



THE GOVERNMENT STANDARD

Vol. LXXVI, No. 3

July/August 2009

for current and retired government workers and their families since 1933
American Federation of Government Employees, AFL-CIO

NSPS: They Just Don't Get It

Despite a successful court challenge to ban it, congressional action to restrict it and pending legislation to kill it—the Department of Defense's costly National Security Personnel System (NSPS) has found new life. Earlier this year, AFGE and its partner unions in the United Defense Workers Coalition (UDWC) were optimistic that the system was on its last legs. But in March the Pentagon announced plans to put the system under review with a final decision on its scope and implementation to be made by OPM and the Pentagon later this summer.

During NSPS hearings in June, AFGE President John Gage raised several concerns about the system. "Wherever we have talked to federal employees, they have been unanimous in their rejection of NSPS. No matter how the question is framed and no matter which version

of pay-for-performance is involved, the message is the same," Gage told the review panel. "Federal employees are not in favor of replacing their current annual pay adjustment, passed by Congress, for a pay adjustment that is subject to favoritism and discrimination and other unrevealed elements outside of market data and performance."

Further, according to the Pentagon's June 22 NSPS Evaluation Report, the system will create an unfair pay pool that allows those making more to get a higher

Those making below \$60,000 had a negative net draw or "lost money"

salary raise percentage. In his testimony Gage told the review panel, "The Evaluation Report of NSPS makes it crystal clear that those making below \$60,000 had a negative net draw or 'lost money', \$60-\$80,000 group had a positive net draw, and those at \$80,000-100,000 gained more. Those making more than \$100,000 received the most money back with the largest positive net draw."

AFGE has highlighted the potential for such a transfer of wealth from the beginning. The Defense Business Board echoed this concern in 2005 and recommended that firewalls be built into the system to prevent this from happening.

As a signal that Congress continues to recognize the inherent intractable flaws of the policy, the House Armed Services Committee included an amendment to the FY2010 Defense Authorization bill that would restore the full nationwide pay adjustment to 100 percent, prohibit



new hires from being placed under NSPS, prohibit any reclassification of positions to NSPS, and require the secretary of Defense to convert all NSPS employees back to the General Schedule within one year. ●

For more information go to www.afge.org/nsps or www.defenseworkers.org.

Table of Contents

- 2 President John Gage on being Stronger Today—More Powerful Tomorrow
- 3 Are We Prepared?
- 4 AFGE Calls for Removal of BOP Director
- 4 AFGE Launches Operation Project Hero
- 5 AFGE National Convention Constitutional Resolutions
- 17 AFGE Statement of Activities
- 18 AFGE Steps Up Campaign Against SSA Commissioner Michael Astrue

Are We Prepared?

Swine Flu Reaches TSA, ICE, SSA and other federal employees...See story on page 3



STRONGER TODAY— More Powerful Tomorrow

Opportunity knocks. But will we heed the call?

That's the question delegates to AFGE's 38th Triennial National Convention will answer when it convenes on August 24th.

It's not an overstatement to say that this may be the most important convention in our 75-year history.

We will meet at a pivotal moment, one that follows eight years of remarkable success in the face of the extremely hostile Bush administration, and that precedes what could be a period of unprecedented growth and progress—if we make the right choices at our convention and if we follow through with the effort required to implement them.

After stymieing former President Bush's destructive agenda, preventing the dismantling of the civil service system, stopping the worst of its privatization initiatives and increasing our membership every single year of his administration, we are stronger than at any time in a generation. Today we have a new president in the White House and larger majorities in Congress who generally are supportive of the rights and needs of government employees.

Still, the question remains: will we be more powerful two years or five years from now?

Our window of opportunity in 2009 is very rare because of several key factors. But just as fast as it opened, it could slam shut.

Consider that in 1978 AFGE had a window of opportunity to win legislation that guaranteed our right to collective bargaining. Despite criticism and dissension, the Civil Service Reform Act passed and our union rights became law. But two years later, the window slammed closed with the election of Ronald Reagan and a different Congress. Had our leaders not taken advantage of the unique window, the history of AFGE would be very different. Remember the destruction of the air traffic controllers union?

Again in 1994, our union secured a renewal of the importance of labor unions with President Clinton's Executive Order on Labor-Management Partnerships. But at our convention that same year, delegates fought over internal matters and failed to invest in the national union to prepare for the future. Three months later, a virulent anti-worker majority led by Newt Gingrich, swept into power on Capitol Hill. Once again, the window slammed shut.

Today the political climate is more favorable than it was in 1978 and in 1994. We are on the offensive. But as the saying goes, those who fail to learn from history are condemned to repeat it. We cannot—we must not—let that happen.

To keep the window open and turn opportunity into results, we must think and act strategically so we can leverage our positions of strength going forward.

History has taught us that investing in our union produces positive results and that failure to do so always leaves us weakened.

For example, following AFGE's dedication of new per capita to organizing in 1997, our membership grew and the pace of growth accelerated further with more resources in later years. In 2000, delegates established a media fund that has served the union very well in many fights including the battles to save proper meat inspection and improve staffing for the Bureau of Prisons. In 2003, delegates approved a \$5 assessment and a per capita increase to jump start our successful campaign against the attacks from the Bush administration.

And so in 2009, delegates must decide

what investments we should make now to ensure our power grows further in the years ahead.

Our Options 2009 process—one of the most comprehensive and inclusive strategic planning efforts ever undertaken within AFGE—resulted in two major priority areas in which we seek lasting, transformative, positive change:

To win strong contracts on working conditions for every Local and Council; and

To win significant legislative victories that improve government for the American people and the working lives of government employees we represent.

Meeting these twin goals will not come easy, even in this favorable climate. We must build our capacity and our power to win at the bargaining table and in the halls of Congress. And that means, first and foremost, organizing, because there is strength in numbers. We are still only about 40 percent organized as a whole. Getting AFGE to 70 percent would mean another 180,000 new members. Just imagine what we can achieve when we are 420,000 strong!

Doing so will require better representation. While we have been slowly improving our legal and non-legal assistance, and winning more cases—all of which improves our ability to recruit—we must do more. We also must increase our technical and bargaining knowledge throughout the union, and provide additional skilled negotiations staff in the field and in the headquarters to assist our Local leaders and Council leaders.

Other necessary steps include providing more support to Locals and Councils in their contract and issue campaigns, enhancing our internal communications around the issues we are fighting for, making greater investments in education and training, beefing up our lobbying capacity, and, above all, recruiting more member volunteers for organizing, legislative and political action.

Making these improvements will require new resources. It demands more of us than ever before. But the payoff—in the improvements we will win in our members' lives and in the lasting power of our union to exert a positive influence in every area that counts—will be more than worth it.

Is AFGE up to the challenge? I believe we are—and that's what our convention will be all about. ●

AFGE—The Government Standard

Vol. LXXVI, No. 3

July/August 2009

AFGE—The Government Standard (USPS 003-219, ISSN 1041-5335) is the official membership publication of the American Federation of Government Employees, AFL-CIO, 80 F Street, NW, Washington, D.C., 20001 Phone: (202) 737-8700, www.afge.org. John Gage, **National President**, J. David Cox, **National Secretary-Treasurer**, Andrea E. Brooks, **National Vice President for Women and Fair Practices**. National Vice Presidents: District 2—Derrick F. Thomas, (732) 828-9449; NY, NJ, CT, MA, ME, NH, RI, VT. District 3—Keith Hill, (610) 660-0316; DE, PA. District 4—Joseph Flynn, (410) 480-1820; MD, NC, VA, WV. District 5—Charlotte Flowers, (770) 907-2055; AL, FL, GA, SC, TN, Virgin Islands, Puerto Rico. District 6—Arnold Scott, (317) 542-0428; IN, KY, OH. District 7—Dorothy James, (312) 421-6245; IL, MI, WI. District 8—Jane Nygaard, (952) 854-3216; IA, MN, NE, ND, SD. District 9—Michael Kelly, (405) 670-2656; AR, KS, MO, OK. District 10—Roy Flores, (210) 735-8900; LA, MS, TX, NM, Panama. District 11—Gerald D. Swanke, (360) 253-2616; AK, CO, ID, MT, OR, UT, WA, WY, Guam, Okinawa. District 12—Eugene Hudson, Jr., (760) 233-7600; AZ, CA, HI, NV. District 14—Dwight Bowman, (202) 639-6447; District of Columbia, Montgomery and Prince George's Counties in Maryland; Arlington and Fairfax Counties and the City of Alexandria in Virginia.

Produced by the AFGE Communications Dept.: Director Enid Doggett; Web Site Developers Rodrigo Munera, Paul Heayn; Communications Specialists Emily Ryan, Christina Erling, Jason Fornicola, Michael Victorian; writer Tichakorn Hill; Union layout by GO! Creative, uc and union printing by Mount Vernon Printing Co. **Postmaster:** send change of addresses to AFGE—The Government Standard, ATTN: AFGE Data Processing Dept., 80 F St., NW, Washington, D.C. 20001.



14

Are We Prepared?

“As civil servants, we are prepared to serve our government,” Gage said. “Let’s make sure the government is prepared to ensure for our safety and well-being.”

In the wake of the H1N1/swine flu outbreak, the question on everyone’s mind is, “are we prepared?” For too many agencies, the answer is a resounding “no.”

A recent Government Accountability Report (GAO-09-783T) found that several agencies had not yet developed their “pandemic plans and their measures to protect their workforce.”

Where policies are in place, AFGE is concerned that they are too vague and easily misunderstood, like at the Department of Homeland Security. At TSA for example, the agency offered no official guidance for more than a week after the initial outbreak, and when that guidance was finally issued, Transportation

“Translation: You can have a protective mask only after you come into contact with someone who possibly is infected,” AFGE National President John Gage said. “What good does that do?”

Throughout DHS, in fact, employees routinely are denied the use of protective gear until after they are exposed to the virus. AFGE in April wrote to TSA and urged that an N-95 respirator, gloves and

Patrol Council TJ Bonner testified before Congress in May. “Workers are being deployed to border areas with no protection and with little or no regard for their fears and concerns or whether their failure to act might actually contribute to the spread of the virus.”

AFGE’s National ICE Council 118 for weeks urged ICE officials to provide its personnel with N-95 masks, in addition to training and information on dealing with the H1N1 virus. ICE finally in June outfitted its personnel at one facility in Miami with masks, but only after confirming multiple cases of the virus there.

“The H1N1 virus first hit in late March,” Council 118 President Pat Remigio said. “How could ICE, three months later, still be unequipped to deal with this?”

This clear lack of unpreparedness extends far beyond DHS. According to the GAO report, the Social Security Administration has no operational pandemic plan in place, which was evident as the agency recently took no action to close two offices in Wisconsin, despite several of its employees being exposed to the H1N1 flu virus after an infected employee visited those offices.

“It is reprehensible that there is no plan in place to deal with this pandemic and that SSA is completely unprepared to deal with this problem,” said Witold Skwierczynski, president of AFGE’s National Council of SSA Field Operations Locals.

“As civil servants, we are prepared to serve our government,” Gage said. “Let’s make sure the government is prepared to ensure for our safety and well-being.”

For more information, go to www.afge.org/swineflu. ●



Security Officers found it to be confusing, illogical, and in conflict with the guidance of both the Centers for Disease Control and DHS Secretary Napolitano.

Then there are policies that don’t seem to make much sense. DHS Under Secretary for Management Elaine Duke testified before Congress on June 16 that DHS permits its employees who work in close contact with “persons who may have flu or exhibiting flu-like symptoms to wear N-95 respirators, and that DHS will provide these.”

hand sanitizer be provided to any TSO who requests them. The majority of TSOs continue to work unprotected.

“It seems at DHS that there is a policy of not allowing even voluntary use of face masks and other protective gear,” Gage said. “If an employee wants to purchase their own equipment and use that equipment at their own risk, what is the possible justification for saying no?”

“Many agencies have been dismissive of employees’ concerns, showing callous disregard for employees’ legitimate worries,” AFGE National Border

AFGE Calls for Removal of BOP Director

A FGE and the Council of Prison Locals (CPL) recently staged a press conference at the National Press Club in Washington, D.C., to call for the resignation of Bureau of Prisons Director Harley Lappin, and expose critical management and safety deficiencies within the agency.

"It has become painfully clear that BOP management is out of touch with its own prison system," said CPL President Bryan Lowry. "We are tired of hearing about policy restrictions. We want our correctional officers to be protected on

the job. Immediate action is the only acceptable outcome."

The press conference also brought to light new details about the brutal murder of Jose Rivera, a correctional officer who was killed in June 2008 by two inmates with homemade weapons at the United States Penitentiary in Atwater, Calif.

"What happened to Jose Rivera is typical of the entire BOP system. Prisoners are armed with homemade weapons, they access or create intoxicants, and then threaten the safety and security of the entire facility. Our correctional officers



deserve protection—protection that will allow them to go home to their families at night—something Jose Rivera didn't have," said AFGE National President John Gage.

AFGE and CPL are demanding the immediate implementation of stab resistant vests throughout the BOP, as well as non-lethal weaponry such as batons, pepper spray, and TASER guns. ●

AFGE Launches ★★ Operation Project HERO ★★

President Obama has authorized \$25 billion in funding to the Veteran Affairs budget over the next five years but AFGE and dozens of other veteran service organizations are raising concerns about the ongoing trend by the VA to farm out care for veterans to private companies, thus jeopardizing the strength and vitality of the VA. The groups are launching Project HERO Watch to monitor the trend and the impact it is having on over all veterans care.

"We are confident that the Obama administration has made veterans care a priority but we remain concerned about Project HERO and the impact it has had on the quality of medical and health care services for our nation's servicemen and women," said AFGE President John Gage.

In 2007, the VA began a pilot program known as Project HERO. The privatization scheme originally was intended to utilize contract care in a minimal capacity to address veterans' healthcare needs that could not be delivered in the VA. However, since that time, Project HERO has ballooned to account for more than 30 percent of veterans' health.

The VA awarded Project HERO contracts to healthcare giant Humana in VA facilities in four Veterans Integrated Service Networks (VISNs) 8, 16, 20 and 23 covering 23 states. However, Project HERO is most active in VISN 23, which includes Minnesota, Iowa, North and South Dakota, and Nebraska.

Early reports from VA health care providers in all affected VISNs indicate that HERO is moving forward with very limited transparency or accountability. In VISN 23, where the HERO pilot is the most developed, reports also suggest that the HERO contractor may be taking over functions that could still be provided within the VA, and providing less than acceptable levels of access or quality of care and causing dissatisfaction among veteran patients opposed to non-VA referrals.

AFGE launched Operation Project HERO Watch to monitor the program, educate AFGE members, lawmakers and the public about the impact of Project HERO on the ground and we want to hear from you. Please go to www.FundtheVA.com as a forum for those on the frontline to tell their story. ●

Get
daily updates
on AFGE's 38th
Triannual
Convention at
www.afge.org
or on AFGE's new
Twitter page
[www.twitter.com/
AFGENational](http://www.twitter.com/AFGENational)

AFGE NATIONAL CONVENTION

CONSTITUTIONAL RESOLUTIONS

MEMORIALIZING ANDREA E. BROOKS

RESOLUTION # 1001

Submitted by
National Executive Council

WHEREAS Andrea E. Brooks was committed to AFGE and the labor movement for 40 years, having been a local officer, a National Veterans Affairs Council officer, the 12th District National Women's Coordinator, a National Representative, the 12th District National Vice President, and the National Vice President for Women and Fair Practices,

WHEREAS she was one of the highest ranked African American women in the labor movement, holding a seat on the National Executive Council of the AFL-CIO,

WHEREAS she had a vision that the work of the Women's and Fair Practices Departments was inclusive of everyone and built a program that included education and training, member mobilization, representation through litigation, and legislative and political action, and which promoted younger workers within AFGE and the labor movement,

WHEREAS she fought to maintain and grow the coordinator structure, which enabled minorities and women to advance and maintain leadership positions in AFGE and the labor community,

WHEREAS she was a strong advocate for women, working to eliminate the glass ceiling and to provide women with equal pay and equal rights on the job,

WHEREAS she was an ally to the Lesbian, Gay, Bisexual, and Transgender community believing that an injustice to one community is an injustice to all,

WHEREAS she was AFGE's leader in the struggle for better working conditions, equality, and advancement of disabled Americans, and

WHEREAS she never backed down on advancing civil, human, women's, or workers' rights issues,

THEREFORE BE IT RESOLVED that Andrea E. Brooks' name be added to the List of Memorialized and Deceased Emeritus Officers.

RECOGNIZING DISABILITY

RESOLUTION # 1002

Submitted by
National Executive Council

WHEREAS the AFGE National Constitution, Article III (Membership), Section 1(a) contains the term "handicapped condition,"

WHEREAS the Appendix B (Standard Local Constitution), Article II (Objectives and Methods), Section 1 contains the term "handicapped condition," and

WHEREAS the current preferred nomenclature is "disability,"

THEREFORE BE IT RESOLVED that Article III, Section 1(a) be amended as follows:

All persons of the following classes, without regard to race, creed, color, national origin, sex, age,

political affiliation, ~~handicapped condition~~ *disability*, marital status, sexual orientation, or preferential or nonpreferential civil service status, excepting those over whom jurisdiction has been granted to other national or international unions by the AFL-CIO, and excepting officers of unions not affiliated with the AFL-CIO, shall be eligible for full membership in this Federation.

that Appendix B, Article II, Section 1 be amended as follows:

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, ~~handicapped condition~~ *disability*, marital status, sexual orientation, or preferential or nonpreferential civil service status; and is not subject to corrupt influences or influences opposed to basic democratic principles.

NON-FEDERAL EMPLOYEE MEMBERSHIP

RESOLUTION # 1003

Submitted by
National Executive Council

WHEREAS AFGE, in addition to its federal government employee members, represents many employees of the District of Columbia, as well as employees of government contractors,

WHEREAS the AFGE National Constitution, Article III (Membership), Section 1(e)(1) refers to governmental employment,

WHEREAS Article III (Membership), Section 2 makes reference to Public Law 95-454, and

WHEREAS Article VII (Officers), Section 1(a) refers to governmental employees,

THEREFORE BE IT RESOLVED that Article III, Section 1(e)(1) be amended as follows:

At the time of being retired from ~~governmental~~ employment covered by subsection (b) was not a member of good standing of any local;

that Article III, Section 2 be amended as follows:

Locals shall have full power to elect or reject applicants for membership. However, locals holding units of exclusive recognition under Public Law 95-454, the laws of the District of Columbia, or the National Labor Relations Act must accept membership applications in accordance with the law or regulation. Honorary membership may be conferred by locals or by a National Convention, provided that such honorary membership shall give its recipient no right to vote or to hold office in any local of this Federation;

that Article VII, Section 1(a) be amended as follows:

No person shall be a candidate for, or be elected to, national office unless he or she has been a ~~governmental~~ an employee, as defined by Article III, Section 1(b), for three consecutive years, and also has been a member in good standing of the Federation for the three consecutive years immediately prior to the date of nomination for the office being sought.

ELIMINATING OBSOLETE LANGUAGE

RESOLUTION # 1004

Submitted by
National Executive Council

WHEREAS the AFGE National Constitution, Article XXIV (Revenues), Section 3 provides for an action that was to be accomplished by the year 2003, and

WHEREAS Article XXIV (Revenues), Section 10 provides for oversight of a nonexistent program,

THEREFORE BE IT RESOLVED that Article XXIV, Section 3 be stricken:

~~Sec. 3. By December 31, 2003, the NEC will develop a plan for a uniform federal and D.C. government retiree dues amount, thereby ensuring equal treatment of all retirees by all locals.~~

that Article XXIV, Section 10 be stricken:

~~Sec. 10. AFGE's General Counsel will take any and all actions necessary in conjunction with expert retained ERISA counsel to get all members with outstanding valid claims filed with the Dental Trust paid.~~

ADJUSTMENT OF SPECIAL RETIREE

AFFILIATION FEE

RESOLUTION # 1005

Submitted by
National Executive Council

WHEREAS the fee currently charged for the special retiree affiliation program is not competitive with that charged by other retiree organizations, and

WHEREAS the AFGE National Constitution, Article III (Membership), Section 1(e) and Article XXIV (Revenues), Section 2 provide for a special retiree affiliation fee of \$50.00 per year,

THEREFORE BE IT RESOLVED that Article III, Section 1(e) be amended as follows:

Any retired person who either:

(1) At the time of being retired from governmental employment covered by subsection (b) was not a member of good standing of any local, or

(2) Has dropped membership in the Federation subsequent to retirement from employment covered by subsection (b),

is eligible for special retiree affiliation in the at-large or recruiting local, except where a local wishes to affiliate its own retiree affiliate members, with all rights, except any representational rights, insured local benefits, voting, candidacy for office, and participation and representation in direct or indirect elections under Appendix A, subject to receipt by the National Secretary-Treasurer of the special retiree affiliation rate of ~~\$50.00~~ \$30.00 per annum, effective September 1, ~~2006~~ 2009...

that Article XXIV, Section 2 be amended as follows:

For those individuals who do not qualify for retiree membership in the Federation, the national affiliation fee is ~~\$50.00~~ \$30.00 per annum, effective September 1, ~~2006~~ 2009. The national affiliation fee for special retiree affiliation shall increase by the exact amount required to cover any increase in the affiliation fees for the AFL-

CONSTITUTIONAL RESOLUTIONS — 2009 CONVENTION

CIO retiree program *or other NEC-certified program*, and by the same percentage and on the same date as cost-of-living adjustments to federal annuities.

USE OF UNION-BUILT AND NEUTRAL HOTELS

RESOLUTION # 1006

Submitted by
National Executive Council

WHEREAS the AFGE National Constitution, Article V (Governing Body), Section 4(a) provides that the Federation must hold its National Convention at union hotels,

WHEREAS amending this provision to include union-built and neutral hotels would allow the Federation to hold the National Convention in a greater number of Districts, allowing members greater access to the Convention, and

WHEREAS this provision has not, in fact, promoted the building of hotels with union labor or even ensured that non-union hotels agree not to engage in anti-unions campaigns,

THEREFORE BE IT RESOLVED that Article V, Section 4(a) be amended as follows:

The National Convention shall meet triennially at such place as the NEC shall select during the months of August or September of each third year in a union *or union-built* hotel, *or in a hotel that has a neutrality agreement*, and the date to be set will be left to the discretion of the NEC. The NEC shall name the dates of the National Convention by October 1 of the year preceding the National Convention year, and the National Office shall notify all locals 30 days after said date is set.

PREVENTING AND ADDRESSING PER CAPITA TAX DELINQUENCY

RESOLUTION # 1007

Submitted by
National Executive Council

WHEREAS per capita delinquency and other debts severely harm the Federation's financial security and inhibit its ability to provide services to the members,

WHEREAS the AFGE National Constitution, Article III (Membership), Section 1(f) provides for waiver of per capita tax for active military service,

WHEREAS Article VI (Delegates), Section 1 establishes timely payment of per capita as a condition for voting in National elections,

WHEREAS Article VIII (Election of Officers), Section 2(d) establishes timely payment of per capita as a condition for voting in District elections,

WHEREAS Article XXIV (Revenues), Section 1(c)(1) provides for payment of fifty-percent per capita for part-time employees, and

WHEREAS Article XXIV (Revenues), Section 6(a) provides for suspension of locals that fail to pay their per capita tax for three months,

THEREFORE BE IT RESOLVED that Article III, Section 1(f) be amended as follows:

Special Military Affiliation of DOD Activation: Any person who is drafted, appointed, enlisted and/or placed on orders by Presidential Executive Orders, DOD Directive or Implementing Issuance via Title 10 or Title 32, for the purpose of, but not limited to, national security, war on drugs, anti-terrorist, or national disaster, will be considered a member in

good standing while performing such duties. These individuals will be per capita dues exempt from their local's national billing for the whole term of their commitment: *Locals will not be charged per capita tax on activated members for the duration of their commitment. It is the responsibility of all local presidents and/or secretary-treasurers to report the starting and ending dates of all activated members to the National Secretary-Treasurer's Office for appropriate per capita tax billing.* At the time of being placed on orders, an individual's tenure or time in service to the local will continue and the individual will be considered as a member in good standing until the time of the return;

that Article VI, Section 1 be amended as follows:

Representation in the AFGE National Convention shall be one vote for each member and shall be based on the average number of paid members for the 12-month period May 1 through April 30. "Member" is defined to be one for whom an initiation fee or per capita tax shall have been paid to the Federation *AFGE National*. No local shall be entitled to representation in the National Convention, unless all initiation fees, per capita tax, and all other accounts due to the Federation from such local as of June 30 prior to the National Convention are paid in full before any delegate is seated in the National Convention. No local will be eligible to vote in district caucus, council conventions, or National Conventions or any council, district, or national matters unless per capita tax is paid in full 60 days prior to convening. *Per capita tax due to AFGE National and all other accounts due to AFGE National shall be paid in full 60 days prior to convening in order for a local to be entitled to representation or to vote in a National Convention, district caucus, or council convention or meeting.* Such information shall be furnished to the Committee on Credentials by the National Secretary-Treasurer;

that Article VIII, Section 2(d) be amended as follows:

Locals in good standing within each district may participate through the medium of a delegate(s). Membership strength will be based on the average number of paid members of the 12-month period through December of the year preceding the election. Each local shall be entitled to cast one vote for each member on all business and elections coming before the caucus, based on said average number of paid members for the previous calendar year for whom an initiation fee or per capita tax shall have been paid to the Federation *AFGE National*. To be in good standing a local shall have submitted all membership and financial reports and remittance through the month of February of the election year to the National Office. No local shall be entitled to cast a vote in the district caucus unless all initiation fees, per capita tax, and all other accounts due the Federation from such locals for the period ending on February 28, prior to the district caucus, are paid in full. *Per capita tax due to AFGE National and all other accounts due to AFGE National shall be paid in full 60 days prior to convening in order for a local to be entitled to representation or to vote in a district caucus.* The number of caucus delegates a local is entitled to is determined in the same manner as National Convention delegates under Article VI, Section 2. Councils shall not be permitted to send delegate(s) to the caucus. Full-time National Representatives and full-time paid employees of AFGE shall not be permitted to attend the caucus as delegates;

that Article XXIV, Section 1(c)(1) be amended as follows:

Those employees on a regular part time weekly schedule of 25 hours per week or less will be assessed per capita tax at a rate of 50%, and this rate will be applied to all Non-Appropriated Fund employees including canteen workers who fall under the lowest pay scale in the federal sector (equivalent to below grade GS-4, Step 1). *Locals must certify that the reduction in per capita tax applies only to eligible NAF employees and is reflected in a reduction in local dues in an appropriate amount for those employees.*

that Article XXIV, Section 6(a) be amended as follows:

Each month Locals are provided billing statements showing all monies due for the current monthly billing cycle as well as any outstanding balances due from previous months. A local is in arrears in per capita tax payments or other payments to the National Office more than 90 days, its officers failing to pay the monthly per capita tax, any assessment, or other indebtedness to the Federation by the dues dates indicated above, shall be notified promptly by the NST of its arrearages, and if at the end of the three months the local is still in arrears, it may be suspended from membership, and its members shall forfeit all rights, privileges, and benefits. Any local suspended for six months shall surrender its charter to the NST.

ELIMINATION OF INITIATION FEE AND SIMPLIFICATION OF MEMBERSHIP

RESOLUTION # 1008

Submitted by
National Executive Council

WHEREAS the Federation's membership and accounting systems make initiation fees, honorable withdrawal cards, letters of transfer, and related procedures obsolete,

WHEREAS the AFGE National Constitution, Article III (Membership), Section 3 provides for waiver of initiation fees through honorable withdrawal cards,

WHEREAS Article III (Membership), Section 4 provides for waiver of initiation fees through letters of transfer,

WHEREAS Article III (Membership), Section 5 provides for waiver of initiation fees through payment of initiation fees to AFL-CIO unions,

WHEREAS Article VI (Delegates), Section 1, Article VIII (Election of Officers), Section 2(d), Article XIX, Section 6(a), and Article XXIV (Revenues), Sections 5(a) and 5(b) refer to initiation fees in passing,

WHEREAS Article XIX (Locals), Sections 2, 3, 4, 5, 7(a)(3), 7(a)(4), 7(b)(3), and 7(b)(4) provide procedures for chartering a local, and

WHEREAS Article XIX (Locals), Sections 7(a)(5) and 7(b)(5) and Article XXIV (Revenues), Section 1(a) set the initiation fee,

THEREFORE BE IT RESOLVED that Article III, Sections 3, 4, and 5 be stricken:

Sec. 3. A member in good standing, if separated from employment, upon application may receive an honorable withdrawal card from the local to which he or she belongs. Such members may be permitted to resume full membership upon returning to actual employment of the Government or its instrumentalities and the resumption of dues without payment of an initiation fee.

CONSTITUTIONAL RESOLUTIONS — 2009 CONVENTION

Sec. 4. Letters of transfer may be issued to members in good standing when transferring from one local to another.

Sec. 5 Any person who has paid an initiation fee to another organization while such organization was affiliated with AFL-CIO and has been continually a member of such organization may be admitted to membership in this Federation without the payment of an initiation fee upon the presentation of his or her membership card in such organization;

that Article VI, Section 1 be amended as follows:

Representation in the AFGE National Convention shall be one vote for each member and shall be based on the average number of paid members for the 12-month period May 1 through April 30. "Member" is defined to be one for whom an initiation fee or per capita tax shall have been paid to the Federation. No local shall be entitled to representation in the National Convention, unless all initiation fees; per capita tax; and all other accounts due to the Federation from such local, as of June 30 prior to the National Convention are paid in full before any delegate is seated in the National Convention. No local will be eligible to vote in district caucus, council conventions, or National Conventions or any council, district, or national matters unless per capita tax is paid in full 60 days prior to convening. Such information shall be furnished to the Committee on Credentials by the National Secretary-Treasurer;

that Article VIII, Section 2(d) be amended as follows:

Locals in good standing within each district may participate through the medium of a delegate(s). Membership strength will be based on the average number of paid members of the 12-month period through December of the year preceding the election. Each local shall be entitled to cast one vote for each member on all business and elections coming before the caucus, based on said average number of paid members for the previous calendar year for whom an initiation fee or per capita tax shall have been paid to the Federation. To be in good standing a local shall have submitted all membership and financial reports and remittance through the month of February of the election year to the National Office. No local shall be entitled to cast a vote in the district caucus unless all initiation fees; per capita tax; and all other accounts due the Federation from such locals for the period ending on February 28, prior to the district caucus, are paid in full. The number of caucus delegates a local is entitled to is determined in the same manner as National Convention delegates under Article VI, Section 2. Councils shall not be permitted to send delegate(s) to the caucus. Full-time National Representatives and full-time paid employees of AFGE shall not be permitted to attend the caucus as delegates;

that Article XIX, Sections 2, 3, 4, and 6(a) be stricken and Section 5 be amended as follows:

Sec. 2. When necessary, in the judgment of the NEC, additional locals may be chartered in cities, towns, or municipalities where locals already exist.

Sec. 3. Ten or more eligible governmental employees shall constitute a local to be formed in any locality.

Sec. 4. When desired, separate branches of a local with the necessary officers may be formed and sub-chartered in the same city, town, etc., but all branches of any local shall be under direct supervision of the parent local.

Sec. 5 Each application for charter for locals must be signed by the National Vice President and sent to the NST together with copies of the membership forms for each charter member. The charter members will be entered into the AFGE membership data base through the NST's Office, and the local will be charged appropriate per capita tax;

Sec. 6(a). Upon formation of a local, the local's secretary shall submit to the NST a complete list of names and addresses of all members, and the local shall forward to the NST the initiation fees;

that Article XIX, Sections 7(a)(3) be stricken and 7(a)(4) and 7(a)(5) be amended as follows:

(3) ~~On a separate sheet list the names and addresses (in alphabetical order) of the employees filling out the Membership Application forms. Make certain the zip code is shown;~~

(4) Fill out the Charter Application form. Attach it to the list of names and addresses of charter applicants; but retain the Membership Application forms: copies of the membership forms for all charter members. If the charter member is a current member of another AFGE local, provide the name and address with the charter application. The above documents will be submitted to the NVP of the district for review and approval. After he or she has approved the Charter Application, he or she will transmit it to the NST;

(5) The initiation fees and dues are collected by the locals. The initiation fee in a Regular Local shall be whatever amount is determined by the local. The local is required to send \$.50 for each charter member to the NST, and this must accompany the Charter Application form: Appropriate per capita tax will be charged to the local's account by the NST upon receipt of the charter application. After the month of charter, the The local must forward will be charged per capita tax \$.50 for each new member subsequently enrolled;

that Article XIX, Section 7(b)(3) be stricken 7(b)(4) and 7(b)(5) be amended as follows:

(3) ~~On a separate sheet list the names and addresses (in alphabetical order) of the employees filling out the Membership Application forms. Make certain the zip code is shown;~~

(4) Fill out the Charter Application form. Attach it to the list of names and addresses of charter applicants; but retain the Membership Application forms: copies of the membership forms for all charter members. If the charter member is a current member of another AFGE local, provide the name and address with the charter application. ~~these forms must be completely filled out, making certain that all information pertaining to beneficiaries is completed.~~ The above documents will be submitted to the NVP of the district for review and approval. After he or she has approved the Charter Application, he or she will transmit it to the NST;

(5) The initiation fees and dues are collected by the locals. The initiation fee for an Insured Local shall be whatever amount is determined by the local. The local is required to send \$1.55 for each charter member to the NST, and this must accompany the Charter Application form: Appropriate per capita tax for each charter member will be charged to the local's account by the NST upon receipt of the charter application. After the month of charter, the The local must forward will be charged per capita tax \$1.55 for each new member subsequently enrolled;

that Article XXIV, Section 1(a) be amended as follows:

(1) Regular Locals
~~\$.50 initiation fee for each new member reported and a The~~ per capita tax of is \$17.50 per member per month and \$.50 per capita tax per member per month for retired members. The per capita tax for retired members will be raised by the exact amount required to cover the affiliation fees for the AFL-CIO retiree program.

(2) Insured Locals
~~\$1.55 initiation fee for each new member reported and a The~~ per capita tax of is \$18.55 per member per month for insured members and \$1.55 per capita tax per member per month for retired insured members. The per capita tax for retired members will be raised by the exact amount required to cover the affiliation fees for the AFL-CIO retiree program.

and that Article XXIV, Section 5(a) and 5(b) be amended as follows:

SEC. 5(a). Per capita tax of members of a Regular Local are is due and payable before the end of each month; and a monthly Membership and Financial Report for each such local must be forwarded to the National Secretary-Treasurer not later than on the 20th day of the following month, together with all money due as initiation fees; per capita tax; and other items owed by the local.

SEC. 5(b). Per capita tax of members of an Insured Local are is due and payable on in advance before the first of each month, and a monthly Membership and Financial Report must be forwarded to the NST not later than the first day of each month; together with all money due as initiation fees; per capita tax; and other items owed by the local.

INCREASING MINIMUM MEMBERSHIP TO CHARTER LOCALS RESOLUTION # 1009 Submitted by National Executive Council

WHEREAS ten members are insufficient to support a local's operations, and

WHEREAS the AFGE National Constitution, Article XIX (Locals), Sections 7(a)(2), and 7(b)(2) provide that ten members are required to charter a local,

THEREFORE BE IT RESOLVED that Article XIX, Section 7(a)(2) be amended as follows:

A minimum of ten United States Government twenty-five eligible employees is required to charter a Regular Local;

that Article XIX, Section 7(b)(2) be amended as follows:

A minimum of ten United States Government twenty-five eligible employees is required to charter an Insured Local. Each applicant must complete an AFGE Membership Application form in its entirety.

CLARIFYING THE ROLE OF COUNCILS AT THE NATIONAL CONVENTION RESOLUTION # 1010 Submitted by National Executive Council

WHEREAS labor laws do not allow councils to cast votes in elections since their members are already accounted for through local delegate voting, and

WHEREAS the AFGE National Constitution, Article VI (Delegates), Section 11(a) provides that the councils are entitled to delegates to the National Convention,

CONSTITUTIONAL RESOLUTIONS — 2009 CONVENTION

FOR CLARIFICATION THEREFORE BE IT RESOLVED that Article VI, Section 11(a) be amended as follows:

Any chartered national, regional, state, or district council shall be entitled to two delegates, and such delegates shall pay the same registration fee as other delegates, but may not vote in an election for national officers, except as elected delegates from their own locals, in which case they are entitled to carry their proper share of local votes and any proxies.

PROMOTING LOCAL UNITY

RESOLUTION # 1011

Submitted by
National Executive Council

WHEREAS investigations and trials of charges keep locals bogged down and compromise their ability to represent members,

WHEREAS charges are often frivolous and are often used for political purposes,

WHEREAS some charges are vague or potentially unlawful,

WHEREAS many issues, which are not charges, could be resolved through mediation or other means,

WHEREAS the AFGE National Constitution, Article XXIII (Offenses, Trials, Penalties, Appeals) establishes the procedures for investigation and trial of charges, generally,

WHEREAS Article XIII (National Executive Council), Section 7 establishes the procedures for investigation and trial of charges against a national officer, and

WHEREAS Article IX (Duties of the National President), Sections 5(d) and 5(e) provide that the National President may suspend officers and appoint independent trial authorities,

THEREFORE BE IT RESOLVED that Article XXIII be amended as follows:

SECTION 1. Except as provided for under the powers of the National President in Article IX, Section 5, the local in which an individual member holds membership is the court of original jurisdiction for trial of charges against the a local's members and officers shall be the District in which the local is headquartered, unless the charges arise out of or result from an individual's conduct or status as a council officer on matters concerning council operations, in which case the council National President has original jurisdiction over for trial of such charges. The due process provisions of Article XXIII shall govern at the council level when a council officer is charged and tried in his or her capacity as a council officer. Members of the Federation, including officers, agents, and representatives of locals or councils, shall be tried for any of the offenses listed in Section 2 hereof.

Sec. 2. Charges may be preferred for conduct detrimental or inimical to the best interests of the Federation. Offenses against this Federation include the following:

(a) Advocating, encouraging, or attempting Taking any action to bring about a secession from the Federation of any local or of any member or group of members. ~~The conflict resolution program is not available. Penalty for conviction under this subsection shall be expulsion;~~

(b) Working in the interest of or becoming a member

of the Communist Party or any other organization which advocates the overthrow of the democratic form of government under which our members live. ~~The conflict resolution program is not available. Penalty for conviction under this subsection shall be expulsion;~~

(c) Violation of any provision of this Constitution, a council constitution, or the constitution and bylaws of the local to which a member belongs;

(d) Making known the business of any affiliate of the Federation to management officials of any agency or other persons not entitled to such knowledge;

(e) Engaging in conduct unbecoming a union member; Discrimination on the basis of a class protected under Article III, Section 1(a) of this Constitution or under a local or council constitution and bylaws;

(f) Engaging in gross neglect of duty or conduct constituting misfeasance or malfeasance in office as an officer or representative of a local. ~~The conflict resolution program is not available after the committee of investigation has preferred charges;~~

(g) Incompetence, negligence, or insubordination Insubordination in the performance of official duties by officers or representatives of a local or council or failure or refusal to perform duties validly assigned; such as refusing, failing, or neglecting to deliver at specified periods or on demand, in accordance with this Constitution or the constitution and bylaws of the local or council to which a member belongs, a full and accurate account of all monies, properties, books, and records for examination and audit;

(h) Committing any act of fraud, embezzlement, mismanagement, or appropriating to one's own use any money, property, or thing of value belonging to the Federation or any affiliate. A legally sufficient complaint under this subsection must proceed to the referral of charges. Penalty for conviction under this subsection shall be expulsion; ~~The conflict resolution program is not available after the committee of investigation has preferred charges;~~

(i) Refusing, failing, or neglecting to deliver at specified periods or on demand, in accordance with this Constitution or the constitution and bylaws of the local or council to which a member belongs, a full and accurate account of all monies, properties, books, and records for examination and audit; and/or

(j) Assisting, counseling, or aiding any member or officer of the Federation or any of its affiliates to commit any of the offenses herein set forth.

SEC. 3. Any member may file a complaint with the National Vice President having jurisdiction over the Local. Any complaint alleging violation of Section 2 must be duly sworn to and must state the exact nature of the alleged offenses and, so far as possible, the times and places the alleged offenses occurred. Any complaint must be submitted to the National Vice President within sixty (60) days of the time the complainant first became aware, or reasonably should have been aware, of the alleged offense.

The National Vice President may attempt to settle the matter, order mandatory mediation, or take such other appropriate action as is within his or her discretion. If the complaint cannot be resolved, the National Vice President may prefer charges. If the National Vice President decides to prefer charges, he or she shall submit the charges to a review for legal sufficiency by the General Counsel's Office. If the complaint is not legally sufficient to prefer

charges, the National Vice President may retain jurisdiction to order mediation or to take other appropriate actions, but ultimately the complaint shall be dismissed.

There is no appeal from such a dismissal.

Charges may be preferred by the National President, the National Executive Council, or the National Vice President having jurisdiction over the local of which the accused is a member, or by a committee of investigation of the local. Any member may request conflict resolution or bring charges by first filing them with the local of which the accused is a member, and the charges shall be investigated by a committee of investigation appointed by the local president or by the majority of the local Executive Board if the local president is being accused. If it is the local president who brings charges against a member, then the local Executive Board shall appoint a committee of investigation. If a member of the local Executive Board is the accused member, he or she may not vote in the selection of the committee of investigation. No member of the Executive Board may serve on the committee of investigation. The local committee of investigation shall conduct and complete the investigation within 120 days of the filing of charges. If the committee of investigation finds probable cause and cannot settle the matter informally or through the conflict resolution process, it shall prefer charges upon the accused. Such charges shall be in writing and shall be served upon the accused by registered or certified mail at his or her last known address, and the local of which the accused is a member also shall be served at its office or address of its highest ranking officer. The charges shall contain an allegation of the facts describing the nature of the offenses charged.

SEC. 4. The trial shall be conducted either by an impartial trial authority, specifically a trial committee or arbitrator appointed by the National President under Article IX, Sections 5(d) or 5(e). (a) by all of the eligible members of the local's Executive Board or (b) by a trial committee elected by the membership and composed of not less than three nor more than seven members of the local. In any event, no member of a local union shall be eligible to serve on the board or trial committee for the hearing of charges under this Article if he or she is directly or indirectly involved in the matter which gave rise to the charges upon which the accused is to be tried. In no case will the committee of investigation and the trial committee be composed of any of the same members. The trial committee shall be elected by the membership of the local at the next regular meeting after the charges have been preferred or at a special meeting called for that purpose to be held not less than five days after a copy of the charges has been filed with the local. The body hearing the trial shall select from among themselves a presiding officer and a secretary and fix the time and place of the trial. The presiding officer trial authority shall notify the accused, and those who filed the complaint, and those who preferred the charges by registered or certified mail of the time and place of trial, and such trial shall be held promptly but shall not be held less than two weeks after the mailing of the notice so as to insure the accused of a reasonable time to prepare his or her defense, nor more than 180 days after the preferring of charges, so as to insure a prompt trial. ~~The conflict resolution program is not available after the trial commences.~~

CONSTITUTIONAL RESOLUTIONS — 2009 CONVENTION

SEC. 5. *The duration of any trial shall not be greater than one day, unless the trial authority, in its discretion, extends the trial.* All parties shall be given full opportunity to present all relevant evidence and exhibits which they deem necessary to the proper presentation of their case and shall be entitled to cross-examine witnesses of the other party or parties. The accused shall have the privilege of being represented by representatives of his or her choice, except by a member of the trial committee or a member of the Executive Board when it is acting as a trial board or a representative of another labor organization.

At the discretion of the local union *trial authority*, a verbatim transcript of the trial proceedings may be taken. For the purpose of creating an official record of the hearing conducted by the trial body, a verbatim transcript also shall mean *an audio* tape-recording. In the event no verbatim transcript is made, the secretary of the trial body shall reduce the minutes of the trial to writing and include therein the substance of the testimony and all exhibits submitted at the trial. The secretary also shall furnish to each party a copy of the transcript or minutes, as the case may be, and each party within ten days after receiving said transcript or minutes shall submit to the secretary in writing any objections thereto. The *trial authority shall make a record thus made, which* shall constitute the record of the trial for the purpose of appeal, and in the event any party fails to attest to the correctness of the record or to file objections to the correctness of the record within *ten (10) days of receipt* the time limit prescribed herein, the transcript or minutes *record* furnished by the secretary of the trial committee *trial authority* for the purpose of appeal shall be deemed to be a correct record of the trial procedure and of the evidence presented. All matters relating to the procedure of the trial not otherwise specified in this Section shall be determined by the *trial authority* trial body, and all parties and their respective counsel shall comply with all orders and directions of the *trial authority* trial body with respect to such matters. No member of the board or trial committee who absents him or her self from any session of a trial may participate in findings, decisions, or recommendations of the board or trial committee or file any concurring or dissenting opinion.

SEC. 6. Should the accused fail, refuse, or neglect to appear for trial after due notice, or after appearing refuse to comply with orders or directions of the trial committee *authority* relating to the conduct of the trial or otherwise attempt to obstruct or thwart the trial committee *authority* in its conduct of the trial, the trial committee *authority* shall proceed with the trial in the absence of the accused, hear such evidence as may be presented by witnesses who respond to notice, and render its findings, recommendation, and decision. However, the accused shall not be deprived of the privilege of being represented by a representative of his or her choice.

SEC. 7. *The trial authority shall normally notify the charged party and National Officer(s), who preferred the charges in writing by registered or certified mail, of its findings and decision within ninety (90) days of the completion of the trial, unless an extension is granted by the Legal Rights Committee of the NEC. The notice to the charged party shall be mailed to the last known address and shall advise the charged party of available appeal rights. Any adverse decision against the charged party shall remain in effect pending final appeal. With the exception of*

the appeal procedures available under Section 8 of this Article, the decision of the trial authority shall be final.

At the next regular meeting of the local following the conclusion of the trial, as the first order of business, the trial body shall read the sustained charges against the accused. At that time the accused or representative may make a statement on his or her behalf to the membership. The trial body then shall submit to the local in writing and read its findings of the facts, decisions, and recommendations. The accused shall retire from the room when the vote of the membership is taken. The members of the local there assembled shall vote without debate solely on the question of whether to accept or reject the decision and recommendations of the trial body. The local by a majority vote of its members voting may fine, suspend, or expel the accused from its membership or suspend or remove the accused from any local offices, which the accused may hold. No further trial shall be had on the same charges except for violation of the procedures described by the Constitution or of procedural due process, and then only if desired by a decision on appeal.

SEC. 8. The accused and those who preferred the charges shall be notified by registered or certified mail of the decision of the local. The notice to the accused shall be mailed to the last known address and shall advise the accused of available appeal rights. Any adverse decision against the accused shall remain in effect pending final appeal.

SEC. 9 ~~8~~. Any officer or member fined, suspended, or expelled from membership or suspended or removed from office by a vote of his or her local may appeal such decision to the NEC, provided such appeal is filed in writing with the NST within 15 days after the officer or member is notified of the decision of the local. The NEC shall consider the appeal at its next regularly scheduled meeting or at a special meeting called for that purpose by the National President or two-thirds of the NEC. The NEC shall review the case and affirm or reverse the decision, reduce the penalty, or return the case to the local for a new trial before a different trial committee *authority*. If the decision of the NEC should affirm any adverse action taken against the appellant by the local, the appellant may further appeal to the next National Convention. *The decision of the NEC shall be final.*

SEC. 9. All provisions relating to the trial procedures and appeals in local constitutions and bylaws must comply with the Rules and Regulations of the Assistant Secretary of Labor for Labor-Management Standards implementing Public Law 95-454, Standards of Conduct for Labor Organizations. This Article supersedes any provisions in local constitutions and bylaws which do not meet the basic democratic procedures prescribed in this Article.

that Article IX, Section 5(d) and 5(e) be amended as follows:

SEC. 5(d). The National President shall be authorized to suspend immediately any officer of an affiliate for serious misconduct, including but not limited to incompetence, negligence, or refusal to perform duties validly assigned, or any other offense, as described in Article XXIII, Section 2, where in his or her judgment the continuance in office of such officer would be inimical to the best interests of the Federation and its members. At the time of the suspension, the National President shall serve upon

the suspended officer by registered or certified mail a written notice of the suspension stating in detail the charges against the officer, and he or she also shall mail a copy of such notice and charges to the president or highest remaining ranking officers of the local. Such suspended local officer shall be tried by his or her local under the procedures established in Article XXIII.

However, the *The* National President, when he or she deems it in the best interest of the Federation, or in his or her opinion the local will not proceed promptly to trial, or cannot be expected to fairly or judiciously try the matter, may *shall* (1) appoint *an impartial* trial committee or (2) select an arbitrator under existing Federal Mediation and Conciliation Service or American Arbitration Association procedures, for the trial of the suspended officer. A suspended national bargaining council officer will be tried by a trial committee composed of three members, one of whom shall be an arbitrator selected in accordance with Article XXI, Section 7, and of the others, who shall be appointed by the National President, one shall be a national council president. A suspended local officer shall be tried by a trial committee composed of at least three members or employees of the Federation appointed by the National President, or by an arbitrator selected by the National President. Such trials shall be conducted speedily but with reasonable time for the accused to prepare his or her defense. The procedures described in Article XXIII, Sections 4, 5 and 6 governing the conduct of hearings by local trial bodies shall be followed by the trial committee or arbitrator to assure the accused a full and fair hearing in accordance with the basic requisites of due process. The trial committee or arbitrator shall render a decision suspending the accused for a specific time from his or her office, removing him or her from the office, barring him or her from holding any office for a specified time, and/or suspending for a specified period of time, or removing him or her from membership, or finding him or her not guilty as accused. An officer suspended or removed from office and/or membership shall have the appeal right as set forth in Article XXIII, Section 9, after decision by the trial committee or arbitrator.

The suspension or removal of an officer shall operate only to suspend the right of such person to occupy any office or position, or perform any of the functions thereof, but all other membership rights of such individual shall remain unaffected unless and until the trial committee renders a decision affecting his or her membership rights.

SEC. 5(e). Where the National President determines that the conditions within a local or council are such that a fair and impartial investigation and trial of charges against a member cannot be conducted by the local or council under the provisions of Article XXIII, Section 3, then in that event *a complaint against a member leads to a trial*, the National President may *shall* appoint a committee of investigation and/or *an impartial* trial committee, such committees to be composed of at least three members. In lieu of a trial committee, the National President may select an arbitrator under existing Federal Mediation and Conciliation Service or American Arbitration Association procedures. In the case of a national council officer, the composition of the trial committee shall be consistent with Article XXI, Section 7. In no case will the committee of investigation and the trial committee be composed of the same members.

CONSTITUTIONAL RESOLUTIONS — 2009 CONVENTION

All of the due process provisions in Sections 4, 5 and 6 of Article XXIII govern the trial before such trial committee. The findings and recommendations and decision of such trial committee or arbitrator shall be submitted to the National President. Within 15 days after the National President receives the record transcript or minutes of the hearing and the findings and recommendation and decision of the trial committee or arbitrator, he or she shall render a written decision. The National President's decision may be appealed by the charged member to the NEC and to the National Convention in accordance with the procedures in Section 9 of Article XXIII.

that Article XIII, Section 7 be amended as follows:

SEC. 7. Any officer of the Federation may have charges filed against him or her for violations of Article XXIII. Any officer of the Federation having charges preferred against him or her may be suspended by a two-thirds vote of the NEC, only after being notified in writing of the charges and given an opportunity to present his or her defense to the NEC.

SEC. 7(a). Charges filed against a national officer of AFGE must be sworn to under penalty of perjury, filed in writing with the National President, and a copy thereof served by registered mail or personal service upon the officer charged in question. Delivery of the copy by mail to the official address of the officer involved shall constitute valid service. Charges may be filed solely by a member of AFGE in good standing and for good and sufficient cause, and shall relate solely to acts or omissions required or taken by such officer as an official of AFGE. Prior to constituting a committee of investigation, any charge shall be referred to the General Counsel's Office for review to determine whether the complaint states a chargeable offense.

SEC. 7(b). The committee of investigation shall be appointed by the National President (or if the charges are against the National President, such committee shall be appointed by the chair of the Legal Rights Committee of the NEC) and shall consist of three members in good standing. The chairman of the committee shall be a national officer and shall be the sole national officer on the committee. The committee of investigation shall investigate the charges by initially interviewing orally or in writing each complainant, the officer charged, and such other persons as it deems necessary to determine if good and sufficient grounds exist for the charge and whether or not material facts concerning the charge are in dispute. The written charges, related papers and correspondence, and all statements, documents, recordings, and reports containing evidence or information obtained in the course of the investigation shall constitute the investigative file.

If the committee of investigation determines that:

- (1) Good and sufficient grounds for a charge do not exist, it shall refer the charge to the NEC with a recommendation that it be dismissed;
- (2) Good and sufficient grounds for a charge exist, but that no material facts are in dispute, it shall refer the charge to the NEC for decision on the basis of the investigative file; and
- (3) Good and sufficient grounds for a charge exist, and there There are material facts in dispute, it shall refer the charge to a trial committee.

SEC. 7(c). The trial committee shall consist of three

national officers. The National President (or if the charges are against the National President, the chair of the Legal Rights Committee of the NEC) shall select one member, the officer who is the subject of the charges shall select one, and those members shall select a third member who shall be the chairman of the trial committee.

The trial committee shall have full authority to conduct a fair and thorough trial of the charges, hold hearings, take testimony under oath, receive documents, affidavits, and records as exhibits, take depositions, and issue interrogatories, and do all things necessary to ascertain the truth, make a verbatim transcript of testimony, establish a record of all relevant and material evidence, and provide a written report and recommendation on each charge as to whether it is sustained or not sustained and the appropriate discipline, if any, to the NEC.

The trial committee shall complete its proceedings and issue its final report and recommendation in a timely manner, such that due process is not materially jeopardized, within 90 days of the referral of the charge to it, unless for good cause, the NEC grants an extension of time. No such extension of time shall be granted for more than 30 days.

SEC. 7(d). Each member of the NEC shall have a copy of the complete record available to it him or her as well as the trial committee report and recommendation for at least ten days prior to voting upon the final decision. Voting may be by mail ballot or at a duly constituted meeting of the NEC. The national officer under charges shall abstain from voting as a member of the NEC with respect to the charges. It shall take a two-thirds vote of the remaining members of the NEC to sustain a charge and to impose discipline. The NEC shall take separate votes on each charge, and on the discipline, if any, appropriate to each charge which is sustained.

Where the NEC upholds, in whole or in part, any decision which results in a penalty imposed upon an individual, that individual may appeal to the next National Convention of AFGE under Article XXIII, Section 9, of the AFGE Constitution, provided, however, that the appeal is filed in writing, by certified or registered mail, with the National Secretary-Treasurer within 30 days of receipt of the notice of the decision of the NEC.

~~Such suspension by the NEC, to become permanent, must be sustained by a majority vote of the next regular National Convention.~~

ELECTRONIC DISTRIBUTION OF OFFICIAL DOCUMENTS

RESOLUTION # 1012

Submitted by
National Executive Council

WHEREAS the cost of printing and mailing *The Government Standard* when resolutions and reports are included is enormous and increases each year,

WHEREAS traditional, outdated means of publication and dissemination of reports inhibit members' access to the most current information,

WHEREAS advances that have been and will be made in information technology present a wide array of more effective, efficient, and flexible means of communication,

WHEREAS the AFGE National Constitution, Article

IX (Duties of the National President), Section 9 provides that annual audit reports shall be furnished to members of the NEC and to locals, upon request,

WHEREAS the AFGE National Constitution, Article X (Duties of the National Secretary-Treasurer), Section 5 provides that the NST shall prepare a quarterly report to be published in *The Government Standard*,

WHEREAS the AFGE National Constitution, Article XII (Duties of the National Vice President), Section 1(b) (6) provides that National Vice Presidents shall provide, at least quarterly, accounts of PAC and LAF monies,

WHEREAS the AFGE National Constitution, Article XII, Section 1(b)(7) provides that National Vice Presidents shall issue, at least quarterly, accounts of expenditures on locals and councils,

WHEREAS Article XIII (National Executive Council), Section 12(b) provides that reports from NEC meetings shall be mailed to each local president, and

WHEREAS Article XXVIII (Amendments), Section 2 provides that amendments to the AFGE National Constitution shall be printed in *The Government Standard*,

THEREFORE BE IT RESOLVED that Article X, Section 5 be amended to read as follows:

In addition to his or her triennial report, the NST shall prepare a quarterly financial report which shall be published in ~~*The Government Standard*~~. Such reports shall include the following disbursements: salaries, maintenance of Headquarters, travel, and miscellaneous expenditures. Such information is to be itemized by Headquarters department and NVP district and program function expenditures;

and that Article XXVIII, Section 2 be amended as follows:

Amendments must be submitted so as to reach the National Secretary-Treasurer not less than 60 days prior to the date of the National Convention, and printed in the first official newspaper or other publication going to the entire membership these amendments must be published immediately thereafter.

AND BE IT FURTHER RESOLVED that with the exception of Appendix A and the distribution of *The Government Standard* pursuant to Article I, Section 4, wherever in the AFGE National Constitution documents are required to be "printed" or "published," or "mailed," "issued," "provided," or "furnished" to members or affiliates, such terms shall be interpreted to allow electronic means, where feasible and otherwise consistent with law.

NON-DISCRIMINATION IN HIRING HEADQUARTERS EMPLOYEES

RESOLUTION # 1013

Submitted by
National Executive Council

WHEREAS it is discriminatory under United States law to have a provision barring employment of legal, documented immigrants,

WHEREAS positions such as accountants, attorneys, and IT specialists are historically not filled by members, who are able to earn more with the Federal Government or in the private sector, and

WHEREAS the AFGE National Constitution, Article I (Name and Headquarters), Section 5 provides that all employees, with the exception of stenographic or clerical

CONSTITUTIONAL RESOLUTIONS — 2009 CONVENTION

employees, hired at AFGE Headquarters must have been members of AFGE or the AFL-CIO and be U.S. citizens, unless no such candidates are available,

THEREFORE BE IT RESOLVED that Article I, Section 5 be stricken and the following language added:

All employees hired for positions in the Headquarters office, with the exception of clerical and stenographic help, shall have been members in good standing of AFGE for at least one year prior to their employment or a member for one year or more of the AFL-CIO and must be a citizen of the United States. If no qualified applicants from the above two sources are available, the area of consideration will be expanded. Members in good standing of AFGE and members of AFL-CIO affiliates shall be encouraged to apply for positions in the Headquarters office.

SIMPLIFICATION OF TRUSTEESHIP PROCEDURES

RESOLUTION # 1014

Submitted by

National Executive Council

WHEREAS many of the procedures for placing affiliates under trusteeship are onerous, convoluted, and inconsistent with law or policy,

WHEREAS the National President and NEC have been forced to deny the requests of troubled locals and councils to be placed in trusteeship, and

WHEREAS the AFGE National Constitution, Article IX (Duties of the National President), Sections 5(b) and 5(c) provide the procedures for placing an affiliate under trusteeship,

THEREFORE BE IT RESOLVED that Article IX, Section 5(b) and 5(c) be amended as follows:

~~Sec. 5(b)(1). In all cases but secession from AFGE or confirmed loss of leadership, or where the local or council fails to agree to mediation, the National President shall be authorized and empowered with the approval of the NEC, to place any council or local under trusteeship only after the following procedures have been followed:~~

~~(1) There will be mediation by a certified mediator, appointed by the National President and paid from the district in which the trusteeship is proposed. A council trusteeship will be paid by the Office of the National President. After mediation and conciliation has been exhausted to resolve any conflict;~~

~~(2) The Federation should then review the documentation created during the period for resolution and provide a copy to the NEC;~~

~~(3) After the review the disputed local should be notified within 120 days of the proposed notice to place a local in trusteeship and the reason why;~~

~~(4) That the Federation allow the local a response period after notification (no more than 30 work days) to state why it should not be placed in trusteeship;~~

~~(5) The Federation should then send a decision letter either sustaining or revoking a proposed notice of trusteeship;~~

~~(6) This proposed notice should first be served upon the Executive Board by certified mail.~~

Prior to the imposition of trusteeship, the notice shall be sent by mail from the National Office to all members of the affiliate setting forth the reasons why the affiliate was placed in trusteeship. In all cases

~~except secession or confirmed loss of leadership, all elected officers shall remain in office until after a decision from a fair and impartial hearing by the Federation. In all cases except secession or confirmed loss of leadership, the National President shall employ an independent arbitrator solicited from the AAA or another arbitration association. The selected arbitrator shall live in close proximity to the council or local where the hearing is being heard. The arbitrator shall have the authority to decide the trusteeship based on the standard of evidence used in the courts. The arbitrator shall conduct a hearing concerning the circumstances surrounding the trusteeship. The arbitrator shall be selected with consultation by the NVP having jurisdiction over the affiliate. The affiliate and the National President designee shall select the arbitrator from a seven-member list supplied by the AAA or other association.~~

~~Either party shall have three opportunities to strike from such list until there remains one arbitrator. This last arbitrator shall be selected to hear the case for trusteeship for the affiliate. If it is documented by certified return notice that the local or council will not participate in the selection of the arbitrator after certified notice, the National President shall contact and employ this arbitrator; the expense shall be borne by the district in which the trusteeship is proposed. For proposed council trusteeships, the cost will be paid by the Office of the National President.~~

~~The hearing normally shall commence within 60 days after the notice of trusteeship has been served upon the members of the affiliate. The reason for the establishment of the trusteeship will be fully explored through the testimony of witnesses. The arbitrator will rule on questions of evidence and testimony at the hearing.~~

~~Within 15 days, the National President will receive the record of hearing, along with the findings and the decision of the arbitrator. He or she shall render a written decision, either ratifying the establishment of the trusteeship if the preponderance of the charges are sustained, or rescinding the trusteeship if the decision is not sustained by a preponderance of the evidence. The National President shall not modify or change the decision of the arbitrator.~~

~~Sec. 5(b)(2). In cases of secession or confirmed loss of leadership, the imposition of trusteeship will be followed within 90 days by a report and recommendations by a three-member panel appointed by the President. The panel may act on the basis of the written record, or may hold an on-site hearing, or may take evidence or argument by electronic means.~~

~~Sec. 5(b)(3). If the decision/report is for trusteeship, the National President will notify the affiliate; any member may appeal the decision in writing to the Labor Department or the next Convention. A copy shall be mailed by certified or registered mail to the National Secretary-Treasurer of the Federation, within 15 days after the National President has established the trusteeship.~~

~~The appeal will be processed under the regulations/guidance of the Labor Department. If the trusteeship is still sustained, the member of the affiliate can only appeal again that decision at the next Convention.~~

~~While an affiliate in the Federation is under trusteeship the trustee will ensure that the membership of the affiliate will be involved or participate by: allowing the membership's approval for all expenditures over~~

~~\$250; providing the membership a voice in setting policy; ensuring representation is given; and allowing the Bill of Rights to govern.~~

~~To safeguard and protect the affiliate's assets, the Federation will take immediate charge of all equities and properties, both tangible and intangible, acquired or possessed by the affiliate for the purpose of preventing corruption or financial malfeasance. The Federation will assure the performance of the collective bargaining agreement, restore the duties and responsibilities of the representatives and promote democratic procedures, and otherwise carry out the legitimate objectives of the Federation.~~

~~Sec. 5(b)(4). Expedited Trusteeship Process: In situations where there is: (1) a violation of law established by preponderant evidence gathered by AFGE or by local, state, or federal officials; (2) secession from AFGE; or (3) confirmed loss of leadership, the following shall apply:~~

~~Sec. 5(b)(5) (1). The National President shall remove incumbent officers and give notice of the imposition of trusteeship to the membership of the local or the constituent locals of the council within five days, providing the time, date, and place of the trusteeship hearing. The National President shall appoint a three member trusteeship hearing panel. The hearing shall take place within 60 days in the vicinity of the local or council headquarters, with the exception of trusteeships imposed for chronic (three months) per capita tax delinquency which will be held in the National Office. Any affected member may appear at the hearing in person or by electronic means, and the hearing panel will receive testimony and documentary evidence from those attending or their representatives.~~

~~Sec. 5(b)(6) (2). The hearing panel shall issue its decision within 30 days of the close of the hearing to ratify or rescind the trusteeship, and the National President shall notify the membership of the local or the constituent locals of the council. Any affected member may file an appeal within 15 days of notification to the National Secretary-Treasurer for appeal to the next AFGE National Convention. The hearing panel's decision shall be final.~~

~~Sec. 5(b)(3). While an affiliate in the Federation is under trusteeship, the trustee will ensure that the membership of the affiliate will be involved or participate by providing the membership a voice in setting policy, ensuring representation is given, and allowing the Bill of Rights to govern. The trustee shall not expend more than \$500 per month without the prior approval of the National President.~~

~~To safeguard and protect the affiliate's assets, the Federation will take immediate charge of all equities and properties, both tangible and intangible, acquired or possessed by the affiliate for the purpose of preventing corruption or financial malfeasance. The Federation will assure the performance of the collective bargaining agreement, restore the duties and responsibilities of the representatives and promote democratic procedures, and otherwise carry out the legitimate objectives of the Federation.~~

~~Sec. 5(b)(7) (4). The trusteeship shall end within 12 18 months, as required by Department of Labor regulations.~~

~~Sec. 5(c). The National President shall be authorized and empowered to revoke or suspend, with the~~

CONSTITUTIONAL RESOLUTIONS — 2009 CONVENTION

approval of the NEC, the charter of any council or local when the National President has proof that such affiliate body has disbanded, has ceased to be beneficial to the Federation, is in such disarray that its continuation will be prejudicial to the objectives and best interests of the Federation, or when a local is delinquent in paying its monthly per capita tax, assessments or other indebtedness, as provided for in Article XXIV. Any member of the local or council whose charter is suspended or revoked under this subsection may challenge the action by mailing a written statement, setting forth the grounds for the challenge, to the National President within 15 days after the suspension or revocation. The National President will order a hearing on such challenge, and such hearing and appeal procedures will be conducted in accordance with the procedures set forth in Section 5(b) of this Article.

ITEMIZED REPORTS

RESOLUTION # 1015

Submitted by
National Executive Council

WHEREAS it is not possible to categorize many activities, such as those involving PAC, agency-wide issues, or district-wide matters, by local or council, or the records are not maintained by the districts, and

WHEREAS the AFGE National Constitution, Article XII (Duties of the National Vice President), Section 1(b) provides that the NVP must issue reports of expenditures broken down by local and/or council,

THEREFORE BE IT RESOLVED that Article XII, Section 1(b)(7) be stricken:

~~(7) To issue to all local and council presidents in the district at least a quarterly report of expenditures showing the funds spent on each local and council served, and a pre-caucus audit report showing expenditures to all district locals and councils served.~~

~~Each council that has local constituencies in the district regardless of where the council officers reside shall receive these reports.~~

INCREASING RETIREE PER CAPITA TAX

RESOLUTION # 1016

Submitted by
National Executive Council

WHEREAS the cost of representing the interests of our members, a growing number of whom are retired, has increased due to inflation, and

WHEREAS the AFGE National Constitution, Article XIX (Locals), Sections 7(a)(6) and 7(b)(6) and Article XXIV (Revenues), Section 1(a) establish per capita tax for retired members,

THEREFORE BE IT RESOLVED that Article XIX, Section 7(a)(6) be amended as follows:

Effective January 1, 2007 2010, the per capita tax is \$17.50 per member per month and \$50 2.00 per member per month for retired members; and the per capita tax for retired members will be raised by the exact amount required to cover the affiliation fees for the AFL-CIO retiree program;

that Article XIX, Section 7(b)(6) be amended as follows:

Effective January 1, 2007 2010, the per capita tax is \$18.55 per member per month for insured members and \$1.55 3.05 per member per month for retired

insured members, and the per capita tax for retired members will be raised by the exact amount required to cover the affiliation fees for the AFL-CIO retiree program;

that Article XXIV, Section 1(a) be amended as follows:

THE REVENUES OF THE FEDERATION shall be obtained as follows, effective January 1, 2007 2010:

(1) Regular Locals

~~\$50 initiation fee for each new member reported and a The~~ per capita tax of ~~is~~ \$17.50 per member per month and \$50 2.00 per capita tax per member per month for retired members. The per capita tax for retired members will be raised by the exact amount required to cover the affiliation fees for the AFL-CIO retiree program.

(2) Insured Locals

~~\$1.55 initiation fee for each new member reported and a The~~ per capita tax of ~~is~~ \$18.55 per member per month for insured members and \$1.55 3.05 per capita tax per member per month for retired insured members. The per capita tax for retired members will be raised by the exact amount required to cover the affiliation fees for the AFL-CIO retiree program.

ESCALATOR CLAUSE FOR AFFILIATION FEES

RESOLUTION # 1017

Submitted by
National Executive Council

WHEREAS AFL-CIO affiliation fees have increased over and above the funds earmarked to cover said fees,

THEREFORE BE IT RESOLVED that Article XXIV (Revenues), be amended to add Section 1(e) as follows:

SEC. 1(e). INCREASES IN AFL-CIO AFFILIATION FEES
The per capita tax shall be increased automatically by the amount, if any, by which the national average of AFL-CIO affiliation fees increases.

NATIONAL EXECUTIVE COUNCIL MEETINGS

RESOLUTION # 1018

Submitted by
National Executive Council

WHEREAS not all gatherings of the NEC are business meetings, and informal brainstorming discussions among NEC members about business issues (even if eight members are at dinner) should be encouraged to occur without advance notice and publication, and

WHEREAS the AFGE National Constitution, Article XIII (National Executive Council), Section 12(c) defines an NEC meeting,

THEREFORE BE IT RESOLVED that Article XIII, Section 12(c) be amended as follows:

NEC meetings normally should be held at the AFGE National Headquarters, Washington, D.C., except during the AFGE National Conventions, and except that the NEC is authorized to convene in a regular meeting outside of Washington, D.C., providing such a meeting costs no more than convening a regular NEC meeting in Washington, D.C. All official NEC meetings shall be open "sunshine" meetings to the Federation, and advance notice to locals and councils of the location of NEC meetings will be published by the Federation. Whenever a majority of the NEC gathers in the same location to address business of the Federation, such gathering will be considered a meeting pursuant to this Section. All NEC committee meetings also will be considered meetings pursuant

~~to this Section, with the exception of the Legal Rights Committee when dealing with individual legal rights matters. Members may participate in the debate of issues and motions before the NEC. Any member attending the NEC meeting should be allowed up to three minutes to express comments for the good of the Federation.~~

INCREASING DELEGATE ENTITLEMENTS

RESOLUTION # 1019

Submitted by
National Executive Council

WHEREAS a substantial number of locals have more than 2000 members, and

WHEREAS the AFGE National Constitution, Article VI (Delegates), Section 2 establishes the basis on which delegates are awarded to locals,

THEREFORE BE IT RESOLVED that Article VI, Section 2 be amended as follows:

Locals having a membership of 100 or less shall be entitled to one delegate; 101-200 members, two delegates; 201-300 members, three delegates; 301-400 members, four delegates; 401-500 members, five delegates; 501-750 members, six delegates; 751-1,000 members, seven delegates; 1,001-2,000 members, eight delegates; and 2,001-3000 and over, ten delegates. Locals having a membership over 3000 members are entitled to an additional delegate for every additional 1000 members. Any local whose charter has not been in existence for one year is entitled to representation at the National Convention in accordance with the above, on the average of per capita tax paid monthly since its admission.

TO BUILD STRONGER LOCALS AND A

STRONGER AFGE

RESOLUTION # 1020

Submitted by
National Executive Council

WHEREAS, we are very proud of our union's record of success in saving the merit system, saving the 1 million civil service positions from being contracted out, winning decent pay raises for our members, preventing the NSPS and MAX HR destructive pay systems from being applied to our members, saving the right to a union voice in the workplace through collective bargaining, saving due process, and preventing the privatization of the VA, defeating the privatization of Social Security, saving the federal meat inspection system and many more accomplishments in the face of the most hostile administration in our lifetimes;

WHEREAS, our union has continued to become stronger by increasing our membership power through mobilization and recruitment campaigns around those issues;

WHEREAS, AFGE is proud but not satisfied with the status quo for federal or DC government workers as the moment is right for AFGE to change from defending government and government employees to going on the offense to secure better working conditions and improved government operations;

WHEREAS, our DC government members still face hostile management actions and need more support;

WHEREAS, we have a unique window of opportunity in the current political environment with a President and a Congress that value government and government employees;

CONSTITUTIONAL RESOLUTIONS — 2009 CONVENTION

WHEREAS, as AFGE must act quickly while the window of opportunity is open to secure offensive victories and make them permanent in legislation or in our agency contracts;

WHEREAS, AFGE needs to continue to grow in membership and become more powerful in the years ahead to accomplish those goals;

WHEREAS, we know that every local and council contract needs to be negotiated over the next four years;

WHEREAS, we have learned that mobilizing our members around our fights for good contracts and key legislative goals such as improved agency budgets, health insurance, contracting in, etc. creates visibility, excitement, more members and more power to “Win”;

WHEREAS, mobilizing, organizing and harnessing the power of our members and the 350,000 potential members requires effectively creating and coordinating efforts involving representatives, bargaining communications, education, volunteers actions, organizing and mobilizing activities, lobbying and political support;

WHEREAS, increasing our capability to organize, mobilize, represent, bargain, lobby, educate enlist volunteers, communicate faster, better and more often and to build coalitions with others are essential to increase our power to win;

WHEREAS, we must take advantage of this unique window of opportunity to propel our union forward to greater power and greater victories now before the window closes;

THEREFORE BE IT RESOLVED, that AFGE adopt a program now to propel our union forward to become more powerful;

THEREFORE BE IT RESOLVED, that AFGE members be asked to invest \$1 a week to make our strong union today much more powerful tomorrow by:

- 1) Making every AFGE (Local and Council) contract a great contract over the next 3 years by using the power of members to support the negotiations, assisted by a special contract mobilization fund; @ \$.24
 - Contract/Mobilization Campaigns
 - Heightens interest among potential members
- 2) More technical support for Locals and Councils in the negotiation of the best contracts for our members over the next 4 years with the addition of 4 National Labor Relations Specialists; @ \$.16
 - Bargaining for the Future
 - Training for Local/Council Negotiators and National Representatives
 - Professional staff for all Council contracts
- 3) Increasing the legal support that Locals need by adding 2 EEO Attorneys and 2 Legal Rights Fund Attorneys; @ \$.16
 - Locals need more attorney support against agency attorneys
 - Attorney Fees help offset some costs of attorney representation by AFGE
- 4) Enhancing District support to Locals with 1 additional staff per district; @ \$.45
 - More contract and representation support
 - More overall support on other Local needs
- 5) Dramatically increase the support of current and future local leaders, stewards, etc. to obtain world

class education in the skills needed for union leaders, by increasing the number of education professional staff from 1 to 5; @ \$.17

- Regional support for Districts, Councils and Locals
 - More online and video conference training
 - Core curriculum with college credits – uniform quality training
- 6) Increasing our support of Locals with their membership recruitment activities through the addition of 10 more National Organizers; @ \$.36
 - Advance teams to help Locals set up organizing activities
 - Help Locals with contract campaign/activities
 - 7) Increasing our lobbying power by adding 2 additional lobbyists to more fully cover AFGE represented agency issues; @ \$.08
 - Better coverage for all our agencies
 - Move our agenda on staffing, pay, and contracting-in
 - 8) Increasing our volunteer and retiree power by adding staff who can focus 100% of their time to the cultivation of volunteers, particularly volunteers to increase our political power; @ \$.04
 - More grassroots volunteers equals greater results at local, agency and Congress/DC Government
 - 9) Strengthening our ability to work with natural allies and coalition partners, which helps achieve our vital goals; and @ \$.01
 - 10) Enhancing our communications in support of our contract and legislative campaigns; @ \$.10
 - More frequent communications like “Week in Review” for Local use
 - Help with onsite media for hot Local issues
 - 11) Continuing our strong affiliations with the AFL-CIO State Federations; @ \$.18
 - 12) Meeting the operational resource needs of the District and National offices for travel, etc. to support our Locals, Councils and national issues; @ \$.38 (District Operational Resources -\$.16, President’s Departments Operational Resources-\$.11, NST’s Departments Operational Resources-\$.07, NVP for W/FP’s Operational Resources-\$.04)
 - 13) Realistically deal with inflation that can silently undermine AFGE’s resources. @ \$.2.17

AND FURTHER BE IT RESOLVED that effective January 1, 2012, the National Secretary-Treasurer may increase the per capita to reflect the increases in the affiliation fees for the program of affiliation with the AFL-CIO State Federations.

JURISDICTION OF NATIONAL SECRETARY-TREASURER

RESOLUTION # 1021
Submitted by
Council 147

Article XXI Council

New after end of Section 9 the National Secretary-Treasurer will have jurisdiction over any questions of any bargaining Council Expenditures.

New Section 10. Council activities will fall under the jurisdiction of the National Secretary Treasurer.

AMENDMENT ARTICLE 24 SECTION 9 OF AFGE NATIONAL CONSTITUTION

RESOLUTION # 1022

Submitted by
Council 147

Section 9. All books, records, and fiscal accounts of a local or council shall be open at all times to the inspection of the national Sec. Treasure [sic] office ~~officers or accredited representative of the NEC~~ and any duly authorized and accredited representative of the local or council. Prior to the inspection, the effected [sic] local or council will receive a written rationale for the inspection, what the inspection expects [sic] to find, as well as a statement listing the period of time the inspection is to cover. Any inspection will be at no cost to the local or council.

Purpose of amendment—supplies impacted local or council with an understanding as to why the inspection is occurring and the rational for the inspection. Period of time will enable the impacted officers to make ready the material requested.

AMENDMENT ARTICLE 24 SECTION 6A OF AFGE NATIONAL CONSTITUTION

RESOLUTION # 1023

Submitted by
Council 147

Sec. 6(a). A local failing to pay the monthly per capita tax, any assessment, or other indebtedness to the Federation, **including but not limited to National Councils chartered by the NEC**, by the due dates indicated above, shall be notified promptly by the NST of its arrearages, and if at the end of three months the local is still in arrears, it may be suspended from membership, and its members shall forfeit all rights, privileges, and benefits. Any local suspended for six months shall surrender its charter to the NST.

PER CAPITA INCREASE

RESOLUTION # 1024

Submitted by
Council 147

WHEREAS AFL-CIO affiliation dues have increased;
WHEREAS AFGE has benefited from prior conventions earmarked funding;

WHEREAS contract campaigns shall be a major endeavor by AFGE Councils and Locals over the next 3 years;

WHEREAS AFGE’s participation in the national election process is invaluable to it’s [sic] membership;

WHEREAS AFGE’s legislative department is unable to provide services to all councils and locals;

WHEREAS AFGE has publically supported cap of 2% COLA for all federal employees for FY 2010 and/or the duration of the recession,

THEREFORE BE IT RESOLVED

- 1) Effective January 1, 2010, per capita tax shall be increased by \$1.00 per membe4r per month. Additionally, the following shall replace Article XXIV, Sec. 1(b), Subsections 1-4 as follows:
- 2) Effective January 1, 2010, \$3.46 of the total per capita tax shall be dedicated as follows: \$.54 for AFL-CIO affiliation, \$.70 for member organizing program, \$.45 for media, \$.15 communications programs, \$.30 for education programs, \$.20 for election education programs, \$.55 for legislation, \$.13 for Women’s programs,

CONSTITUTIONAL RESOLUTIONS — 2009 CONVENTION

\$.15 for fair practices programs, \$.03 for Women and Fair Practice Coordinators, \$.02 for conflict resolution, \$.08 for building improvements, \$.08 for savings, \$.01 each to AFGE's Firefighters Steering Committee, Law Enforcement Steering Committee, Hispanic Coalition, and Nurses Committee. Additionally, AFGE's Defense Conference shall receive \$.30 per DOD member, per month; each bargaining council shall receive a rebate of \$.25 for each of its dues paying members month [sic] and AFGE's Fire Fighters Steering Committee, Law Enforcement Steering Committee, Hispanic Coalition and Nurses Committee shall each receive a [sic] annual endowment of \$15,000.

ABOLISH THE WOMEN'S AND FAIR PRACTICES DEPARTMENTS

RESOLUTION # 1025

Submitted by
Local 1997

WHEREAS; The women, Farr [sic] Practices Department Cost A F G E One Million, Nine hundred Thousand for the year 2008.

WHEREAS; The word Union means ONE. Not male or Female.

WHEREAS; The most experienced Fair Practices Lawyer. Joe Henderson is assigned to the general councils office

WHEREAS; National Representatives are trained in all aspects of Representation

WHEREAS; The cost of living affects the lowest grade employs [sic] most, and cannot afford more union Dues.

THEREFORE BE IT RESOLVED; The Women. Fair Practices National office and all District Reps Deleted effective Oct. 1, 2009.

CAP NVP PAY

RESOLUTION # 1026

Submitted by
Local 1997

WHEREAS 1968 was the first year all 15 N VP's [sic] were paid full wages.

WHEREAS; The wages are totally beyond reason compared to what our members earn.

THEREFORE BE IT RESOLVED; The N V P 's [sic] pay be capped \$90,000 per year.

THEREFORE BE IT FURTHER RESOLVED that. That this alignment become effective Jan. 1, 2010.

SIMULTANEOUS OFFICE HOLDING AT LOCAL, COUNCIL, AND/OR DISTRICT LEVELS

RESOLUTION # 1027

Submitted by
Council 45

A local or Council shall not preclude any member in good standing from simultaneously holding another office at the local and council levels, at the local and NVP levels, as well as the council and NVP levels.

BARGAINING COUNCIL DELINQUENCIES

RESOLUTION # 1028

Submitted by
Council 220

WHEREAS delinquencies in revenues owed to Bargaining Councils do not prevent seating of locals at

the National Convention and District Conventions or meetings

And

WHEREAS delinquencies in National per capita do prevent seating of Locals at Council Meetings and Conventions

And

WHEREAS this creates an inequity in the treatment of Locals with delinquencies to National AFGE and Locals with Delinquencies to Bargaining Councils

THEREFORE BE IT RESOLVED that:

Article VI Section 1 of the AFGE Constitution be changed by striking the section beginning at the third sentence to the end of the section and replacing it with the following:

"In order to be entitled representation at the National Convention, a local must pay all initiation fees, per capita tax and all other accounts due to the Federation including Bargaining Councils as of June 30 prior to the National Convention.

In addition no local will be eligible to vote in any District Caucus, Council Convention, National Convention or on any Council, District or National matter unless per capita tax, Bargaining Council dues and any other accounts due to the Federation or Bargaining Council are paid in full 60 days prior to convening the event.

The National Secretary Treasurer will request information on Bargaining Council delinquencies 60 days prior to such event and include such information in the report to the Committee on Credentials."

COORDINATION OF EFFORT BETWEEN COUNCILS AND AFFECTED LOCALS

RESOLUTION # 1029

Submitted by
Local 1156

WHEREAS the AFGE National Constitution, Article XXI, provides for the creation and establishment of Councils.

WHEREAS the AFGE National Constitution, Article XXI, Section 1 states that AFGE locals having members represented by a council with national exclusive recognition or a national consolidated unit must pay the dues and/or per capita tax to the appropriate council and in accordance with the council's constitution.

WHEREAS the AFGE National Constitution, Article XXI, Section 2 states that an annual report of each council's activity, including the annual audit, shall be made to the National Office. Further copies of official publications shall be furnished to the National Office.

WHEREAS the AFGE National Constitution, Article XXI, Section 5 states that only locals in good standing shall be affiliated with such councils.

WHEREAS the AFGE National Constitution, Article XXII, Section 1 states that the council presidents shall exercise general supervision over their respective councils.

THEREFORE BE IT RESOLVED that Article XXI, Section 1 of the be amended as follows:

AFGE locals may form councils to be comprised of member locals in good standing; such councils are to be formed after due application and approval by the National Executive Council, which in turn will issue a charter under the same conditions applying to the locals. If the NEC does not approve the first application

for a charter, within 30 days it must furnish in writing to all locals involved the reason why approval has not been granted and the specific actions which will lead to the granting of the charter. Upon completion of the stated actions the charter must be issued. AFGE locals having members represented by a council with national exclusive recognition or a national consolidated unit must pay the dues and/or per capita tax to the appropriate council and in accordance with the council's constitution. No Council will take final action (approval/rejection) on any issue or management proposal which may have national or regional implications without first conferring with and receiving the permission from 75% of affected Locals of their Council. Retired members may pay national council or national consolidated unit council dues, but it is not mandatory unless the local of which they are a member requires them to do so. Locals not paying their national council or national consolidated unit council dues and/or per capita tax, as required, are subject to all penalties as prescribed in the AFGE National Constitution and the appropriate national council or national consolidated unit council constitution.

and that Article XXI, Section 2 of the be amended as follows:

An annual report of each council's activity, including the annual audit, shall be made to the National Office and all member locals. Further copies of official publications shall be furnished to the National Office and all member Locals.

and that Article XXI, Section 5 of the be amended as follows:

Only locals in good standing shall be affiliated with such councils. By remaining in good standing, it is the duty of the Council to maintain fair and open communications with the Locals in all matters which may affect the ongoing business of the Locals.

and that Article XXII, Section 1 of the be amended as follows:

The council presidents shall exercise general supervision over the affairs of their respective councils. In the spirit of unionism and solidarity, they must be vigilant in maintaining open communications with all Local Presidents or their designated representatives within their purview.

DELEGATES TO CONVENTION CONSTITUTIONAL AMENDMENT

RESOLUTION # 1030

Submitted by
Council 53

WHEREAS Article VI, Section 1 second sentence reads "No local shall be entitled to representation in the National Convention unless all initiates [sic] fee, per capita tax, and all other accounts due to the Federation from such local as of June 30 prior to the National Convention are paid in full before any delegate is seated in the National Convention."

WHEREAS it appears that this Section does not cover all organizational aspects of the Federation, and

WHEREAS it appears AFGE National has a different meaning of "all other accounts to Federation" than the delegates,

THEREFORE BE IT RESOLVED No Local delegate shall be seated and no Local shall be represented at the AFGE National Convention unless all fees and per capita

CONSTITUTIONAL RESOLUTIONS — 2009 CONVENTION

taxes due AFGE and all AFGE National Bargaining Councils are current and paid in full 60 days prior to the AFGE National Convention.

PERCAPITA TAX INCREASE CONSTITUTIONAL AMENDMENT

RESOLUTION # 1031

Submitted by
Council 53

WHEREAS American Federation of Government Employees may receive a Per Capita Tax increase at this 2009 Convention

WHEREAS the current process for Bargaining Councils is to receive rebates is set currently at 40 cents per member, per month

WHEREAS it appears AFGE National has a different meaning of “all other accounts to Federation” than the delegates,

THEREFORE BE IT RESOLVED that Bargaining Councils will receive in addition to the current 40 cent rebate, a 25 cents increase (per Union member) in their rebate from any realized Per Capita [sic] Increase.

VACANCIES IN THE OFFICE OF NVP FOR WOMEN AND FAIR PRACTICES CONSTITUTIONAL AMENDMENT

RESOLUTION # 1032

Submitted by
Human Rights Committee and Local 32

ARTICLE XI

Duties of the National Vice President for Women and Fair Practices

Sec. II. If the National Vice President for Women and Fair Practices for any valid reason, such as ill health, is unable to perform his or her duties for any substantial period of time, he or she shall designate, in writing and from the recommendation of the Human Rights Committee, who is to perform his or her duties. Such notice will be served upon the NEC. This designation may be revoked at the discretion of the National Vice President for Women and Fair Practices. Vacancies in the office of the National Vice President for Women and Fair Practices shall be filled by the NEC from the recommendation of the Human Rights Committee within 30 calendar days of the vacancy.

SUSPENSION OF LOCALS FOR FAILURE TO PAY COUNCIL PER CAPITA TAX

RESOLUTION # 1033

Submitted by
Local 3172

WHEREAS the AFGE constitution provides that locals that fail to pay monthly per capita taxes and assessments to AFGE for three months may be suspended from membership and its members can forfeit all rights, privileges and benefits,

WHEREAS the AFGE constitution contains no penalty to locals that fail to pay per capita tax to national bargaining councils that such locals are affiliated with,

WHEREAS AFGE national bargaining councils have no enforcement mechanism at their disposal to compel locals in arrears to pay their debts,

WHEREAS the AFGE General Council [sic] has determined that locals who are in arrears in their per capita obligations to AFGE national bargaining councils

are entitled to be seated as locals in good standing at the AFGE convention and at District caucuses,

WHEREAS AFGE national bargaining councils and Regional counseling [sic] are dependent on per capita revenue of their affiliates to provide representational services for members,

WHEREAS it is fair and just that locals delinquent in per capita payments to AFGE national bargaining councils should incur similar penalties for arrearages to AFGE,

THEREFORE BE IT RESOLVED that Article XXIV, Section 6(a) be amended as follows:

A local failing to pay the monthly per capita tax, any assessment, or other indebtedness to the Federation by the due dates indicated above, shall be notified promptly by the NST of its arrearages, and if at the end of three months the local is still in arrears, it may be suspended from membership, and its members shall forfeit all rights, privileges, and benefits. Any local suspended for six months shall surrender its charter to the NST. A local failing to pay the monthly per capita tax, any assessment, or other indebtedness to a national bargaining council of which it is a member by the dates stipulated in the national bargaining council constitution and bylaws shall be notified promptly by the council Treasurer of its arrearages, and if at the end of three months the local is still in arrear the council treasurer shall notify the NST who may suspend the local from membership, and its members shall forfeit all rights, privileges, and benefits. Any local suspended for six months for failure to pay per capita tax, any assessments or other indebtedness to its affiliated national bargaining council(s) shall surrender its charter to the NST.

That Article XXIV, Section 6(b) be amended as follows:

Add to Section 6(b):

Any local in arrears in its per capita tax, any assessments or other payments to national bargaining councils with which it is affiliated for more than 90 days automatically will generate a review by the appropriate national council President in conjunction with the NST's office. A certified letter of notification will be sent to the Executive Board that a review will be conducted and will state the time date and place. If the review substantiates the arrearages, then the local's dues deductions, at the direction of the National President with the concurrence of the national council President, will be sent directly from the agency to the Federation for a period of at least 12 months. The NST shall deduct the appropriate amount of per capita tax, deduct an appropriate portion of the other obligations owed the AFGE national bargaining council, forward such deduction to the AFGE national [sic] bargaining council, and send the remainder to the local.

After 12 months, the NST and national bargaining council President will review the Local's structure and other appropriate considerations and determine whether the direct dues process should be terminated. If the direct dues process is terminated and thereafter the local becomes delinquent for more than 90 days, the direct dues process will be reinstated and remain in place, except that if there is a change in the principal financial officers of the local, those officers can request reconsideration. The decision whether or not to reconsider is at the discretion of the National President after consultation with the appropriate national bargaining council President.

REVIEWING COUNCIL RECORDS

RESOLUTION # 1034

Submitted by
Local 3172

WHEREAS national bargaining councils are not located in any particular AFGE District,

WHEREAS an AFGE National Vice President has no supervisory authority over any national bargaining council

WHEREAS the National Secretary Treasurer is the appropriate national officer that should be responsible for inspecting council records when such need is demonstrated,

WHEREAS the location of the national bargaining council President is incidental to the national agency scope of national council jurisdictions,

THEREFORE BE IT RESOLVED THAT Article XXIV, Section 9 of the AFGE constitution be amended as follows:

Strike the words “or council” in the 2nd and the 6th lines. Add the following sentence:

All books, records and fiscal accounts of a council shall be open at all times to the inspection of the National Secretary Treasurer, the National President and any duly authorized and accredited representatives of affiliate locals and council officers.

OFFICERS OF THE HUMAN RIGHTS COMMITTEE

RESOLUTION # 1035

Submitted by
Human Rights Committee and Local 32

DELETE:

Article XI, Section F - Duties of the National Vice President for Women and Fair Practices

ADD NEW:

Article XIV, Section 2

Duties of the National Human Rights Committee

National Human Rights Committee (HRC) will elect a Chairperson, Vice Chairperson, and Secretary to preside over meetings of the Committee at the next HRC meeting and continue every three (3) years beginning after the Caucus 2011.

LOCAL COORDINATOR PARTICIPATION IN AFGE'S VOTER PROTECTION PROGRAM

RESOLUTION # 1036

Submitted by
Human Rights Committee and Local 32

WHEREAS Article XI of the National Constitution formalized the supervision of the Women's and Fair Practices (WFP) Departments to be under the leadership of the National Vice President for WFP; and

WHEREAS under the leadership of the National Vice President for WFP and advice of the Human Rights Committee, the departments' specific goal is to move AFGE into the forefront of civil rights activism and to be the organization to respond to the fundamental civil rights needs of its members; and

WHEREAS there is no right more fundamental than the right to vote; and

THEREFORE BE IT RESOLVED that Article XIV be amended and language added to ensure that all voters have an equal opportunity to participate in the political process; and

CONSTITUTIONAL RESOLUTIONS — 2009 CONVENTION

BE IT FURTHER RESOLVED that Article XV and XVI be amended and language added to strongly encourage Coordinators to participate in Voter Protection activities during the presidential and mid-term elections to ensure that all voters have an equal opportunity to participate in the political process.

ELECTION OF LOCAL WOMEN'S COORDINATORS AND LOCAL FAIR PRACTICES COORDINATORS

RESOLUTION # 1037

Submitted by

Human Rights Committee

DELETE: Article XVII, Section 3

ADD NEW: Article XVII Section 3

All locals, councils, national steering committees, and national steering-type committees shall include in their proposed bylaws, constitution, articles, or articles of operation, the position and duties of the Women's Coordinator by December 2011

ADD NEW: Article XVIII, Section 4

All locals, councils, national steering committees, and national steering-type committees shall include in their proposed bylaws, constitution, articles, or articles of operation, the position and duties of the Fair Practices Coordinator by December 2011.

SETTING THE SALARY OF THE NATIONAL PRESIDENT

RESOLUTION # 1038

Submitted by

Local 1923

WHEREAS the AFGE National Constitution, Article VII (Officers), Section 3 provides that the salary for the National President is tied to the Executive Level pay scale with no provisions for cost of living or other increases, and

WHEREAS pay increases have been frozen at the Executive Level in the federal government,

THEREFORE BE IT RESOLVED that Article VII, Section 3 be amended as follows:

The entrance salary of the officers shall be consistent with the Classification Act for Federal Employees:

(a) National President Executive Level IV

(1) The National President's salary shall increase at the following rate:

After completion of one year of service Executive Level III

After completion of two years of service at Level III Executive Level II

After completion of three years of service at Level II Executive Level I

(b) National Secretary-Treasurer GS-15

(c) National Vice President for Women and Fair Practices GS-14

(d) National Vice Presidents GS-14 except that an elected officer shall not suffer any loss in pay if occupying a Federal or District government position when elected. The in-grade step raises for the prescribed grades, if any, shall apply.

Pay increases for all national officers will be in accordance with the Federal Employees Pay Comparability Act of 1990 (FEPCA).

NATIONAL VICE PRESIDENT

ANDREA E. BROOKS

RESOLUTION # 1039

Submitted by

the District 12

WHEREAS AFGE owes a debt of gratitude for the many years of service and dedication of Andrea E. Brooks, and

WHEREAS the federation places the names of those special members who gave such great service on the roles of Emeritus Officers, to be honored and memorialized ever after.

THEREFORE BE IT RESOLVED that the name of Andrea E. Brooks be placed onto the list of Emeritus Officers of AFGE, and written into the AFGE National Constitution.

PER CAPITA INCREASE

RESOLUTION # 1040

Submitted by

Local 1199

WHEREAS, AFGE has always been a good strong Union, and one that gets its strength from the membership and leaders who together determine the way, and

WHEREAS, it costs money to provide the services necessary and requested by the members, and the people needed to provide those services, and the members decide how the funding is spent when they agree to increase the per capita, and

WHEREAS, inflation has grown over the past three years and will surely grow more in the next-three years and we must pay for that inflationary cost in order to get what we need and desire,

THEREFORE BE IT RESOLVED that Article XXIV is amended effective January 1, 2010 per capita tax is increased \$2.00 per month to include:

(12) National Representatives	\$.48
(6) National Organizers	.24
(2) Labor Relations Specialists	.08
(4) Legislative Lobbyists	.16
(2) Communications Specialists	.08
State Fed Affiliation	.18
(2) EEO Attorneys	.18
District Operational Resources	.16
President's Department's Operational Resources	.11
NSTs Departments Operational Resources	.07
NVP for W/FP Operational Resources	.04
Inflation	.22

BE IT FURTHER RESOLVED that effective 2012, the National Secretary Treasurer may require a one-time \$2.00 assessment per member for the actual increases in affiliation fees with the AFL-CIO State Federations and inflation.

CONTINUATION OF OPERATIONS PLAN (COOP) FOR AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES' LOCALS, COUNCILS, DISTRICT AND NATIONAL OFFICES

RESOLUTION # 1041

Submitted by Local 2341

WHEREAS emergencies, including natural acts of nature, accidents, man-made or natural disasters, technological/ physical attacks, and Pandemic Disease have the potential to occur, causing a serious interruption to the continuity of Union Business Operations and **WHEREAS** natural and man-made disasters are occurring more frequently, and more and more representatives and members of the American Federation of Government Employees' Locals, Councils, Districts, and National Office are becoming physically displaced by these disasters, there is now a greater need for the American Federation of Government Employees' to devise a Continuation of Operations Plan (COOP);

A Continuation of Operations Plan (COOP) establishes operational procedures to sustain essential functions if normal operations for the Locals, Councils, Districts and/or National Headquarters Offices are not feasible;

Continuation of Operations Plan (COOP) focuses on actions that must be initiated in the several days after an incident to ensure continued operations;

A Continuation of Operations Plan (COOP) provides for sustained operations, within 30 days, in the event of an emergency affecting the Locals, Councils, Districts or National Office operations; and

A Continuation of Operations Plan (COOP) guides the restoration of affected components' full functions for the period over which they are affected by the disaster;

THEREFORE BE IT RESOLVED that the American Federation of Government Employees, in an effort to ensure that all affected components can continue to perform their Mission Essential Functions (MEFs) and Primary Mission Essential Functions (PMEFs) during a wide range of emergencies, including acts of nature, man-made disasters, accidents, pandemic disease, technological or other attacks, will develop a full and complete Continuation Of Operation Plan to cover all Locals, Councils, Districts and National Office Operations.

BE IT FURTHER RESOLVED that AFGE add an amendment to the National Constitution to prescribe a Continuation of Operation Plan for all Locals, Councils, Districts and the National Headquarters in order to continue essential union functions in the event of a disaster/ emergency;

BE IT FURTHER RESOLVED that the National Office of the American Federation of Government Employees will set up and fund A Continuation of Operation Plan to assist the locals, councils, Districts and/or National Office Staff to carry out essential representational and other business functions when affected by such emergencies, and to ensure that the component can continue it's essential business functions;

BE IT FURTHER RESOLVED, that if an emergency situation should occur which causes the displacement of Locals, Councils, Districts and/or National Headquarters Offices, that the displaced Officers of the affected component will be assisted by nearest available Locals, Councils, Districts or National Headquarters office to carry out AFGE mission essential tasks and duties. When possible displaced officers should be allowed to utilize other Local's, Council's, District's or National Offices' equipment and supplies to carry out AFGE Mission essential functions.

AMERICAN FEDERATION OF GOVERNMENT EMPLOYEES
For The Twelve Month Period Ending December 31, 2008

Statement of Activities*

REVENUE	
Per capita taxes and fees	\$46,390,661
Death benefit insurance premiums	1,031,682
Building rental income	2,435,506
Investment income	1,057,128
Net (depreciation) appreciation in value of investments	(6,290,367)
Contributions	680,796
Settlement payments	365,502
Education and training	392,687
Other	1,078,867
TOTAL REVENUE	<u>\$47,142,462</u>

EXPENSES	
Salaries	20,884,222
Payroll taxes	1,691,282
Employee benefits	4,302,746
Net periodic pension costs	3,108,127
Postretirement benefits other than pensions	2,455,409
Organizing rebates and programs	1,709,978
Death benefit premiums	622,317
Travel	3,688,946
District office lease	439,726
Interest expenses	1,064,649
Depreciation	1,033,880
Affiliation dues and expenses	3,565,624
Assistance to councils	801,761
Real estate taxes	737,408
Building operating expenses	812,140
Contributions	751,493
Other general and administrative	7,341,076
Total expenses	<u>\$55,010,784</u>
Change in Net Assets before adoption of FASB Statement No. 158	(7,868,322)
*Continuing effect of Adoption of FASB Statement No. 158	(16,210,255)
Change in Net Assets	(24,078,577)
Net Assets (Deficit)	
Beginning of Year	(4,422,265)
End of Year	<u><u>\$(28,500,842)</u></u>

Statement of Expense by Activity

DISTRICT OFFICES	
2	\$1,355,872
3	805,357
4	1,376,904
5	1,729,642
6	752,392
7	826,000
8	605,847
9	844,563
10	1,269,051
11	1,045,847
12	1,503,555
14	889,198
Total District Offices	<u>13,004,228</u>

HEADQUARTERS DEPARTMENTS	
Offices of National President and National Secretary-Treasurer and Unallocated Costs	10,211,024
Finance & Information Services	3,577,521
Education & Field Services	1,869,049
Service	806,520
Human Resources	250,233
Legislation	2,141,340
Fair Practices	976,264
Political Action	657,580
General Counsel	2,564,174
Membership and Organization	7,046,370
Special Organizing	1,303,894
Communications	1,318,398
Women's Affairs	680,513
Media	1,343,553
Total Headquarters Departments	<u>34,746,433</u>

OTHER	
Death Benefit Program	622,317
Strike-Legal Fund expenses—	
Primarily Legal Fees for Legal Rights Cases	97,688
Legislative Action Fund Program	918,010
Legal Representation Fund Program	824,811
Cost of National Convention	72,718
Assistance to Councils	801,761
Cost of Operating and Maintaining the Sims/ Sturdivant Building, Including Interest on Mortgage	3,681,180
District Training Funds	272,808
Union Privilege Fund	48,350
Less: Rent Expense Charged to District 14 for Occupancy of the Sims/Sturdivant Building	(79,520)
Total Other	<u>\$7,260,123</u>
Total Expense	<u><u>\$55,010,784</u></u>

* During the year ended December 31, 2007 AFGE adopted Statement of Financial Accounting Standards No. 158, Employers' Accounting for Defined Pension and Other Postretirement Plans (SFAS 158) which requires an employer to recognize the over-funded or underfunded status of a defined benefit postretirement plan as an asset or liability on its Balance Sheet and to include changes in funded status and in changes in unrestricted net assets.

AFGE Steps Up Campaign against SSA Commissioner

AFGE recently put up two billboards near Social Security Administration headquarters and launched a new Web site to help educate the public about the conditions at one of the nation's most respected agencies. The new campaign is in response to several radical policy initiatives put forth by the administration of Commissioner Michael Astrue.

The new policies include a directive for SSA employees to aggressively steer applicants—despite their age or disability—to use computers and the Internet to file their claims, as well as

instructions that prevent SSA workers from guiding citizens as they apply for benefits. In other words, SSA leadership has issued a gag order on employees, preventing them from giving Americans the services they have sworn to provide. These new initiatives are nothing more than an ill-disguised ploy to eliminate the need for SSA employees altogether.



its back on its historic legacy by adopting policies that hurt the very people it is supposed to protect.

For the SSA to properly serve this country and its millions of retirees and disabled workers, it needs a leader with the temperament to respect its employees and a plan to serve our country's elderly and most vulnerable citizens. AFGE believes that Astrue lacks both.

The billboards are located near SSA Headquarters at Dogwood Road, 250 feet North of Forest Park Avenue and at Forest Park Avenue, 250 East of Security Boulevard in Baltimore, Md. ●

The two billboards, as well as the campaign, will drive the public to the Web site www.preserveyoursocialsecurity.com, which details how under Commissioner Astrue's flawed leadership, the SSA has turned

**President Obama,
SSA Commissioner Astrue is:**

- ✓ Anti-beneficiary
- ✓ Anti-employee
- ✓ Anti-service to the public

**America Deserves Better. Social Security Needs a New Direction.
Go to www.preserveyoursocialsecurity.com.**

Paid for by the American Federation of Government Employees, AFL-CIO. — www.afge.org

AFGE: Then & Now

AFGE: Then & Now covers the rich history of AFGE, intricately weaving the storied events that have profoundly affected our country with the vivid and dynamic history of our union. From the founding years through wars and global strife, from economic downturns and national tragedies, AFGE has continued to be a stalwart of strength for its members, fighting every day for your rights and a decent wage. This sleek, masterfully written coffee table-style book captures the essence of the years behind this great union and is perfect as a keepsake or to give as a gift.

To order your copy of *AFGE: Then & Now*, please fill out the information below and send to:

**AFGE Communications
80 F Street, NW, 10th Floor
Washington, DC 20001**

Name _____

Address _____

City _____ State _____ Zip _____

Phone _____ Email _____



Hard Cover edition: \$30

Soft Cover edition: \$20

All copies will be printed and ready for the AFGE Triennial Convention. Please make checks payable to AFGE and send to address at left.

Legitimacy of D.C. Public Employee Relations Board at Stake

The District of Columbia local unions, City Council and mayor are in a battle for the hearts and minds of the citizens of the city. In May, the D.C. City Council voted 9-4 to reject Mayor Adrian Fenty's nominees for the Public Employee Relations Board (PERB) as unqualified and attempted to allow the board's sole remaining member to make decisions in cases involving city workers. The usual five-member board, which acts as an independent judge of employee and management disputes, has been inoperable since June 2008 because the mayor has failed to nominate qualified members. The labor community rallied political support to vote down unqualified nominees and help pass emergency legislation to forego the usual required three-member quorum for a one-member quorum so the backlog of cases could be heard.

The mayor finally reacted and vetoed the emergency legislation that would have

enabled the five-member PERB to operate with a quorum of one and sent four new nominees with the statutory labor relations background to the D.C. City Council. For one of the board positions, the statute requires the mayor to select a name from a list developed by organized labor. Hence, the present stand off with labor and mayor. According to the *DC Wire*, Councilmember Mary Cheh said, "If the mayor would send over a fifth name according to the statute, which is to say chosen from a list presented by the union representatives, I will move all five of them like a rocket docket, and have a fully functioning board. What I don't want to happen, however, is by some sort of strategy or default, is that we have four members all of whom are mayoral appointees fairly representative of the management prospective."

The PERB has become critically important to D.C. city workers because it decides labor-management issues

including: the determination of appropriate bargaining units, the certification or decertification of labor organizations as exclusive bargaining representatives, the facilitation of impasse resolution during contract negotiations and the resolution of arbitration award appeals.

For one of the board positions, the statute requires the mayor to select a name from a list developed by organized labor.

AFGE continues to fight the good fight, even as D.C. Mayor Fenty tries to triangulate and bust-up the unions. With the help of all AFGE brothers and sisters we can win the war one battle at a time with a watchful eye on the D.C. 2010 election. ●

You are Union.
You are Sportsman.
You Belong.



Benefits of your \$25 USA Membership:

- USA-logo Buck knife
- 1-Year subscription to a top outdoor magazine
- Subscription to the USA newspaper
- \$25 gift certificate for Beretta field gear
- Free MyTopo.com online mapping subscription
- Money-saving discounts on outdoor gear & services
- 12 Chances to win in the USA Gun-a-Month giveaway
- And much more

A \$115
Value!



Join Today! Visit www.afge.org (Member Benefits)
or Call us at 877-872-2211

American Federation of Government Employees, AFL-CIO
80 F Street, NW
Washington, DC 20001
www.afge.org

Non-Profit
US Postage
PAID
Washington DC
Permit #3070

Change Service Requested



AFGE

INSIDE GOVERNMENT

AFGE IS ON THE AIR!

"Inside Government," a new radio show produced by your union for federal and D.C. government workers, is now on the air.

The show broadcasts each Friday from 10 am – 11 am EDT.

Listen on demand at www.federalnewsradio.com or tune into 1500 AM in the Washington, D.C., area.

Hear the latest on issues that impact federal and D.C. government workers from pay and benefits to how to finance your retirement!

Please email questions you would like to be asked on the show or any comments to InsideGovernment@afge.org