

NEW YORK STATE PUBLIC EMPLOYEES  
FEDERATION AFL-CIO  
DIVISION No. 342  
CONSTITUTION

**ARTICLE I** **NAME**

This Division shall be known as Altona Correctional Facility.

## ARTICLE II OBJECTIVES

This division shall be the formal local communicative and administrative body of the New York State Public Employees Federation. It shall exist to promote the welfare of its members in its constituency with respect to all terms and conditions of employment.

### ARTICLE III MEMBERSHIP

**(A)** This Division's constituency shall include all PS&T members in Agency code 10540 located at Altona correctional Facility.

**(B)** Any regular member of PEF in the Division constituency is a regular member of this Division.

## ARTICLE IV DIVISION COUNCIL

**SECTION 1.** The Division Council shall be composed of the stewards elected by their appropriate constituency, and the officers elected by the division membership. All Council members shall be the official PEF representatives of this Division. The officers shall be known as: Council Leader/Steward, Assistant Council Leader, Division Secretary, Division Treasurer. The Council shall be the principal decision making body for the Division.

**SECTION 2.** The Council shall establish such committees as may be necessary for the functioning of this Division. The following committees must be established: Auditing, Budget, Communications, Constitution, Grievance, Labor/Management, and

Membership. All committee members must be approved by the Division Council. Except for the Grievance Committee, membership on a committee need not be restricted to elected stewards.

**SECTION 3.** The Division Council shall have the responsibility to prepare and approve a budget within the funding provided by PEF via a per capita; and shall be required to approve any expenses varying from the amounts budgeted by line item. All checks drawn from Division funds must be co-signed. Signatures to be determined by the Council.

**SECTION 4.** The Council shall summarize its Division activities, including a financial statement, on a quarterly basis. This shall be forwarded to the appropriate Regional Coordinator(s).

**SECTION 5.** The Division Council must hold at least six (6) meetings per year.

**SECTION 6.** A special meeting may be called by fifty (50) percent of the Council.

**SECTION 7.** A quorum shall consist of a least fifty-(50) percent of the Council members.

**SECTION 8.** Timely notification of all meetings shall be sent to the appropriate Regional Coordinator(s) and Departmental Executive Board Member(s).

**SECTION 9.** The Division Council Leader shall:

(a) Be the responsible and chief administrative officer of the Division.

(b) Preside and keep order at all meetings of the Council and the Division.

(c) Present an agenda for all meetings after consultation with the Council members.

(d) Insure that all Division Officers, stewards, and committees perform their duties as authorized by this Constitution and the Council.

(e) Make no agreements that are inconsistent with the policies of the Division.

(f) Perform other duties as deemed necessary.

**SECTION 10.** The Assistant Council Leader shall:

(a) Assist the Council Leader in his duties as requested by the Council Leader or the Division Council.

- (b) Perform the duties of the Council Leader during his absence.
- (c) Perform other duties as assigned by the Division Council.

**SECTION 11.** The duties of the Division Secretary shall be:

- (a) To record and make available minutes of the proceedings of each Division and Council meeting.
- (b) To present typewritten minutes of each meeting of the Division and Council for approval at the next meeting.
- (c) To furnish the Treasurer a copy of all motions approved regarding the finances of the Division.
- (d) To act as custodian of all records of this Division.
- (e) To receive and distribute appropriately all official communications and correspondence of this Division.

**SECTION 12.** The duties of Division Treasurer shall be:

- (a) To account for the financial matters of this Division.
- (b) To receive and record all monies paid to this Division.
- (c) To disburse funds as directed by the Council.
- (d) To pay and record all just bills and creditors in a timely manner, bearing in mind that two (2) signatures are necessary on each check.
- (e) To maintain accurate records of all financial transactions of this Division.
- (f) To have available, at all times the financial records of the Division for inspection by any officer of this Division or PEF at their request.
- (g) To submit all books, receipts, and records to an audit to be performed at least once per year.
- (h) To turn over all financial records to a successor.
- (i) To be bonded for an amount of money as determined by the Division Council.

**SECTION 13.** The duties of each steward shall include, but are not limited to:

- (a) Handle grievances, problems and act as a first line liaison between Division leadership, management, and members.
- (b) Communicate Division policy to membership at the

site he/she represents, and all information that comes to him/her from the union. Also convey to PEF leadership concerns and problems of membership.

- (c) Be able to conduct an effective meeting.
- (d) Be knowledgeable as to the contract, steward manuals, Department procedures, and policies as well as Civil Service Law.
- (e) Be able to deal with management as an equal as well as with his peers.
- (f) Disseminate all information relevant to membership interest.
- (g) Recruit new membership and see that new employees are given the proper orientation to both their work and to their union.
- (h) Attend all meetings. Absences without reasonable cause may result in request for resignation. (Attendance requirement may be set by the Council.)

**SECTION 14.** PEF Departmental Executive Board Members shall:

- (a) Be a member of this Division Council, if he/she is a member of this constituency.
- (b) Inform the Division constituency of all matters of concern before the PEF Executive Board.
- (c) Relate all matters of concern as expressed by this Division constituency to the PEF Executive Board or appropriate representatives.
- (d) Serve on the Labor/Management Committee.

**SECTION 15.** The Division Council, in consultation with appropriate Regional Coordinator(s) shall: Determine the appropriate steward constituencies, provided this apportionment does not exceed the number allowed for this Division. Unless changed by PEF, the intra-departmental steward allocation shall be based on one (1) steward per fifty (50) PS&T unit members.

**SECTION 16.** Upon succession, all elected representatives must turn over all records and documents in an orderly fashion to their replacements.

**SECTION 17.** All Council members must serve to enhance the well being of the Division Constituency and respect all legitimate inquiries concerning the operation of this Division.

**ARTICLE V****ELECTIONS**

**SECTION 1.** The Division Council, maintaining fair apportionment, shall select the Election Committee. No candidate for election shall serve on the Election Committee.

**SECTION 2.** The Election Committee shall coordinate all upcoming elections with the PEF Regional Coordinator, who shall insure fair elections.

**SECTION 3.** The Election Committee shall give reasonable opportunity to potential candidates to have their names submitted to the committee. Nominations for any elected position within the Division shall be made by petition signed by not less than ten (10%) percent of the members of the appropriate constituency and the names of such provided for such nominations and filed with the Chairman of the Election Committee.

**SECTION 4.** The term of office for all positions shall be two- (2) year(s), and shall commence on April 1, 1985. Any vacancy, which occurs, shall be filled by a special election to be held within sixty (60) days of the vacancy occurrence. This vacancy will occur when notification is given to the Council Secretary.

**SECTION 5.** All regular members of the Division shall have the opportunity to vote by written secret ballot for representatives from their constituency. The balloting will be conducted in the manner prescribed in this constitution and will guarantee the right of each member to vote. The Election Committee shall provide at least ten (10) days notice before the election.

**SECTION 6.** All ballots should provide adequate space for a write-in vote and clearly state the date upon which the ballots must be received. The distribution of the ballots and the return of the completed ballots shall be accomplished in such a manner as to guarantee each member an opportunity to cast his ballot without the necessity of his physical presence at the polling place. The Election Committee and the appropriate Regional Coordinator(s) shall be responsible for the custody

and counting of ballots.

**SECTION 7.** Election balloting may be on-site, by mail, or a combination of the two. The election results shall be promptly announced after the close of the balloting.

**SECTION 8.** Upon showing just cause, a member who is unable to cast his ballot personally may be permitted to cast his ballot by mail.

**ARTICLE VI****STRUCTURE**

**SECTION A.** Parliamentary procedures shall be in accordance with Robert's Rules of Order, newly revised, insofar as they do not conflict with the Constitution of this Division, or the Constitution and by-laws of P.E.F.

**SECTION B.** Regular Divisions meetings will be held as necessary. Meetings will be called by a majority vote of the Division Council or by a petition signed by 10% of the Division constituency. Five- (5) days notice will be given.

**SECTION C.** A quorum for divisional meetings shall be five (5%) percent of the divisional constituency and a majority of the Division Council.

**SECTION D.** The fiscal year of the division shall be concurrent with the fiscal year of PEF, which is presently April 1 to March 31.

**SECTION E.** Nothing herein shall be construed to prohibit a Division from charging additional dues except that a failure to pay such shall not be used to deny the right to vote in division elections or fully participate in division business.

**ARTICLE VII****RECALL**

A petition signed by sixty (60) percent of the regular membership in any appropriate division constituency, which requests the removal of that constituency representative shall remove that person from office for gross incompetence. A special election shall be held within two (2) months

following the removal.

#### **ARTICLE VIII AMENDMENTS**

- (A)** This constitution may be amended in whole or in part by:
  - (1) A 2/3 vote of the Division Council followed by a majority vote of the division constituency or,
  - (2) A petition signed by sixty (60%) percent of the Division constituency.
- (B)** Amendments may be proposed by the Division Constitution Committee or a petition signed by twenty (20%) percent of the Division constituency.
- (C)** Notification:
  - (1) Any proposed amendment must be submitted in writing to the Division Constitution Committee, which will forward it to the PEF Executive Board.
  - (2) The Division Constitution Committee must submit the proposed amendment in writing to the division constituency at least one month prior to any vote for approval.
- (D)** The PEF Executive Board will review amendments to assure constitutional soundness and consistency with PEF's Constitution and by-laws.

#### **ARTICLE IX BILL OF RIGHTS FOR DIVISION MEMBERS**

**SECTION 1.** No person, otherwise eligible for membership shall be denied membership on the basis of race, color, sex, age, creed, national origin, prior union membership, sexual preference or political persuasion.

**SECTION 2.** Membership shall have the right to receive accurate information relating to the affairs of the Division.

**SECTION 3.** An annual financial report will be printed in the Division publication.

**SECTION 4.** Members shall not be restricted in the exercise of their right of freedom of speech concerning the operation of this Division or any other. Active and open discussion of Division affairs and the expression and/or publication of views of Division members shall be protected within this Division.

**SECTION 5.** Members shall be encouraged to participate in the affairs, management, and administration of this Division.

**SECTION 6.** Membership service shall be a primary goal of this Division.

**SECTION 7.** Communication to the membership shall on all matters be timely and accurate.

**SECTION 8.** When acting in their official capacity, all Council members shall act only in the best interest of PEF, this Division, and its members.

(Amended: 1/89)