At the close of testimony, the Hearing Committee will retire, in private, to deliberate the charges. Two (2) Hearing Committee Members must vote in the affirmative to find an officer guilty. The Committee, in the event of finding an officer guilty, will fix any penalties, up to an including removal from office or expulsion from the Local.
6. The Hearing Committee will deliver its report at the next regularly scheduled membership meeting. The membership must vote to affirm the report of the Committee.

The charged and charging parties may appeal the action of the Committee and the Local affiliate to the National Union as per Article 15.

Article 12

Amendments

1. This constitution shall stand as the supreme authority of the Local and shall not be amended or annulled except when such change is proposed in writing and recorded at a regular meeting of the Local. There shall be three (3) readings (one per meeting) of a proposed amendment. On the first reading, a simple majority shall rule.
2. An announcement of the amendment change must be posted on the official Union board no later than fifteen (15) days prior to the next meeting..
3. The third reading of the amendment shall pass with a two-thirds (2/3) vote.
4. There will be no write-in votes.
5. All amendments shall be discussed as new business.
6. Amendments concerning dues shall be voted on by secret ballot.
7. This constitution will automatically be amended to comply with Local, State and Federal laws.

Article 13

Disbursements

1. Members of this Area Local, when requested by the President to perform duties for this Local, shall be compensated at a rate equal to that of his/her current pay status on the US Postal Service pay scale, to include shift and Sunday premium for lost time salary only. This does not apply on a member's regularly scheduled day off. All other rates will be \$25/hour.
2. All officers and stewards will be paid actual mileage and expenses as approved in advance by the president. They will be required to submit receipts and odometer readings with their claims. Mileage will be paid at the maximum rate allowed by the Internal Revenue Service.
3. Dues will be rebated to stewards in November in the following manner:
 - a. Stewards must have filed at least one grievance during the current year.
 - b. Stewards must have attended at least four (4) membership meeting during the current year.OR
Filed a minimum of ten (10) grievances from the period of November of the previous year through October of the current year.
 - c. Stewards who served a partial year will be compensated at a pro-rated scale for the time served.

Article 14

Training

1. If finances are available for members to attend the State or National Convention or the All Craft conference, they shall be nominated at the January meeting. If there are enough finances for all nominees to attend, there will be no need for a vote. If there are not enough finances available for all nominees to attend, there will be no need for a vote. If there are not enough finances available for all nominees to attend, those who are to be delegates shall be decided by drawing names. When seminars and legislative meetings, steward training, etc., are held, the President shall recommend the number of members that are to attend these meetings and recommend to the Executive Board and, upon their approval, it will be voted on by the membership. The membership at said meeting shall have the right to amend such number, if finances permit. The amending would require a motion and a second from the membership and must pass by a two-thirds (2/3) vote. All nominations for any convention or conference will take place in the same year that the convention or conference is to be held.

Article 15

Travel and Expenses

1. All travel and expenses shall be in accordance with the UPSCAL Travel & Expense policy adopted March 19, 2023.

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The Local may make, alter or rescind such By-Laws from time to time as may be deemed most expedient. However, it shall be mandated to review the Constitution and By-Laws every two (2) years. This Constitution shall not become effective until approved by the National Office and shall be submitted in duplicate to same.

1. Meeting Procedure

- A. President calls to order
- B. Reading minutes of previous meeting
- C. Treasurer's report
- D. Reading of communications
- E. Report of Special and Standing Committees
- F. Special Order of Business
- G. Old Business (or unfinished business)
- H. New Business
- I. Good of the Local
- J. Adjournment

- 2. This Constitution and By-Laws or any part thereof, may be suspended by a two-thirds (2/3) vote of the members in good standing at any regular or special meeting. Suspension being for a decided temporary period.
- 3. Members must notify the Secretary-Treasurer of any changes of location, membership or affiliation.
- 4. During the temporary absence of any officer, the President shall appoint a member to fill any vacancy pro-temp.
- 5. Any member desiring to speak on a subject under consideration must rise and address the Chairperson and such member cannot proceed until recognized by the Chair
- 6. All motions must first be stated by the Chairperson before they are debated.
- 7. A motion to table is not debatable
- 8. All resolutions must be submitted, in writing, at a regular or special meeting and must contain the names of the members desiring this resolution.
- 9. Any member who is found to have given out proceedings of this Union without consent of the Executive Board shall be expelled and cannot again become a member.
- 10. Any person who shall cease to be a member of this Union shall not be permitted to participate in the proceedings or meetings of this Union and shall forfeit all rights and interests therein.
- 11. Fines or Assessments: Any member failing to pay any fines or assessments within two (2) months

after same has been levied will not be entitled to vote in the Local and will not be eligible for nomination or election to any office. He/She shall stand suspended. The Secretary-Treasurer will notify said member, in writing, of said suspension and his/her recourse within the appeal system of this Local.

12. Any member who signs up a new member on a dues withholding form (1187) shall be paid \$50 for a full-time regular employee (including NTFT) and \$25 for a PSE employee. To receive the rebate, the member must print his/her name at the top of the form. If no name is present at the top of the form 1187, the new member shall receive the rebate.
13. Robert's Rules of Order shall be the authority where no provision exists herein.
14. Flowers, or an appropriate memorial, will be sent in the event of the death of a full dues-paying member or the member's immediate family which includes spouse, children and member's parents, upon written request.

Standing Motions

All attendees to training seminars, on behalf of UPSCAL, be reimbursed for the use of 084 Union Annual Leave (AL) or Leave With Out Pay (LWOP). The total number of hours reimbursed not to exceed eight (8) hours per day.

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