

CONSTITUTION

FOR

LOCAL 3315

ARTICLE I IDENTITY AND OBJECTIVES

Section 1. The name of this organization shall be Cook County Assistant Public Defenders Local Number 3315 of the American Federation of State, County and Municipal Employees, AFL-CIO.

Section 2. This local union shall be affiliated with Illinois Public Employees Council 31 of the American Federation of State, County and Municipal Employees; the Illinois State Federation of Labor and Congress of Industrial Organization; and the Chicago Federation of Labor and Industrial Union Council, AFL-CIO.

Section 3. The objectives of this local shall be to carry out on a local basis the objectives of the American Federation of State, County and Municipal Employees.

ARTICLE IV MEMBERSHIP AND DUES

Section 1. All Assistant Public Defenders of the Cook County, Illinois, Public Defenders Office are eligible for membership in this local union, subject to the requirements of the Constitution of the International Union.

Section 2. Upon submitting a membership application, which form shall include a particular authorization for payroll deduction of dues, the lawyer shall be deemed a member of the local union.

Section 3. The monthly dues of the local shall be \$23.83 per member. However, dues shall be increased by 1 cent per member for each dollar per month wage increase received by a majority of the members of the local as a result of a negotiated general wage increase.

Any increases in dues pursuant to paragraph 1 or 2 above shall become effective when a majority of the members from the local receive the wage increase upon which the per capita tax dues increased upon which the per capita tax dues increased is based.

For the purpose of paragraphs 1 and 2 above any percentage wage increase or other variable wage increase within this local shall be averaged across the membership of this local to determine the average amount per month by which the wages of the members of this local have increased.

Under no circumstances shall dues of the local be composed of odd cents. Any adjustment to the dues of this local shall result in dues composed of odd cents shall be increased to the nearest even cent.

Section 4. Membership dues shall be payable in advance to the local secretary-treasurer and in any event shall be paid not later than the 15th day of the month in which they become due. Any member who fails to pay dues by the 15th day of the month in which they become due shall be considered delinquent, and upon failure to pay dues for two successive months shall stand suspended. Provided, however, that any person who is

paying dues through a system of regular payroll deduction shall for so long as such person continues to pay through such deduction method, be considered in good standing.

Section 5. A member suspended under the above section may be reinstated to membership in the local on payment of all arrearages.

Section 6. Each local member agrees to the collection of dues and to abide by the constitution of the local and of AFSCME.

ARTICLE III MEETINGS

Section 1. Regular meetings of the local union shall be held once every three month in January, April, July and October at a time, and place to be fixed by the membership or the local executive board. Notice of the meetings shall be circulated by posted announcement or statement distributed at least seven days prior thereto and shall specify the time, date, place and agenda.

Section 2. Special meetings may be called by the local president, the executive board, or by petition filed with the president and signed by 20% of the members of the local. Special meetings may also be called by the International President or by an authorized representative of the International President.

Upon receiving the petition, the president shall acknowledge its receipt in writing and shall schedule a special meeting within 30 days of said receipt.. Notice of any special meeting shall be the same as notice for regular meetings. Any special meeting shall be limited to the agenda stated in the notice and no new business shall be heard.

Section 3. The quorum for any local union meetings shall consist of not less than 10% of the total members of the local union in good standing.

Section 4. No vote shall be taken unless a quorum is present. Unless herein provided otherwise, the vote for passage of any proposal shall be a majority of the members present and voting. Each member shall be entitled to cast one vote. No proxies or absentee votes shall be permitted.

Section 5. Meetings shall be conducted in accordance with procedures specified in the most recent issue of Robert's Rules of Order. The president shall preside at all meetings. If the president is unable to preside, the vice-president shall preside. If the vice-president is absent or unable to preside, another officer designated in writing by the president shall preside.

ARTICLE IV OFFICERS, NOMINATIONS, AND ELECTIONS

Section 1. The officers of this local shall be a president, a vice-president, a secretary, a treasurer, three at-large executive board members and these seven shall constitute the local union executive board. In addition, there shall be elected three members who shall serve as trustees. The trustees shall be elected to three-year terms of office except in the initial election, one shall be elected for a one-year term, one for a two-year term, and one for a three-year term. All other officers shall be elected for a term of two years in the odd-numbered years.

Section 2. To be eligible for office, a member must be in good standing for one year immediately preceding the election, except in the initial election held in this local; provided,

however, that no retired member shall be a candidate for office. For a member who is transferred or promoted into this local from another AFSCME local, this requirement shall be satisfied if such member's combined membership in good standing in both locals is one year at the time of election.

Section 3. Nominations shall be made at a regular or special meeting of the local. At least fifteen days' advance notice shall be given the membership prior to the nomination meeting. A nominating committee may be appointed or elected to make nominations, but whether or not such nominating committee is used, nominations shall be permitted from the floor at the nomination meeting. All regular elections shall be held in the month of May. All newly elected officers shall commence their terms immediately upon acceptance of the Election Committee's report.

Section 4. Officers shall be elected by secret ballot vote, and the balloting shall be so conducted as to afford to all members a reasonable opportunity to vote. At least fifteen days' advance notice shall be given the membership prior to the holding of the election.

Section 5. All matters concerning nominations and elections in this local union shall be subject to the provisions of Appendix D, entitled Elections Code, of the International Union Constitution.

Section 6. Vacancies in office shall be filled for the remainder of the unexpired term by vote of the executive board.

Section 7. Every officer shall, upon assuming office, subscribe to the Obligation of an Officer contained in Appendix B of the International Union Constitution.

ARTICLE V DUTIES OF OFFICERS AND EXECUTIVE BOARD

Section 1. The president shall:

- a. preside at all meetings or shall designate the alternate presiding officer if the vice-president is unable to preside;
- b. countersign all checks drawn on the account of the local;
- c. report once per year to the membership on the president's official acts and the state of the local;
- d. appoint all standing committees and all special committees of the local, subject to the approval of the executive board;
- e. Otherwise serve the local as directed by the executive board.

Section 2. The vice-president shall:

- a. assist the president in the work of the president's office;
- b. in the absence of the president or in the event of the president's inability to serve, preside at all meetings and perform all duties otherwise performed by the president;
- c. upon approval of the local executive board, be authorized to act as co-signer of checks drawn on the local funds in place of either the president or the treasurer.

Section 3. The secretary shall:

- a. keep a record of proceedings of all membership meetings, which shall be available to any local union member upon request.
- b. Report at each meeting to the membership regarding minutes of the previous meeting, minutes of any intervening executive board meeting and minutes of any intervening special meeting;
- c. carry on the official correspondence of the local, except as the executive board may direct otherwise;
- d. otherwise serve the local as directed by the president or the executive board.

Section 4. The treasurer shall:

- a. receive and receipt for all monies of the local;
- b. deposit all monies so received in the name of the local union in a bank or banks selected by the executive board, and monies so deposited shall be withdrawn only by check signed by the president and the secretary;
- c. prepare and sign checks for such purposes as are required by the constitution or are authorized by the executive board;
- d. prepare and submit the monthly membership report to the International Union office and see that a check is drawn in payment of the local's per capita tax each month and sent to the International Secretary-Treasurer.
- e. keep an accurate record of receipts and disbursements and shall, at each regular meeting, submit to the membership a monthly operating statement of the financial transactions of the local for the previous quarter which shall be available to any local member upon request;
- f. act as custodian of all properties of the local;
- g. give a surety bond for an amount to be fixed by the executive board of the local union, at the expense of the local and through the International Union.
- h. see that any financial reports required by the International Union Constitution to be submitted to the International Union are submitted in accordance with the International Union Constitution.
- i. Cooperate with the trustees during audits of the local's financial records;
- j. Otherwise serve the local as directed by the president or the executive board.

Section 5. The trustees shall make or cause to be made at least semi-annually an audit of the finances of the local, including the finances concerning any health and welfare, pension, insurance or other benefit programs covering members of such local, and shall report to the membership on the results of such audit.

Section 6. The executive board shall be the governing body of the local union except when meetings of the local union are in session. All matters affecting the policies, aims and means of accomplishing the purposes of the local not specifically provided for in this constitution or by action of the membership at a regular or special meeting shall be

decided by the executive board. The board shall meet at the call of the president or of a majority of the members of the board. A report on all actions taken by the executive board shall be made to the membership at the next following meeting. A majority of the members of the executive board shall be required for a quorum. At least one executive board meetings shall be open for attendance by local members, unless one hundred percent (100%) of the executive board members present decided to meet in closed meeting.

ARTICLE VI
INITIATIVES

Any member may propose in writing to the president a suggestion for action by the local. The president shall acknowledge in writing receipt of the initiative as soon as it is received by the president and shall place it on the agenda for resolution a the next scheduled regular meeting or at a special meeting. If the initiative is not resolved at the meeting, the initiative shall be voted on at the next meeting, either regular or special.

ARTICLE VII
MISCELLANEOUS PROVISIONS

Section 1. This local union shall at all times be subject to the provisions of the constitution of the American Federation of State, County and Municipal Employees.

Section 2. Except to the extent specified in this constitution, no officer of the local union shall have the power to act as agent for or otherwise bind the local union in any way whatsoever. No member or group of members or other person or persons shall have the power to act on behalf of or otherwise bind the local union except to the extent specifically authorized in writing by the president of the local union or by the executive board of the local union.

ARTICLE VIII
AMENDMENTS

This constitution may be amended, revised, or otherwise changed by a majority vote of the members voting on such proposed change and such change shall take effect only upon written approval of the International President. Proposed amendments to this constitution must be read at a regular or special meeting of the local union and read and voted on at a subsequent meeting of the local union, adequate and proper notice having been given to the membership prior to the date on which the vote is taken. A written copy of the proposed amendment shall be furnished to every eligible voter at the meeting at which the vote is taken.

APPROVED BY:


GERALD W. McENTEE

International President

7-2-02
Date