

CONSTITUTION AND BY-LAWS
Federal Union of Scientists and Engineers (FUSE)
NAGE Local R1-144
(January 2008)

PREAMBLE

FUSE was formed to further the interests of all professional civilian employees of the United States Government by:

“Promoting a professional environment in which individual and collective efforts will foster the guidance and leadership necessary to produce a viable and progressive existence dedicated to the efficiency and service of the United States Government in its mission.”

ARTICLE I

The name of the organization shall be the Federal Union of Scientists and Engineers (FUSE), Region 1, Local 144, of the National Association of Government Employees (NAGE), which is the parent organization.

ARTICLE II
MEMBERSHIP

Section 1. Subject to the provisions in this article any person shall be eligible for membership in this organization who is employed by the Federal Government of the United States at the Naval Undersea Warfare Center, Division Newport (NUWC DIVNPT).

Section 2. Any employee in the FUSE/NAGE Local R1-144 bargaining unit may become a member by completing an application form prescribed by the Local, paying dues, and maintaining his or her dues on a current basis with the National Union.

Section 3. There shall be no discrimination against any member or any applicant for membership by reason of race, ethnicity, creed, color, religion, gender, marital status, sexual orientation, national origin, age or disability.

Section 4. No person may become a member of Local R1-144 who has at any time been found guilty of any conduct violative of Article XII of these Local Constitution and By-Laws and/or Article XII of the National Constitution and By-Laws dealing with discipline without obtaining a waiver of these provisions by the Executive Board of the Local Unit and the National Executive Committee.

Section 5. Associate members shall be defined as persons who are only eligible to join and participate in health plans, trips, and other activities associated with FUSE through any vehicle that the union chooses. Associate members shall have no further rights under the FUSE constitution and by-laws.

Section 6. A member who maintains his or her dues on a current basis will be considered a member in good standing. Any person in arrears for more than three month's dues shall not be recognized as being a member in good standing by the Local.

ARTICLE III
OFFICERS

Section 1. The elected officers of the Local shall be:

1. President

2. Vice President
3. Treasurer
4. Secretary
5. Sergeant of Arms

Section 2. Elected officers shall be elected by secret ballot. Elections shall be held every two years, during October.

Section 3. The Elected officers of the Local shall form the Executive Committee.

Section 4. The President may appoint members to serve on committees and Boards, said appointment is subject to the majority approval of the Executive Committee.

Section 5. A person cannot be nominated, elected or appointed to a committee or office unless the individual is a member in good standing as defined in Article II Section 6 of these bylaws and the NAGE National Constitution.

Section 6. Officers in the Local Unit shall serve until the installation of their successors. An office shall be considered vacant upon creation of office, death, discharge, resignation, or removal of an Officer. An office shall be declared vacant if any officer is absent without just cause from three (3) consecutive meetings, unless he/she has been excused by the President and/or the Executive Committee. Vacancies in offices between elections may be filled by nomination of the President subject to a majority approval of the Executive Committee.

In case the President is unable to perform the duties of his/her office due to reasons of health, change in employment status, excessive travel, etc., the Executive Committee shall call a special election to elect a new President within 120 days from the time the office was officially vacant.

ARTICLE IV DUTIES OF ELECTED OFFICERS

I. DUTIES OF THE PRESIDENT

Section 1. It shall be the duty of the President to preside over all general meetings of the local and to sign all official documents, including co-signing all funds drawn on the treasury. He/she shall enforce the provisions of the National and Local by-laws. He/she shall appoint all committees, officers and stewards not provided for by the election process, and shall, by virtue of his/her office, be a member, ex-officio, of all committees, with deciding vote privilege.

Section 2. The President shall appoint a nomination and election committee for each election, subject to the majority approval of the Executive Committee.

Section 3. The President shall, every six (6) months, submit copies of the Local's bank statements, cancelled checks and any other information requested by the National Audit Committee. The Time periods for the Local Unit to submit financial data shall be on January 1 and July 1 annually. The information provided under this section shall be submitted to the National Audit Committee for their review.

Section 4. The President shall schedule all elections.

Section 5. The President shall be the spokesman for the local. All public statements of policy not affecting established local policy, shall be made by the President or the speaker for the Executive Committee in absence of the President.

Section 6. The President shall appoint a Recording Secretary for general meetings in absence of the Secretary and Sergeant of Arms.

Section 7. The President shall appoint a 3-member Grievance Committee.

Section 8. The President shall be a member of the Executive Committee.

II. DUTIES OF THE VICE PRESIDENT

Section 1. It shall be the duty of the Vice President to assist the President at his/her direction and to preside in the absence of the President.

Section 2. The Vice President shall be a member of the Executive Committee.

Section 3. The Vice President shall perform duties as may be required to initiate grievances as directed by the Executive Committee.

Section 4. The Vice President shall perform the daily duties of the office of the President in the absence of the President.

III. DUTIES OF THE TREASURER

Section 1. The Treasurer shall use acceptable accounting practices in keeping a written report of all monies received and all appropriations or expenditures of monies expended. The Treasurer shall co-sign all funds drawn from the Local Treasury. The Treasurer shall make a financial report at least annually at a regular general meeting as to the amount of monies received and paid out, and attest to the balance of money on hand. The Treasurer shall submit all bank statements, canceled checks, etc., to the President at a time of closing accounts or during the auditing period. The Treasurer shall be required to give bond to the amount of not less than 10% of the Local's assets, the local to pay the premiums of the bonds.

Section 2. The Treasurer's Financial Report shall be given to any individual member in good standing upon written request to the Executive Committee.

Section 3. The Treasurer shall be a member of the Executive Committee.

IV. DUTIES OF THE SECRETARY

Section 1. The Secretary shall take the minutes of, and keep a record of all proceedings at both regular and special meetings of the Local, as well as records of all committee meetings. The Secretary shall be responsible for all incoming and outgoing correspondence and distribution thereof to addresses.

Section 2. The Secretary shall be a member of the Executive Committee.

Section 3. The Secretary shall make available records for use during his/her absence to the Sergeant of Arms and/or the President.

Section 4. The Secretary shall maintain complete and accurate membership records.

V. DUTIES OF THE SERGEANT OF ARMS

Section 1. The Sergeant of Arms shall be a member of the Executive Committee.

Section 2. The Sergeant of Arms shall maintain order and discipline at all general meetings, elections, etc.

Section 3. The Sergeant of Arms shall perform duties of Secretary in the absence of the Secretary at meetings.

VI. DUTIES OF THE EXECUTIVE COMMITTEE

Section 1. The Executive Committee shall be the governing body of the Local on all matters concerning grievances.

Section 2. The Committee shall be responsible to the local membership on all matters and statements affecting the established policies of the local. No member of the Committee shall make statements or representations concerning local policies, practices, rules or procedures that have not been previously decided upon by the Committee or the local.

Section 3. All officers' voices and votes shall be of equal weight in deciding matters of policy or procedure. In cases of tie votes, the side with which the President votes shall prevail.

Section 4. During a Presidential term, removal of appointed members of committees, officers, etc., can only be done by a majority vote of the Executive Committee.

ARTICLE V.

DUITES OF APPOINTED BOARDS AND COMMITTEES

TRIAL BOARD

Section 1. The local will have a trial board which will consist of the local's Executive Committee. The trial board will elect one of its members to act as the hearing officer for the purpose of holding a hearing on charges brought against a member for members of the local.

Section 2. All members and officers accused of any of the conduct enumerated in Article XII dealing with discipline shall be afforded a full and fair hearing before the Trial Board in accordance with the Local and the National Constitution and By-laws and according the procedures set forth in Article XII.

GRIEVANCE COMMITTEE

The President shall appoint a 3-member Grievance Committee.

The Local's Grievance Committee shall operate under the rules and procedures defined in the NAGE National Constitution & Bylaws Article IV A, and Article XV of the FUSE Constitution & Bylaws.

ARTICLE VI

NOMINATIONS

Section 1. Elections shall be held every two years at the general meeting in October. Members shall have no less than two months notice of the date, time and place of the elections.

Section 2. A reasonable opportunity shall be given for the nomination of candidates and every member in continuous good standing for the previous year shall be eligible to be a candidate to hold office. Every

member in good standing shall have the right to vote or otherwise support the candidate of his/her choice without being subject to penalty, discipline or improper interference or reprisal of any kind by the Local Unit or any member thereof.

Members shall be notified at least two weeks, but not more than four weeks, prior to the close of nominations that nominations for the election are being solicited. Notification shall be made by public notice and by direct mail.

Section 3. Nominations shall be made at a general meeting of the membership or by signed nominating ballot, or both. A nominee, who must be a member in continuous good standing for the previous year, shall be present at the nominating meeting, or shall accept the nomination in writing, submitted to the Nomination Committee. Nominating ballots shall bear the signatures of the nominee, the nominator and the secondor, as well as the typed or printed names and the office the nominee is running for. Nominating ballots will be obtained only from the Nomination Committee. Completed ballots will be returned to the Committee.

Section 4. The President shall appoint a Nomination Committee of three members. The Committee shall be responsible for obtaining, screening, and presentation of nominees; distribution and receiving of nominating ballots; posting of candidates' names and preparation of the final ballot.

Section 5. The Nomination Committee shall ensure that all nominees are members in continuous good standing for the previous year and no member will be permitted to run for more than one local office at a time.

Section 6. Members may not be included on the ballot who have not been members in continuous good standing of the Local for one year immediately preceding the closing of nominations.

Section 7. No member of the Nomination Committee will be eligible for candidacy for office. No officer may serve on the Nomination Committee. No member previously approved by the Nomination Committee shall be removed from the ballot for any reason except written request of the nominee, non-payment of dues, disqualifying change of availability or change to statutorily disqualified status.

ARTICLE VII ELECTIONS

Section 1. Elections shall be held every two years at the general meeting in October. The President shall appoint an Election Committee of at least three members with the Majority approval of the Executive Committee. The Election Committee shall print the ballots, conduct the distribution and collection of ballots, publicly count the ballots, and certify the results. The Committee shall transmit the election results to the President, shall make the results public, and shall notify all candidates of the results.

Section 2. No member of the Election Committee will be eligible for candidacy for office. No current officer of the Local may serve on the Election Committee. No member previously approved by the Election Committee shall be removed from the ballot for any reason except written request of the nominee, non-payment of dues, disqualifying change of availability or change to statutorily disqualified status.

Section 3 No less than fifteen (15) days prior to an election, an Election Notice thereof shall be mailed to each member in good standing at his/her last known home address containing necessary information pertaining to the election.

Section 4.

Each member in good standing (and only members in good standing) shall be eligible to vote and participate in the nomination and election process. Each eligible voter shall be entitled to one vote. The votes cast shall be counted and the results published.

Section 5. All officers of the Local Unit shall be elected by a plurality vote of the membership participating in the election that is eligible to vote. The election shall be by secret ballot . The newly elected officers shall take office on the first Tuesday in November

Section 6. The ballots and records pertaining to the election shall be preserved for three years.

Section 7. No monies received by way of dues, assessments, or similar levy shall be contributed or applied to promote candidacy of any person in the election. However, such monies may be utilized for notices, factual statements of issues not involving candidates, and other expenses necessary for holding elections.

Section 8. Pre-voting shall be available for members who are unable to attend the general election in October. Pre-voting shall be conducted once for each election, and will normally occur at the work-site during normal work hours (if allowed by the Agency). The date, time, and location of pre-voting shall be determined by the President. Notification of the date, time and location of pre-voting will be provided to members in the Election Notice.

ARTICLE VIII MEETINGS

Section 1. Meetings shall be conducted according to Robert's Rules of Order if deemed necessary by the Executive Committee or Union President.

Section 2. Regular meetings of the local shall be held at least twice each year. Meetings shall begin no later than three hours after close of normal working hours.

Section 3. Members shall be publicly notified of exact time and place of each general meeting at least seven (7) days in advance.

Section 4. Special meetings may be called by the President/Executive Committee of the local at such times as are deemed advisable.

Section 5. A meeting of the Executive Committee shall be scheduled weekly or at the direction of the President.

Section 6. A quorum for the transaction of business at a general meeting shall be no less than 5% of the total number of members in good standing of the Local.

Section 7. Any subject not covered by these by-laws which comes before the Executive Committee or the union membership during general meetings shall be governed by Robert's Rules of Order.

ARTICLE IX DUES

Section 1. Annual dues of the local shall be as designated by the headquarters, National Association of Government Employees (NAGE).

Section 2. The Executive Committee shall be the governing authority on matters of delinquent membership and renewal of past members. Any member adjudged delinquent shall have the right of appeal, in writing, to the Local's Executive Committee whose decision shall be honored.

Section 3. Any person in arrears for more than three month's dues shall not be recognized as being a member in good standing by the local.

Section 4. The Treasurer shall notify, in writing, any members not in good standing. Notification will be communicated by certified mail.

ARTICLE X AMENDMENTS

Section 1. All proposed amendments to these by-laws shall be submitted in writing at a regular general meeting of the local. Such proposed amendments must be signed by twenty (20) members in good standing of the Local. Proposed amendments may also be presented to the general membership by the Executive Committee. The proposed amendment shall be presented by the President or Secretary at the meeting when submitted. The proposed amendment shall be provided in writing to all members in good standing no later than two (2) weeks prior to the next scheduled meeting.

Section 2. After such a notice, the proposed amendment shall become a part of the by-laws, if at the next regular general meeting it is approved by a two-thirds majority of the members present and voting.

ARTICLE XI ORDER OF BUSINESS

Section 1. A quorum for the transaction of all business of the Executive Committee of the local shall be three (3) members of the Committee.

Section 2. Calling the meeting to order by the President or Sgt. of Arms.

- a. Financial Report by the Treasurer
- b. Unfinished business
- c. New business

ARTICLE XII RULES AND DISCIPLINE

Section 1. Any officer who absents himself/herself from three consecutive meetings of the Executive Committee shall declare himself/herself inactive, except by timely arrangement with a designee of the Executive Committee. The officer shall be notified in writing of his/her inactivation. The President may fill any vacancy for the duration of the elected term, subject to majority approval of the Executive Committee.

Section 2. If at any time an officer wishes to resign from the local, he shall give notice in writing of his intention to the Secretary, who shall present his resignation to the Executive Committee at their next meeting.

Section 3. Article XII of the NAGE National Constitution & Bylaws will govern all charges, actions and proceedings taken by the Local under this article.

ARTICLE XIII

CONFLICTS WITH NATIONAL

Nothing in this Constitution is intended to violate, contradict, or otherwise conflict with the Constitution & Bylaws of the National Association of Government Employees, or with its policies and procedures. In case any conflict should arise, the laws of the parent organization shall take precedence.

In the event that the Local's Constitution & Bylaws are silent or in conflict with the National Constitution & Bylaws, the National Constitution & Bylaws shall prevail.

ARTICLE XIV

DELEGATES TO CONVENTIONS AND REGIONAL MEETINGS

Section 1. NUMBER OF DELEGATES: The number of delegates and/or alternates the Local designates to the National Convention shall be in accordance with Article VI, Section 5 of the National Constitution and By-Laws.

The Local's officers elected by secret ballot will be voting delegates to intermediate or national bodies, including National Conventions. If the number of elected officers is less than the number of delegates, then arrangements shall be made for nominations in the Local Unit and secret ballot elections, if required. If the total number of officers is greater than the number of delegates allowed, then officers shall attend as delegates in the order listed in the Local's By-Laws, Article III Section 1.

If conducting a secret ballot election for delegates, the election will be conducted in the same manner set forth within this Constitution and By-Laws for the election of officers. In addition, in order to be eligible as a candidate for delegate or alternate the individual must be a member in continuous good standing for the previous year

ARTICLE XV

HANDLING OF GRIEVANCES

Article IV A of the NAGE National Constitution & Bylaws will govern all grievances, actions and proceedings taken by the Local under this article.

ARTICLE XVI

EXPENDITURES

Section 1. The Local Unit shall maintain a separate bank account for the business of the Local and shall not commingle Union monies with any personal accounts. No bank debit/ATM cards will be utilized for the Local Unit's Bank account(s). The Local may request a waiver from the National President to justify the use of ATM/Debit Cards for the Local's business.

Section 2 All checks drafted by the Local Unit must be signed by two (2) officers of the Local.

ARTICLE XVII

FINANCIAL RECORDS

Section 1. Financial records of the Local Unit shall be kept on a fiscal year basis. The Fiscal year shall begin January first (1st) and end on December thirty-first (31st).

Section 2. The revenue of the Local shall be derived from membership dues and from such other sources as may be approved by the National Convention and implemented by the National Executive Committee.

Section 3. This Local shall, every six (6) months, submit copies of its bank statements, cancelled checks and any other information as may be requested by the National Audit Committee. The Time periods for the Local to submit financial data shall be on January 1 and July 1 annually. The information provided under this section shall be submitted to the NAGE National Audit Committee for their review.

Section 4. Records of the Local, including bank statements, financial records, checks, correspondence, grievance records, notes and minutes of official meetings, shall be maintained for five (5) years. Said official records shall be turned over to the duly elected president or his/her designee upon succession to office.