

Constitution of the NATIONAL TREASURY EMPLOYEES UNION

*As Amended at the 50th National Convention
San Diego, California*

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Constitution of the NATIONAL TREASURY EMPLOYEES UNION

Preamble

For the betterment of the Federal government and to protect the rights of employees, to advance and improve the general welfare of employees, and to dedicate ourselves to the principles of justice, equality, and fraternity, we, an organization composed of such employees, do hereby adopt the following Constitution.

Article I — Name and Headquarters

Section 1. This organization shall be known as the National Treasury Employees Union.

Section 2. The National Headquarters of this organization shall be in the NTEU Building located at 1750 H Street, N.W., Washington, D.C.

Article II — Constitution

Section 1. This document shall be known officially as the Constitution of the National Treasury Employees Union, and it shall also be the Constitution of every affiliated Chapter or Joint Council as described in Article IV of this Constitution.

Section 2. Each Chapter may adopt Bylaws, no part of which shall be in force if they are contrary to or in conflict with the provisions of this Constitution.

Article III — Objects

Section 1. The objects of this national organization shall be to organize into units of exclusive recognition, employees of the Federal government who perform work similar to that performed by Department of Treasury employees, and who share similar goals, objectives, problems, and concerns of those experienced by employees in the Department of Treasury; to provide assistance to organizations whose primary purpose is to provide representational services to employees of the Federal government who are excluded from coverage under Chapter 71 of Title V of the U.S. Code; and to organize employees of the private sector who are assuming work previously performed by the Federal employees represented by NTEU; to represent their interests through collective bargaining and other appropriate means; to improve working conditions through cooperation with appropriate agencies; to improve employee-management relations; and to promote high professional standards on the part of employees and management alike.

Article IV — Organization

Section 1. The National Treasury Employees Union shall be organized by NTEU districts and these in turn by local Chapters throughout the United States, and may include Chapters outside the United States.

Section 2. All members of the local Chapters are also members of the National organization and subject to the orders, rulings, and decisions of this national organization.

Section 3. All Chapters must be issued a charter by the NTEU National Headquarters which will contain a description of the Chapter's jurisdiction as defined in the charter by the National President based on the following:

(A) No Chapter's jurisdiction will include employees from two different agencies;

(B) No Chapter may have overlapping jurisdiction of the same employees, except in the case of a Joint Council as created pursuant to Section 9 of this Article.

(C) The definition of a Chapter's jurisdiction will be based on geography with the following exceptions:

(i) in the case of existing single function Chapters (e.g., Chapters 81, 83, 90, 101, 128, 251, 252, 253 and 267) which will be based on geography and function; and

(ii) in the case of nationwide single agency Chapters (e.g., Nuclear Regulatory Commission, Federal Communications Commission, Office of Hearings and Appeals, Farm Service Agency, Securities and Exchange Commission and National Credit Union Administration) which will be based on agency.

(iii) Following a successful organizing campaign involving employees previously represented by another union, the National President may continue to recognize the chapter jurisdictional structure, which existed within the previous union and delay implementation of the NTEU geographic jurisdictional structure for a period of time deemed appropriate by the National President to permit a positive transition into the NTEU geographic jurisdictional structure.

(iv) During the transition period identified in (iii) above, impacted chapters will form and operate as Joint Council of chapters by written agreement and at their own expense for the purpose of representing employees and/or collective bargaining of local issues with the appropriate officials within their geographic area of authority.

Section 4. A Chapter will have the responsibility for representing all employees within its jurisdiction.

Section 5. The National President may realign the jurisdiction of existing NTEU Chapters, provided the NTEU Chapter members who seek realignment, and the Chapter into which they seek to be realigned, each by majority vote, ratify the proposed realignment of jurisdiction.

Section 6. All applications for charters must be in writing and signed by not less than five (5) employees, and must be accompanied by a charter fee of five dollars (\$5.00). The National President will grant the application and define the prospective Chapter's jurisdiction consistent with Section 3; provided, however, the National President may grant a charter for a Chapter formed from the jurisdiction of an existing Chapter so long as those NTEU Chapter members who would be in the jurisdiction of a newly created Chapter have voted by majority vote in support of the proposed Chapter.

Section 7. (A) Each Chapter shall establish procedures for its own internal government, the maintenance of complete books and records, and the election of officers, including a Chapter President, a Secretary, a Treasurer, or the position Secretary-Treasurer, such elections to be held and conducted in accordance with the provisions contained in Part IV of the Bylaws. The books of account and other records of each Chapter shall, on reasonable notice, be made available for inspection by a duly authorized representative of the National President or the National Executive Board.

(B) Each Chapter shall conduct an annual audit of its books and records to be completed no later than six (6) months following the close of the Chapter's reporting year.

(1) The audit shall, at minimum, include a reconciliation of income to the Chapter by examining original Chapter bank statements, NTEU Headquarters disbursements to the Chapter, and Chapter disbursements as expenses.

(2) The audit shall be conducted by someone other than a current elected Chapter officer or steward and the auditor(s) will be selected by the Chapter executive board.

(3) The person(s) conducting the annual Chapter audit shall send to the NTEU

Administrative Controller no later than six (6) months following the close of the Chapter's reporting year, a certification that the Chapter records have been audited, including, but not limited to:

- petty cash
- bank reconciliations
- expense disbursements, invoices and receipts
- canceled checks
- listing of all payments to the Chapter by the NTEU National Office.

(C) Any funds from a defunct NTEU Chapter shall be the property of NTEU and shall be paid over to NTEU.

Section 8. Each Chapter shall be given an identifying number and shall have full authority to employ all insignia of this organization and to promote its policies and objectives.

Section 9. Any two (2) or more Chapters may form and operate as a Joint Council of Chapters by written agreement and at their own expense, for the purpose of representing employees and/or collective bargaining of local issues with the appropriate officials within their geographic area of authority.

Article V — Membership

Section 1. All employees, former employees, and retirees (as defined in Part VII of the Bylaws) of the Federal government or employees of the private sector who are assuming work previously performed by the federal employees represented by NTEU, are eligible for membership in this organization, regardless of race, color, religion, sex, national origin, age, disability, marital status, or sexual orientation.

Section 2. (A) An eligible employee seeking to join NTEU may only join the Chapter in whose jurisdiction the employee's assigned post of duty is found.

(B) The NTEU membership of an employee who is transferred by the employer from the jurisdiction of one Chapter to the jurisdiction of a second Chapter, will be transferred to, and dues will be paid to, the second Chapter. NTEU Chapters may not impose any fees on an NTEU member who changes membership from one Chapter to another.

(C) NTEU bargaining unit members whose statutory rights to form, join or assist a labor organization are eliminated by Executive Order, or Congressional action, may continue to be members of NTEU and the Chapter in whose jurisdiction his/her post of duty was located immediately preceding the effective date of the Executive Order or Congressional action.

(D) An NTEU member whose Chapter membership is inconsistent with the Chapter jurisdiction as of November 15, 1997, will be provided an opportunity to remain a member in that Chapter by executing a form and returning it to the NTEU National Office by December 15, 1997. If the form is not received by December 15, 1997, the employee's membership will be transferred to the appropriate Chapter. If an NTEU member elects to retain his/her membership pursuant to this subsection, all expenses of representation, including any arbitration expenses, shall be the responsibility of the Chapter who retains the membership.

Section 3. Nothing in this Constitution shall prohibit the Chapters from accepting as nonvoting Chapter members those individuals who are not otherwise eligible for membership in this organization; provided, however, that such nonvoting Chapter members shall enjoy none of the privileges of NTEU membership as set out in this Constitution and shall not be members of the national organization.

Article VI — Per Capita Dues

Section 1. National per capita dues shall be paid by each member to the national organization at the rate established by vote of the delegates at a regular or special National Convention, and as set forth in Section 1 of Part I of the Bylaws.

Section 2. All local Chapters are liable for the prescribed national per capita dues for each of its members, and will remit the per capita dues to the National Headquarters Office pursuant to Section 1 of Part I of the Bylaws.

Article VII — Governing Body

Section 1. The national organization shall be governed by its membership in the following manner:

(A) The highest tribunal shall be the National Convention, composed of delegates democratically elected by the membership of local Chapters. The laws and policies of this organization shall be those adopted by the National Convention.

(B) Between National Conventions, the highest authority shall be the National Executive Board, which shall promulgate and implement the laws and policies of this organization. The Board shall hold regular meetings twice annually and such special meetings as are required.

(C) The administrative and executive authority of the national organization shall be vested in the National President. The National President shall be responsible to the National Executive Board for the administration of the organization in accordance with the provisions of the Constitution, the resolutions adopted by the National Conventions, and by the decisions of the National Executive Board. The President will promptly inform the Board in writing of his/her actions affecting major policy for its ratification or rejection.

Article VIII — Conventions

Section 1. (A) This organization shall meet in Convention biennially in a location determined by those delegates voting on the issues of the Convention site which shall be selected four (4) years in advance.

(B) Any delegate may nominate a Convention site to be considered. This will be done by submitting the name of the site to the Nominations and Elections Committee by 5:00 p.m. on the first day of the Convention. A nominated site must have at least one union-staffed hotel with five hundred (500) sleeping rooms and meeting space adequate to accommodate our Convention needs. All nominated sites meeting these criteria will be submitted to the delegates for a vote.

(C) If no site receives a majority vote on the first ballot, thereby becoming the preferred site, all sites receiving less than twenty percent (20%) of the votes shall be eliminated on the second ballot. If no site receives a majority on the second ballot, all sites receiving less than thirty-three percent (33%) of the votes shall be eliminated. If no site receives a majority vote on the third ballot, the site with the largest number of votes cast shall be considered the preferred site. The site receiving the second greatest number of votes when the preferred site is selected shall be considered the alternate site.

(D) Thereafter, the National President will be authorized to solicit bids from the

preferred and alternate sites and make a final selection. Should the National President find that the preferred and alternate sites are inadequate for the union's needs or not economically competitive with comparable sites, he/she may select a site other than the preferred or alternate site. However, prior to doing so, he/she must notify the members of the NTEU National Executive Board of the intended site and the reasons for doing so. This notice will be delivered by overnight, certified, return receipt mail. Unless more than one-third (1/3) of the members of the Board, i.e., seven (7), object to his/her decision by telegram or overnight, certified, return receipt mail within seven (7) calendar days of receiving the National President's notice, he/she may select the intended site. If more than one-third (1/3) object, the National President may submit the issue to the next regular meeting of the NTEU National Executive Board for final decision.

Section 2. At each National Convention, each Chapter shall be entitled to a total vote determined in accordance with the following schedule:

Chapter Membership	Total Vote Entitlement
1 to 10 members inclusive	1 vote
11 to 50 members inclusive	2 votes
Over 50 members—	one additional vote for each 50 members or fraction thereof

Article IX — National Executive Board

Section 1. The National Executive Board shall be composed of a National President, a National Executive Vice President, and the National Vice Presidents to be elected by the Chapters within each of the following NTEU Districts:

1. Southeast Region, Internal Revenue Service, states of North Carolina, South Carolina, Georgia, Mississippi, Alabama, Louisiana, and Florida.
2. Southeast Region, Internal Revenue Service, states of Kentucky, Tennessee, Indiana, West Virginia, Virginia, Delaware, Maryland, and Puerto Rico; National Office, Office of Chief Counsel, and International.
3. Midstates Region, Internal Revenue Service, states of Texas, Missouri, Kansas, Oklahoma, and Arkansas.
4. Midstates Region, Internal Revenue Service, states of Wisconsin, Nebraska, Iowa, Illinois, North Dakota, South Dakota, and Minnesota.
5. Northeast Region, Internal Revenue Service, states of New York and New Jersey as well as Mid-Atlantic Appeals (Chapter 90), Long Island Appeals (Chapter 252), and Boston Appeals (Chapter 253).
6. Northeast Region, Internal Revenue Service, states of Michigan, Maine, New Hampshire, Rhode Island, Vermont, Massachusetts, Ohio, Pennsylvania, and Connecticut.
7. Western Region, Internal Revenue Service, IRS Districts located in Central and Southern California, states of New Mexico, Nevada, and Arizona.
8. Western Region, Internal Revenue Service, IRS Districts located in Northern California, states of Washington, Hawaii, Oregon, Alaska, Idaho, Utah, Wyoming, Colorado, Montana; Western Region Appeals (Chapter 81) and Southern California Appeals (Chapter 267).
9. Service and Computing Centers, Internal Revenue Service, Andover, MA; Brookhaven, NY; Philadelphia, PA; Martinsburg, WV.
10. Service and Computing Centers, Internal Revenue Service, Memphis, TN; Chamblee, GA; Covington, KY; Detroit, MI.
11. Service and Compliance Centers, Internal Revenue Service, Austin, TX; Kansas

City, MO; Ogden, UT; Fresno, CA.

12. All Chapters in the following agencies: Bureau of Engraving and Printing, Bureau of the Public Debt, Patent and Trademark Office, Trademark Society, Federal Deposit Insurance Corporation, Financial Management Service, Environmental Protection Agency, Securities and Exchange Commission, Office of the Comptroller of the Currency, National Park Service, and National Credit Union Administration.

13. All Chapters in the following agencies: Alcohol, Tobacco, Tax and Trade Bureau-Department of Treasury, the Bureau of Alcohol, Tobacco and Firearms and Explosives-Department of Justice, Department of Energy, Federal Communications Commission, Food and Nutrition Service, Federal Election Commission, Farm Service Agency, Health and Human Services, Nuclear Regulatory Commission, Office of Hearing and Appeals, Food and Drug Administration, Health Resources and Services Administration, Substance Abuse and Mental Health Services Administration, National Center for Health Statistics, and Treasury Departmental Offices.

14. All Chapters composed of employees of the Department of Homeland Security, Bureau of Customs and Border Protection in the Virgin Islands, Bahamas, Bermuda, Puerto Rico, District of Columbia, and the following states: Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Indiana, Kentucky, Louisiana, Massachusetts, Maryland, Maine, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, Vermont, and West Virginia.

15. All Chapters composed of employees of the Department of Homeland Security, Bureau of Customs and Border Protection in Alberta, British Columbia, Manitoba, Quebec and Ontario, Canada; and in the following states: Alaska, Arizona, California, Colorado, Hawaii, Iowa, Idaho, Illinois, Kansas, Michigan, Minnesota, Missouri, Montana, Nebraska, New Mexico, Nevada, North Dakota, Ohio, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming.

Section 2. The Board shall convene for regular meetings twice annually at a time and place designated by the National President. Each member of the Board shall receive a printed agenda of all matters to come before it at least fourteen (14) calendar days prior to any meeting. Emergency items which are not on the agenda may be considered with the approval of two-thirds (2/3) of the Board members present and voting. The budget will be a permanent line item on the agenda and never considered as an emergency matter.

Section 3. On written request of two-thirds (2/3) of the members of the National Executive Board, the National President shall call a special meeting of the Board at National Headquarters. Such special meetings must be convened within thirty (30) days after receipt of the request of the two-thirds (2/3) majority.

Section 4. The Board will engage a Certified Public Accountant or Accountants to audit the accounts of this organization immediately following the close of each fiscal year. A copy of the accountant's report will be furnished to all members of the Board, to the chairperson of the standing committee, and to all of the Chapter Presidents.

Section 5. The Board may, by a two-thirds (2/3) vote, suspend or remove from office the National President or any member of the National Executive Board for malfeasance, misconduct, dereliction of duties, or failure to carry out the legitimate objectives or policies of this organization, but only after preferment of formal charges in writing, either by any member of the Board, or by any elected officer of a local Chapter. The Board will send by certified mail to the accused a detailed statement of the charges brought against the accused and will provide him/her with an opportunity for a full and fair hearing of such charges, provided that a request for a hearing is filed in writing with the Administrative Controller within thirty (30) days after the date of the statement of charges mailed to the accused. After a proper hearing as provided above, the decision of the Board shall be final and binding on all parties unless set aside by the next National Convention.

Section 6. The Board shall consider a decision by the National President to seek exclusive recognition among employees of the Federal government who are not employees of the Department of Treasury at its next scheduled meeting.

Section 7. All staff position appointments shall be made on a nondiscriminatory basis, to ensure that the National Treasury Employees Union qualifies as an Equal Opportunity Employer.

Article X — National Officers

Section 1. The National Officers of this organization shall be a full-time National President and National Executive Vice President elected at a National Convention, and the National Vice Presidents elected by the Chapters in each of the NTEU Districts in Section 1 of Article IX.

Section 2. The term of the National President and the National Executive Vice President shall be four (4) years after election at a regular National Convention as provided in Section 3(A) of Part III of the Bylaws. The term of the National Vice Presidents shall be two (2) years after election as provided in Section 3(B) of Part III of the Bylaws.

Article XI — National President

Section 1. The National President shall preside at all sessions of the National Convention and the National Executive Board. The National President shall enforce the laws, rules, and policies of this organization; call regular and special meetings of the National Executive Board; approve all official publications issued by this organization; and perform all other duties as are necessary to protect and advance the interests of the national organization, and shall report his/her activities to the general membership through the official publication.

Section 2. The National President shall carry out the instructions of the National Executive Board and have full authority to direct the operations of this organization within the framework of this Constitution, Bylaws, and the policies of this organization.

Section 3. The National President shall hire such legal, technical, or professional help as is necessary to efficiently operate this national organization, subject to any budgetary limitations imposed by the National Executive Board.

Section 4. The National President shall decide disputes or questions in controversy, including all questions involving interpretation of this Constitution, all of his/her decisions being subject to appeal, first to the National Executive Board, then to the National Convention. Notice in writing of appeal of any decision of the National President must be received by the National Headquarters Office within thirty (30) days from the date of decision.

Section 5. Subject to the approval of the National Executive Board at its next meeting, the National President may expend NTEU resources and provide legal, technical, or professional assistance to establish and to run an organization whose primary purpose is to provide representational services to Federal employees who are excluded from coverage under Chapter 71 of Title V of the U.S. Code.

Article XII—National Executive Vice President

Section 1. The National Executive Vice President shall serve as a full-time officer of NTEU.

Section 2. The National Executive Vice President shall serve in the office of National President if the National President dies, resigns, is removed from office, or is unable to serve for any reason.

Section 3. The National Executive Vice President shall serve as a member of the National Executive Board and shall perform such other duties as are assigned by the National President.

Article XIII—National Vice Presidents

Section 1. A National Vice President shall be elected by each of the NTEU Districts as set forth in Section 3(B) and Section 5(A)(2) of Part III of the Bylaws. A National Vice President's area of responsibility shall be coextensive with that set forth in Article IX, Section 1.

Section 2. The District structure of the Union shall not be modified between Conventions due to restructuring within individual agencies. However, the National President, with the approval of the Executive Board, shall have the authority to assign newly formed Chapters to a District.

Section 3. In addition to their responsibilities as members of the National Executive Board, the National Vice Presidents shall have authority to assist with all organizational work of the Chapters and to carry out the policies and objectives of this organization within their respective NTEU District. Each National Vice President shall promptly report to the National President any evidence of misconduct or failure to implement national policy on the part of any subordinate NTEU official; they can initiate removal of Chapter Officers for malfeasance, violation of policies, or neglect of duties in accordance with the provisions of Section 2 of Article XVIII; they may visit and examine each Chapter in their NTEU District and submit a report on each Chapter to the Board at least once each year; they must approve the program of any conference of the Chapters within their NTEU District; they will perform such other related duties as requested by the National President or the National Executive Board.

Article XIV — Administrative Controller

Section 1. The Administrative Controller shall be the custodian of the funds of this organization. The Administrative Controller shall deposit sufficient funds of the organization in some responsible bank or banks to meet current obligations of the organization and shall invest the remainder of the funds under such procedures and standards as determined from time to time by the National President.

Section 2. The Administrative Controller shall keep and maintain the books of account under a double entry system for the national organization, which books and records shall be produced for audit or inspection on request of the National Executive Board. The Administrative Controller shall prepare an annual financial report which shall be distributed to the general membership by means of the official publication.

Section 3. The Administrative Controller shall have charge of and preserve all books, documents, and effects of the National Headquarters; he/she shall pay all bills and current expenses unless otherwise ordered by the National President. All expenditures shall be paid by checks countersigned by the National President, when the latter is satisfied of their correctness, provided, however, checks may contain a facsimile signature of the National President.

Section 4. The Administrative Controller shall furnish a surety bond to this organization in an amount to be determined by the National President. This organization shall pay the premium on the bond.

Article XV—Ratification of Term Agreements

Section 1. All Term Agreements negotiated at the national level shall be subject to ratification by the membership of the Chapters in the unit affected.

Section 2. The National President shall inform the Chapter Presidents in the unit affected when agreement has been reached on a Term Agreement. The Chapter President shall schedule a special Chapter meeting within fifteen (15) days after receipt of the notification unless NTEU's dues-withholding agreement has been terminated, in which case the meeting shall be scheduled in five (5) days. The Chapter President shall immediately notify the National President by facsimile, e-mail, telegram or some other form of overnight mail delivery of the results of the ratification vote.

Section 3. (A) A majority vote based on the vote entitlement of the Chapters in an affected unit shall constitute acceptance of the Term Agreement.

(B) Term Agreements covering employees in a nationwide single agency Chapter will be ratified when a majority of the members of the Chapter present and voting in the meeting set forth in Section 2 above vote in favor of the Agreement.

Article XVI — Committees

Section 1. The National Executive Board is authorized to establish any necessary standing and convention committees. Appointments to these committees will be in accordance with the provisions of Section 2 of Part II of the Bylaws.

Section 2. The National President shall create as many special committees as the National President may deem necessary for the effective implementation of NTEU objectives, which committees shall furnish counsel and information to the National President and the Board.

Section 3. Unless otherwise expressly authorized by the Board, the authority of any committee shall not extend beyond that of fact-finding for the purpose for which it was created. The committees will not create policy for or implement existing policies of this organization. The committees will be responsible only for reporting their findings and recommendations to the Board and the National President.

Article XVII — Administration in Emergencies

Section 1. Where necessary to:

- (A) Prevent or correct corruption or financial malpractice, or
- (B) Assure the performance of collective bargaining agreements or other duties as a bargaining representative, or
- (C) Restore democratic procedures with any Chapter,
- (D) Prevent officers from advocating, encouraging or participating in any rival unionism or secession from the National Treasury Employees Union; or
- (E) Otherwise assure carrying out the legitimate objectives of this national organization by a Chapter or Chapter Officer, the National Executive Board by a two-thirds (2/3) vote of the entire Board may, after the preferral of sworn charges by certified mail on the accused and an

opportunity provided to the accused to appear in person and present witnesses at the expense of the National Headquarters, reorganize or disband the Chapter, revoke the Charter, suspend any Officer or Officers from office, expel the accused from membership, and/or take over supervision of the Chapter until its affairs have been properly adjusted. In such event, the Board shall designate one of its members as administrator who shall have full authority over and supervision of all functions of the Chapter and may suspend any or all Officers as directed by the Board or in the administrator's own discretion where he/she believes it necessary to accomplish the purposes of the administratorship. The administrator may utilize such staff assistance as he/she deems advisable, and the National President approves, in the discharge of the administrator's responsibilities under this Article.

Article XVIII — Offenses, Trials, and Appeals

Section 1. (A) If a member alleges any other member has committed an act or offense as described in Article XVII; alleges a member has committed serious malfeasance, serious misconduct, or significant dereliction of duties; or alleges a right guaranteed by law or Executive Order to members has been denied, the Chapter in which the accused is either a member or Officer shall be the court of original jurisdiction. Serious malfeasance, serious misconduct or significant dereliction of duties is conduct that is done willfully with wrong intention.

(B) Whenever sworn charges are preferred against a Chapter member, the charges shall be filed within sixty (60) days of the date the member is alleged to have committed the act or offense, or within sixty (60) days of the date the offense was discovered if an offense involves financial irregularities, whichever is later, with the Chapter Secretary, who shall in turn send by certified mail within forth-eight (48) hours of receipt a copy of the charges to the accused. The accused shall be provided with an opportunity for a hearing before a special meeting of the Chapter at which the accused may appear in person and present witnesses. The member or officer who is the subject of charges may not preside over the hearing of the charges. The Chapter Executive Board will take the steps necessary to schedule and announce the special meeting to take place no later than sixty (60) calendar days following receipt by the accused of the sworn charges. At the conclusion of the hearing, the Chapter may, by a majority of its members voting, acquit, suspend, or expel the accused from its membership and order repayment of Union funds it concludes were expended in a manner inconsistent with the local Chapter Bylaws, NTEU Constitution and Bylaws and /or applicable statutes or regulations.

(C) If a member of an NTEU bargaining unit alleges that the National President has committed an act or offense as described in Article XVIII, the member must prefer sworn charges against the National President by filing them against the National President within sixty (60) days of the date the National President is alleged to have committed the act or offense.

(1) The charge shall specifically identify the action, decision or procedure which forms the basis for the charge.

(2) The National President shall consider all evidence submitted by the complainant and make such investigation as the National President shall deem necessary.

(3) The National President shall render a decision within forty-five (45) days from the receipt of the charge.

(4) The complainant may appeal the decision of the National President, within thirty (30) days, to the next meeting of the National Executive Board, whose decision shall be final and binding unless set aside by the next National Convention. To be timely, an appeal to the next National Convention must be received, in writing, by the National President within thirty

(30) days following receipt of the decision of the National Executive Board.

Section 2. In the event a Chapter fails to take action against any of its members, or if the Officers of a Chapter are involved in any action or procedure deemed to be inimical to the best interests of this organization, the National Vice President of the District in which the Chapter Officers or members are located, or the National President, may issue an order to cease and desist such activities. Failure to comply with such order shall be reason for the immediate preferral of charges against them or it to the National Executive Board, which then may take action against such person or Chapter as prescribed in Section 1 of Article XVII.

Section 3. (A) Any Chapter Officer or member against whom charges are sustained by a vote of the Chapter, under Section 1 of this Article, may appeal such decision to the National President, provided such appeal, which shall be in writing, is received within four (4) business days after the adverse action is taken or, if the accused refused to attend the hearing, after the officer or member is so notified in writing, by personal service or by overnight delivery by a service with tracking capability. If notification is refused, the appeal filing period shall commence at the time of refusal. The decision of the Chapter will be implemented pending the outcome of any appeals filed pursuant to subsections (B), (C), and (D) of Section 3.

(B) The National President shall consider all evidence submitted by the appellant, and make such investigation the National President shall deem necessary, and render a decision within thirty (30) days of receipt of the investigative file.

(C) The appellant may appeal the decision of the National President, to the National Executive Board, whose decision shall be final and binding on all parties unless and until set aside by the next National Convention. To be timely, an appeal to the National Executive Board must be received, in writing, by the National President within thirty (30) days following the date of the letter notifying the appellant of the decision of the National President. To be timely, an appeal to the next National Convention must be received, in writing, by the National President within thirty (30) days following the date of the letter notifying the appellant of the decision of the National Executive Board.

(D) Any Chapter Officer or member suspended or expelled by a vote of the National Executive Board after a proper hearing under Section 2 of this Article, may appeal such decision to the next National Convention. To be timely, an appeal to the next National Convention must be received, in writing, by the National President within thirty (30) days of the date of the written decision of the National Executive Board, which shall be the date the decision is mailed.

Section 4. Every member or Officer against whom adverse rulings or decisions have been rendered or who claims to be aggrieved, shall be obliged to exhaust all remedies provided for in this Constitution and Bylaws before resorting to any court, tribunal, or agency.

Article XIX — Compensation of Officers

Section 1. The salaries of the National President and the National Executive Vice President shall be adjusted by, and effective at the time of, all annual percentage adjustments received by General Schedule Federal employees, including locality pay increases that are granted to Washington, D.C. General Schedule employees pursuant to the Federal Employees Pay Comparability Act. The salaries of the National President and National Executive Vice President, in effect as of July 31, 2005, shall be increased 5.2% every four years, beginning August 1, 2005.

Section 2. The National President, National Executive Vice President, and all staff members attached to the National Headquarters shall be eligible for participation in life insurance programs, retirement plans, and such other perquisites of office as are approved by the National Executive Board.

Article XX — Official Publication

Section 1. The official publication shall be known as the *NTEU Bulletin*.

Article XXI — Amendments

Section 1. This Constitution may be amended only by a two-thirds (2/3) ballot vote of the votes cast at any National Convention.

Section 2. Amendments must be submitted so as to reach the Administrative Controller of the organization not less than sixty (60) days prior to the date of the National Convention, and the same shall have been printed in the first possible official publication to be distributed to the membership after receipt of the proposed amendment.

Section 3. A proposed amendment to the Constitution that has not complied with the requirements of “notice and publication” as set forth in Section 2 above may be considered for adoption by the National Convention after a three-fourths (3/4) vote by the National Convention to accept such proposed amendment for consideration.

Article XXII — Constitution Effective Upon Adoption

Section 1. This Constitution, and any amendments thereto, unless otherwise provided by the National Convention adopting same, shall become effective immediately upon adoption.

Bylaws of the
NATIONAL TREASURY EMPLOYEES UNION

Part I — Dues and Funds

Section 1. Dues

(A) How Prescribed—Annual national per capita dues shall be paid by each member at the rate established by majority vote of the delegates at a regular or special National Convention.

(B) Per capita payment for each Chapter shall be at the following rate for each Chapter member:

(1) Dues withholding member: That percentage reflected for employees on the GS, FDIC, SEC, OCC, ATF (Department of Justice), TTB (Department of the Treasury) and NCUA charts below shall be withheld from the base pay each biweekly pay period.

(2) Former bargaining unit employees excluded by Congressional action or Executive Order shall pay an amount equal to the amount paid by a dues withholding member on an annual basis.

(3) Cash pay member: The amount shall be equal to the amount paid by a dues withholding member on an annual basis.

(4) Dues for all hourly wage employees, e.g., WG, WD and WN, will be equal to the percentage paid by GS employees earning the same hourly rate.

(5) Retirees and former employees:

(a) The total amount of dues paid by retirees and former employees will be forty-two dollars (\$42.00) per annum, all of which will be billed and collected by the NTEU Headquarters Office and ten dollars (\$10.00) per annum per member will be refunded to NTEU Chapters as Chapter retiree dues.

(b) A retiree who elects to have dues withheld from a Federal annuity will pay three dollars and fifty cents (\$3.50) per month and eighty-four cents (\$.84) per month per member will be refunded to NTEU Chapters as Chapter retiree dues.

(c) Retiree members who have been members of NTEU for fifty (50) years will be considered NTEU members for life and exempt from paying dues.

(6) Members-at-Large: \$35.00 per annum

(7) In the case of a new member, as defined in Section C of Part VII of the Bylaws, who joins during the fiscal year and elects to pay dues on a cash basis, an initial cash dues payment equal to six (6) months dues is required. The annual per capita dues will be prorated on a monthly basis for the fiscal year in which the employee becomes a member. The six (6) months initial dues payment will pay the dues for their first six (6) months of membership. A fraction of a month will be counted as a full month. Members-at-Large dues are not prorated. The full annual dues are due regardless of when the Member-at-Large becomes a member.

(8) Of the per capita payments paid in advance for the fiscal year, one dollar (\$1.00) shall be the subscription fee to the official publication of our Union, the NTEU Bulletin, and for those payments for less than a full year, four cents (\$.04) for each biweekly pay period shall be the subscription fee.

GS and Hourly Wage employees earning the same amount
 Biweekly dues = percentage of base pay for each grade and step noted

Step GS	1	2	3	4	5	6	7	8	9	10
1	0.01310	0.01272	0.01238	0.01207	0.01182	0.01168	0.1140	0.01115	0.01114	0.01092
2	0.01190	0.01170	0.01138	0.01113	0.01105	0.01078	0.01050	0.01022	0.00998	0.00979
3	0.01110	0.01080	0.01047	0.01017	0.00992	0.00970	0.00950	0.00930	0.00914	0.00899
4	0.01000	0.00975	0.00951	0.00930	0.00911	0.00895	0.00884	0.00868	0.00850	0.00833
5	0.00920	0.00900	0.00885	0.00870	0.00849	0.00830	0.00815	0.00801	0.00788	0.00722
6	0.00860	0.00839	0.00820	0.00804	0.00790	0.00771	0.00753	0.00739	0.00723	0.00709
7	0.00800	0.00782	0.00761	0.00743	0.00726	0.00711	0.00698	0.00686	0.00672	0.00659
8	0.00740	0.00720	0.00705	0.00691	0.00677	0.00661	0.00648	0.00635	0.00626	0.00617
9	0.00690	0.00673	0.00657	0.00641	0.00630	0.00620	0.00611	0.00602	0.00589	0.00576
10	0.00640	0.00629	0.00618	0.00609	0.00597	0.00582	0.00569	0.00556	0.00545	0.00536
11	0.00610	0.00596	0.00579	0.00565	0.00552	0.00541	0.00530	0.00521	0.00512	0.00504
12	0.00530	0.00519	0.00509	0.00499	0.00488	0.00478	0.00467	0.00456	0.00447	0.00438
13	0.00470	0.00457	0.00447	0.00436	0.00425	0.00414	0.00405	0.00397	0.00389	0.00381
14	0.00410	0.00400	0.00391	0.00381	0.00372	0.00363	0.00355	0.00348	0.00342	0.00336
15	0.00360	0.00351	0.00344	0.00337	0.00330	0.00325	0.00321	0.00318	0.00316	0.00313

Securities and Exchange Commission-NTEU Percentage dues rates based on bi-weekly salary.

Step Grade	1	2	3	4	5	6	7	8	9	10
1	0.01207	0.01198	0.01189	0.01180	0.01170	0.01161	0.01151	0.01141	0.01131	0.01121
2	0.01102	0.01094	0.01085	0.01077	0.01068	0.01060	0.01051	0.01042	0.01033	0.01024
3	0.01017	0.01010	0.01002	0.00994	0.00987	0.00979	0.00971	0.00963	0.00955	0.00946
4	0.00930	0.00924	0.00917	0.00911	0.00904	0.00897	0.00890	0.00883	0.00876	0.00869
5	0.00870	0.00864	0.00859	0.00853	0.00847	0.00841	0.00835	0.00828	0.00822	0.00816
6	0.00804	0.00799	0.00794	0.00788	0.00783	0.00777	0.00772	0.00766	0.00760	0.00754
7	0.00743	0.00739	0.00734	0.00730	0.00725	0.00721	0.00716	0.00711	0.00706	0.00702
8	0.00691	0.00687	0.00683	0.00679	0.00675	0.00670	0.00666	0.00662	0.00657	0.00653
9	0.00641	0.00637	0.00634	0.00630	0.00627	0.00623	0.00619	0.00615	0.00611	0.00608
10	0.00609	0.00605	0.00602	0.00598	0.00595	0.00591	0.00587	0.00583	0.00579	0.00576
11	0.00565	0.00562	0.00560	0.00557	0.00554	0.00552	0.00549	0.00546	0.00543	0.00540
12	0.00499	0.00496	0.00494	0.00491	0.00489	0.00486	0.00483	0.00480	0.00478	0.00475
13	0.00436	0.00434	0.00432	0.00429	0.00427	0.00425	0.00422	0.00420	0.00417	0.00415
14	0.00381	0.00379	0.00378	0.00376	0.00374	0.00373	0.00371	0.00369	0.00367	0.00365
15										
16	0.00337	0.00336	0.00335	0.00334	0.00333	0.00332	0.00331	0.00330	0.00329	0.00328
Step Grade	11	12	13	14	15	16	17	18	19	20
1	0.01111	0.01101	0.01090	0.01079	0.01069	0.01058	0.01046	0.01035	0.01024	0.01012
2	0.01014	0.01005	0.00995	0.00985	0.00976	0.00966	0.00955	0.00945	0.00934	0.00924
3	0.00938	0.00929	0.00920	0.00912	0.00903	0.00894	0.00884	0.00875	0.00865	0.00856
4	0.00862	0.00854	0.00847	0.00839	0.00832	0.00824	0.00816	0.00808	0.00800	0.00791
5	0.00809	0.00803	0.00796	0.00789	0.00782	0.00776	0.00768	0.00761	0.00754	0.00747
6	0.00748	0.00742	0.00736	0.00730	0.00724	0.00717	0.00711	0.00704	0.00698	0.00691
7	0.00697	0.00692	0.00686	0.00681	0.00676	0.00671	0.00665	0.00660	0.00654	0.00649
8	0.00648	0.00644	0.00639	0.00634	0.00629	0.00624	0.00620	0.00614	0.00609	0.00604
9	0.00604	0.00599	0.00595	0.00591	0.00587	0.00583	0.00578	0.00574	0.00569	0.00565
10	0.00572	0.00567	0.00563	0.00559	0.00555	0.00551	0.00546	0.00542	0.00537	0.00533
11	0.00538	0.00535	0.00532	0.00528	0.00525	0.00522	0.00519	0.00516	0.00512	0.00509
12	0.00472	0.00469	0.00466	0.00463	0.00460	0.00457	0.00454	0.00450	0.00447	0.00444
13	0.00412	0.00410	0.00407	0.00404	0.00402	0.00399	0.00396	0.00393	0.00391	0.00388
14	0.00364	0.00362	0.00360	0.00358	0.00356	0.00354	0.00352	0.00350	0.00348	0.00346
15										
16	0.00327	0.00326	0.00325	0.00324	0.00323	0.00322	0.00321	0.00320	0.00318	0.00317

Step Grade	21	22	23	24	25	26	27	28	29	30
1	0.01000									
2	0.00913									
3	0.00846									
4	0.00783									
5	0.00739	0.00732	0.00724	0.00716						
6	0.00684	0.00677	0.00670	0.00663						
7	0.00643	0.00637	0.00631	0.00625	0.00619					
8	0.00599	0.00594	0.00588	0.00583	0.00577					
9	0.00560	0.00555	0.00551	0.00546	0.00541	0.00536				
10	0.00528	0.00523	0.00519	0.00514	0.00509	0.00504				
11	0.00506	0.00502	0.00499	0.00495	0.00492	0.00488	0.00484	0.00481	0.00477	0.00473
12	0.00440	0.00437	0.00434	0.00430	0.00426	0.00423	0.00419	0.00415	0.00412	0.00408
13	0.00385	0.00382	0.00379	0.00376	0.00373	0.00369	0.00366	0.00363	0.00360	0.00356
14	0.00343	0.00341	0.00339	0.00337	0.00334	0.00332	0.00330	0.00327	0.00325	0.00322
15										
16	0.00316	0.00315	0.00314	0.00312	0.00311	0.00310	0.00308	0.00307	0.00306	0.00304
Step Grade	31									
1										
2										
3										
4										
5										
6										
7										
8										
9										
10										
11	0.00469									
12	0.00404									
13	0.00353									
14	0.00320									
15										
16	0.00303									

Federal Deposit Insurance Corporation (FDIC)
NTEU Percentage Dues Rates Based on Biweekly Salary (Effective 01/01/2004)

Corporation Grade	National Dues Percentage
1	0.01019
2	0.00955
3	0.00870
4	0.00805
5	0.00740
6	0.00670
7	0.00620
8	0.00563
9	0.00542
10	0.00494
11	0.00434
12	0.00387
13	0.00360
14	0.00339
15	0.00324

Office of the Comptroller of the Currency (OCC)
 NTEU Percentage Dues Rates Based on Biweekly Salary

Pay Band	National Dues Percentage
1	.00913
2	.00744
3	.00625
4	.00539
5	.00420
6	.00353
7	.00319

(9) The National President is hereby authorized to calculate the dues that shall be paid by (1) members in bargaining units who choose NTEU as their representative after August 2003 and who are paid different base pay rates than those that form the basis for the Chapters contained in Part I, Section 1 of NTEU's Bylaws and (2) members who are employees of agencies that may in the future implement a pay scale that is different from the pay scales that form the basis for the charts contained in Part I, Section 1 of NTEU's Bylaws. The National President shall calculate the dues of the employees described above by applying the percentages or average of the percentages established for base pay rates in this section that are the closest equivalent to the pay rates of the employees described above. Any dues calculated pursuant to the authority granted in this section shall be incorporated into a chart that shall be submitted for inclusion in Part I, Section 1 of the NTEU Bylaws at the next National Convention after the dues are calculated.

(C) Method of Payment:

(1) The per capita payments shall be made to the National Headquarters Office at the beginning of each fiscal year except for those members who are on dues withholding or who remit dues on their payroll direct debit program. The National Headquarters Office shall issue renewal bills to all members who are not on dues withholding or a payroll direct debit program at the beginning of each fiscal year. The payroll direct debit program is only available for employees excluded from coverage of Chapter 71 Title V. Retired or former employees will be permitted to pay dues on an annual basis, with payment due on October 1. All other members will be permitted to pay dues on an annual basis, with payment due on October 1, or on a quarterly basis, with payment due on October 1, January 1, April 1, and July 1 of each fiscal year. Per capita payments collected by a Chapter shall be forwarded to the National Headquarters Office.

(2) Dues withholding for members on a dues withholding program or a payroll direct debit program will be paid directly to the National Headquarters Office, which will then remit to the Chapter its share within ten (10) days.

(3) If the total (National and Chapter) amount of per capita dues for those members who are not on dues withholding is fifty dollars (\$50.00) or more, the member will receive a quarterly dues notice, with payment due on October 1, January 1, April 1, and July 1 of each fiscal year. Payment to the Chapter will be made on a prorated basis.

Section 2. Funds

Funds may be raised by annual dues as set forth in Section 1 above.

Part II — Committees

Section 1. Classification

(A) The Convention Committees shall be:

- (1) Committee on Resolutions
- (2) Committee on Credentials
- (3) Committee on Nominations and Elections

(B) No later than the Spring meeting of the National Executive Board preceding a National Convention, the Board will appoint the Chairpersons of the Convention Committees identified in A above. Appointments of Committee members will be made as set forth in Section 2 below.

(C) Special Committees: The National President may create and staff as many special committees as the National President may deem necessary to carry out the duties and responsibilities of the office, or as requested by the National Executive Board.

Section 2. Appointment of Members of Committees

The members of the Convention Committees will be appointed by the National President. The members of the Convention Committees will be selected as follows: Each National Vice President may nominate a maximum of three (3) members from within their District per Convention Committee. The National Executive Vice President may nominate a maximum of three (3) members of the organization per Standing and Convention Committee. The National President will then appoint as many members as the National President deems necessary to these Committees from the list of nominees submitted.

Section 3. Length of Service

Each committee shall serve from the date of its appointment as herein provided until the adjournment of the National Convention, which it served.

Section 4. Expenses and Reimbursement Thereof

(A) Members of the Committee on Resolutions will receive round trip transportation to the meeting of the Committee held at the convention site. They will receive per diem, as established by the National Executive Board, for the time they are in session, usually the week before the convention but not to exceed eight (8) days. The Chairperson and the Co-Chairperson of Convention Committees will receive a stipend of one hundred fifty dollars (\$150.00) in appreciation of their service. Members of these committees will receive a stipend of one hundred twenty-five dollars (\$125.00) in appreciation of their services.

(B) The Chairpersons and members of Special Committees are to be reimbursed by the Administrative Controller for necessary travel and subsistence expenses incurred while attending National Executive Board meetings, National Conventions, or in conducting any official organization business authorized by the National Executive Board or the National President. The basis for such reimbursement shall be the same as the basis for reimbursement for traveling and subsistence expenses for National Officers as set forth in Part III, Section 8 below.

Section 5. Interim Vacancies

Any vacancy occurring in a committee shall immediately be reported by the Chairperson, or by any of the other members if the vacancy arises in the office of Chairperson, to the National President. Such vacancy shall then be filled by the National President. Appointment of the Chairperson is subject to the approval of the National Executive Board.

Section 6. Duties of Committees

(A) Committee on Resolutions — Shall receive all resolutions submitted by the membership for consideration and evaluation. The Committee shall make a report to the National Convention on each resolution and its recommendations thereon.

- (1) Each person who proposes a Constitutional Amendment or Bylaw Amendment

may submit a written statement of up to two hundred seventy-five (275) words in favor of his/her resolution. Said written statements (including each person's name and chapter number) shall be printed verbatim, immediately after each respective resolution, in the Resolution Committee report to the National Convention.

(2) Notwithstanding Part II, Section 7(A)(1) above, each person who proposes a Constitutional Amendment or Bylaw Amendment may elect not to submit a written statement or may specify that his/her written statement shall not be printed verbatim, immediately after said resolution, in the Resolution Committee report to the National Convention.

(B) Committee on Credentials — The Committee shall certify the total vote entitlement of each Chapter pursuant to Part III, Section 5(A)(1)(b) and Section 5(A)(2)(b), and the Committee shall serve until all delegates have been properly accredited to the National Convention. In the event of a dispute between the Committee and a delegate as to the qualifications of the delegate, the National Convention will resolve the dispute by majority vote, which decision will be final. In no case may a telephone or telegraphic communication be accepted in lieu of certified credentials.

(C) Committee on Nominations and Elections — Shall supervise the election procedures for the office of National President, National Executive Vice President, and National Vice President, and the counting of ballots cast, including the vote on the Constitutional Amendments, and report the results thereof to the National Convention. Its duties will also include the following:

(1) Certify that the candidates for the office of National President, National Executive Vice President, and National Vice President meet the qualifications required by Section 2 of Part III of the Bylaws.

(2) Determine that the provisions of Sections 2 and 4 of Part III of the Bylaws have been complied with by those running for the office of National President, National Executive Vice President, and National Vice President.

(3) Limit nomination speeches for National President, National Executive Vice President, and National Vice President to not more than fifteen (15) minutes and seconding speeches to not more than five (5) minutes. No more than two (2) seconding speeches for any one candidate shall be permitted.

Part III — National Officers

Section 1. Designations

The National Officers of this organization shall be those as specified in Article X of the Constitution.

Section 2. Qualifications

(A) Any member of this organization may be elected to any national office.

(B) A candidate for national office must provide evidence of a continuing membership for at least two (2) years immediately prior to the candidate's election.

(C) Nominees for the office of National Vice President shall be selected from the membership of the Chapters located within the NTEU District (as set forth in Section 1 of Article IX of the Constitution) which is conducting the election for such office.

(D) No one shall be permitted to hold a position as an NTEU Chapter Officer while serving at the same time as an Officer in any other labor unions representing Federal employees.

Section 3. Terms and Posts of Duty

(A) A National President-Elect and a National Executive Vice President-Elect shall be elected every four (4) years at a regular National Convention. Each shall assume office upon installation immediately following the close of the National Convention at which elected,

serving thereafter until the installation of his/her successor. The National President's and the National Executive Vice President's post of duty will be at the National Headquarters Office in Washington, D.C.

(B) A National Vice President-Elect shall be elected for a two (2) year term at each biennial National Convention. A National Vice President-Elect shall become a National Vice President upon installation at the National Convention at which he/she was elected. The National Vice President's post of duty will be his/her post of duty with the Federal government or his/her permanent residence if a retiree of the Federal government.

Section 4. Candidates for National President, National Executive Vice President, and National Vice President

A member otherwise eligible to run for office shall become a bona fide candidate only upon self-nomination or acceptance of a nomination. Nominations must be received by the Administrative Controller no less than sixty (60) days prior to the first day of the National Convention. The Administrative Controller shall contact all nominees, other than self-nominees, in writing, within ten (10) days of the receipt of the nomination by certified return receipt mail. To become a bona fide candidate, a nominee must indicate acceptance of the nomination in writing within ten (10) days of the receipt of notice from the Administrative Controller. The Administrative Controller shall provide each candidate with a listing of all candidates running for the same position. This notification shall be within twenty (20) days after the receipt of acceptances of nomination by the Administrative Controller. A member nominated for more than one national officer position may accept nomination and become a candidate for only one office. Immediately following the expiration of the deadline for filing of intent to run, each candidate for the office of National President and National Executive Vice-President shall have the opportunity to submit an autobiographical account of no more than five hundred (500) words and a personal photograph for publication in the official NTEU publication. The editor of the official NTEU publication shall have full discretion as to the size of the photograph that is printed; however, all candidates' photographs shall be of equal size. Immediately following the expiration of the deadline for filing of intent to run, each candidate for the office of National President and National Executive Vice-President shall have the opportunity to submit material on her/his campaign flyer which shall be printed by NTEU at NTEU expense, and mailed to all certified delegates thirty (30) calendar days prior to the Convention. Denunciation of other candidates and their policies shall be limited to the campaign flyers. The Administrative Controller shall immediately, following the deadline for filing of the notice of intent to run, notify each Chapter President, within an NTEU District conducting an election for the office of National Vice President pursuant to Article XIII, Section 1 of the Constitution of each eligible candidate for that office; provided, however, that if there are at least two (2) bona fide candidates on the date of election, willing and able to assume the office, nominations may not be made from the floor.

Section 5. Elections

(A) Method—All elections of National Officers shall be by ballot, with the exception stated in 1(c) below, and will be conducted as follows:

(1) Election of a National President and National Executive Vice President:

(a) Ballots listing the names of all the candidates for these offices shall be distributed to a representative (duly certified by the Credentials Committee) of each Chapter of this organization in attendance at the National Convention. The total number of ballots distributed will be determined in accordance with the "Total Vote Entitlement" as provided in Sections 1 and 2 of Article VIII of the Constitution, each ballot representing one (1) vote.

(b) The Chapter membership as set forth in Section 2 of Article VIII of the Constitution will be determined in accordance with a "certified Member Roster" which reflects all non-furlough members as of May 31 preceding the National Convention. The Certified Member Roster shall be prepared by the Administrative Controller and submitted to each

Chapter. In addition, the Administrative Controller will submit to the Committee on Credentials a statement reflecting the total membership for each Chapter. Any discrepancies between the Certified Member Roster and Chapter records, which affect the Total Vote Entitlement must be resolved by the Credentials Committee and the Chapter delegate or delegates before ballots are distributed to such Chapter. In the event agreement cannot be reached between said Committee and the affected Chapter, the Total Vote Entitlement for such Chapter will be decided by majority vote of the National Convention.

(c) The ballots will be cast in the presence of the Nominations and Elections Committee and an observer designated by each candidate. After all ballots have been cast, they shall be counted by the Nominations and Elections Committee in the presence of the observer designated by each candidate. The candidate receiving a majority of the votes cast for the office of National President and of National Executive Vice President shall be declared elected thereto. If no candidate receives a majority of the votes cast in the first balloting, then a run-off election for such office shall be conducted immediately. In the event of a run-off election, the voting shall be on the two (2) candidates receiving the largest number of votes in the first balloting. In the event of a tie vote in the second balloting, balloting shall continue until one (1) candidate receives a majority of the total votes cast. When there is only one (1) nominee for the office of National President and of National Executive Vice President, a majority vote without ballot shall elect.

(2) Election of a National Vice President:

(a) The Chapters within each NTEU District shall elect a National Vice President-Elect as provided by Section 1 of Article XIII of the Constitution.

(b) The Administrative Controller will submit to the Committee on Credentials a statement reflecting total membership computed pursuant to Section 5(A)(1)(b).

(c) District Conferences may be held at any time, subject to a majority vote of the Chapters within a District directing that a District Conference be held.

(d) NTEU staff persons shall, directly and indirectly, stay neutral in the election of all National Vice Presidents, the National President, National Executive Vice President, and all Chapter elections.

Section 6. Successor to the National Executive Vice President

(A) If the National Executive Vice President assumes the office of National President, dies, resigns, is removed from office, or is unable to serve for any reason, the resulting vacancy shall be filled in each case by a vote of all NTEU Chapters. The total voting strength of each Chapter for this purpose will be determined in accordance with Section 2 of Article VIII of the Constitution. For purposes of Section 2 of Article VIII, total membership of the Chapter will be as of the last day of the preceding fiscal year of this organization as certified by the Administrative Controller from the records of the National Headquarters Office or as certified at the preceding National Convention if such vacancy occurs after a National Convention and on or before the last day of this organization's fiscal year.

(B) The election in (A) above will be conducted by the Administrative Controller by certified mail within sixty (60) days from the date the National Headquarters Office is notified of such vacancy. Each Chapter President may submit nominee(s) for the vacant office and must submit the names to the Administrative Controller in sufficient time to enable the Administrative Controller to conduct the election within the sixty (60) day period. If more than two (2) candidates are nominated for the office, and no candidate receives a majority of the votes cast on the first ballot, then a run-off election for such office shall immediately be conducted. In the event of a run-off election, the voting shall be on the two (2) candidates who received the largest number of votes on the first ballot. A tie vote shall be decided by a majority vote of the National Executive Board. The National Executive Vice President so elected shall serve the unexpired term of his/her predecessor.

Section 7. Successor to a National Vice President

(A) If a National Vice President dies, resigns, is removed from office, or is unable to serve for any reason, the resulting vacancy shall be filled in each case by a vote of the Chapters within the NTEU District so affected. The total voting strength of each Chapter for this purpose will be as determined in accordance with Section 2 of Article VIII of the Constitution. For purposes of Section 2 of Article VIII, total membership of the Chapter will be as of the last day of the preceding fiscal year of this organization as certified by the Administrative Controller from the records of the National Headquarters Office, or as certified at the preceding National Convention if such vacancy occurs after a National Convention and on or before the last day of this organization's fiscal year.

(B) The election in (A) above will be conducted by the Administrative Controller by certified mail within sixty (60) days from the date the National Headquarters Office is notified of such vacancy. The Chapters will determine the nominees for the vacant office of National Vice President and will submit such names to the Administrative Controller in sufficient time to enable the Administrative Controller to conduct the election within the sixty (60) day period. If more than two (2) candidates are nominated for the same office, and no candidate receives a majority of the votes cast on the first ballot, then a run-off election for such office shall immediately be conducted. In the event of a run-off election, the voting shall be on the two (2) candidates who received the largest number of votes on the first ballot. A tie vote shall be decided by a majority vote of the National Executive Board. The National Vice President so elected shall serve the un-expired term of his/her predecessor.

Section 8. Reimbursement for Traveling and Subsistence Expenses

(A) The National Officers are to be reimbursed by the Administrative Controller for necessary travel and subsistence expenses incurred while attending National Executive Board meetings, District Conferences, National Conventions, or conducting any official organization business authorized by the National Executive Board or the National President. Such reimbursement shall be made on the following basis:

(1) Each National Officer shall be allowed as reimbursement for travel expenses a sum equal to coach-class airfare passage from his/her post of duty (as defined in Section 3 of this part) to the place of the meeting and return.

(2) Each National Officer shall be allowed a daily subsistence expense in an amount to be determined by the National Executive Board at its last regular meeting prior to the National Convention, based from the time the National Officer must necessarily leave his/her post of duty to attend the meeting until the National Officer returns thereto, except that, when a portion of a day amounts to less than twelve (12) hours, he/she shall be allowed one-half (1/2) of the daily allowance for that portion. The term "daily," as used herein, means the statutory period of twenty-four (24) hours commencing at midnight.

(3) The reimbursement provided by this section shall be made by the Administrative Controller as soon as possible after the Administrative Controller is notified in writing of the total expenses incurred by the National Officer in attending the meeting and/or in conducting authorized official organization business.

(B) The Administrative Controller shall reimburse National Officers only for expenses actually incurred and accounted for.

Section 9. Conflict of Interest

The NTEU National President, National Executive Vice President, and National Vice Presidents shall for the duration of his/her term of office or appointment hold no other elected officer position within NTEU.

Part IV — Chapter Elections

Section 1. Candidates for Election

All candidates for election to any office in a Chapter and all persons who vote in a Chapter election must be a member of that Chapter; provided, however, if a Chapter authorizes the issuance of a proxy for purposes of representation at any National Convention or District Conferences, any member of NTEU is eligible to serve as a delegate from the Chapter.

Section 2. Election of Chapter Officers

All elected Chapter Officers shall be selected in the following manner:

(A) No less than thirty (30) days prior to the scheduled election, a Chapter must send each member, by first class mail, at his/her last known address, a combined Notice of Nomination and Notice of Election which shall:

(1) Identify the offices to be filled; and

(2) Provide that nominations must be submitted to the Chairperson of the Nominations and Elections Committee in writing fifteen (15) days prior to the scheduled election date; provided, however, a Chapter shall have the authority to authorize nominations and acceptance of nominations from the floor on the date of the scheduled election; and

(3) Specify the date, time and place of the scheduled election.

(B) The Chairperson of the Nominations and Elections Committee shall notify all nominees of their nominations for office.

(C) A member otherwise eligible to run for office shall become a bona fide candidate only upon his/her nomination for office and acceptance of the nomination. Acceptance of a nomination must be made in writing no later than (5) days prior to the scheduled election date, unless a Chapter has authorized nominations from the floor on the date of the election.

(D) The election shall be held on the date, time, and place specified in the Notice of Election, and the election shall be by secret ballot to be placed in boxes, unless the Chapter Executive Board has authorized the use of some standard type of election mechanical device ensuring a secret ballot by machine vote. In the alternative, a mail referendum ballot procedure may be established which will ensure that all members will receive a ballot, that an envelope is provided in which to place the ballot, that a return envelope is furnished in which to mail the ballot and which identifies the voter, that the confidentiality of the ballot is maintained, and that the ballots will be secure until counted.

(E) The candidate for each office who receives a plurality of members' votes cast for that office shall be selected thereto. Where the nominee is unopposed, there shall be no necessity for the election of such nominee, and he/she shall be declared duly elected, effective as of the conclusion of the term of the previous incumbent.

(F) The Chapter Secretary shall maintain for one (1) year all used, unused, and challenged ballots, envelopes used to mail marked ballots in the case of a mail ballot election, tally sheets, and related election documents.

Section 3. Election of Chapter Delegates to District Conferences and the National Convention

(A) A Chapter President and all Chapter Vice Presidents elected in accordance with Part IV of the Bylaws shall by virtue of such election be delegates to any National Convention or District Conference which may take place during their term of office.

(B) A Chapter Executive Board may by majority vote increase the number of delegates to attend a District Conference or the National Convention, with the maximum number of allowable delegates equal to the vote entitlement as determined by Article VIII, Section 2, and the Chapter Executive Board shall determine how many, if any, alternate delegates shall be designated. If the Chapter Executive Board determines that additional delegates and/or alternate delegates are desired, they shall be selected in accordance with Part IV of the Bylaws, provided, however, they shall be selected in descending order of votes received,

starting with the candidate receiving the highest number of votes.

(C) If the combined total of all Chapter Vice Presidents plus the Chapter President who wish to attend the Convention is greater than the vote entitlement as determined by Article VIII, Section 2, the Chapter membership shall be given the opportunity to select from among such elected officers those persons who shall act as delegates to a District Conference or National Convention with the maximum number of allowable delegates equal to the vote entitlement.

(D) If no delegates will attend a National Convention or District Conference, the Chapter membership will be given the opportunity to vote on whether or not to be represented and, if so, by whom, at a Chapter meeting held upon fifteen (15) days notice mailed to each member at his/her last known address.

(E) If the Chapter has decided to pay the expenses of a limited number of delegates, but more than that number wish to attend, the Chapter membership will be given the opportunity to select which delegates will receive reimbursement at a Chapter meeting held upon fifteen (15) days notice mailed to each member at his/her last known address.

Section 4. Challenges to Elections

(A) Any person who desires to challenge a ruling by the Chairperson of the Chapter Nominations and Elections Committee that he/she is ineligible to run for office or to vote in an election, or any member who wishes to protest the conduct of an election prior to, or subsequent to, an election, shall file such appeal in writing with the National President within ninety-six (96) hours of the election complained of, identifying the action, decision, or procedure under appeal, setting forth the reasons for the appeal, and identifying how the action has affected the outcome of the election. Upon receiving a challenge to the conduct of a Chapter election, the National President will immediately notify the Chairperson of the Chapter Nominations and Elections Committee and all elected Chapter officers and affected candidates that a challenge to the conduct of the election has been filed.

(B) The National President shall consider all evidence submitted by the complainant and by the Chapter and make such investigation as the National President shall deem necessary to ensure compliance with the implementing Department of Labor Regulations, National NTEU Bylaws, and applicable Chapter bylaws, and render a decision within sixty (60) calendar days from receipt of the protest.

(C) The member may appeal the decision of the National President, within thirty (30) days following the date of the decision of the National President, to the next meeting of the National Executive Board, whose decision shall be final and binding on all parties unless set aside by the next National Convention.

(D) An appeal to the National Convention must be filed in writing with the National President, within thirty (30) days following the date of the decision of the National Executive Board, which shall be the date the decision is mailed.

Part V — Business Procedure

Section 1. National Executive Board — Order of Business

(A) At each regular meeting of the National Executive Board as provided by Section 2 of Article IX of the Constitution, the following order of business shall be observed:

- (1) Call to Order
- (2) Roll Call
- (3) Report of National President
- (4) Report of Administrative Controller
- (5) Reports of National Vice Presidents
- (6) Report of Standing Committee

- (7) Reports of National Advisors and Legal Counsel
- (8) Unfinished Business
- (9) New Business
- (10) Adjournment

(B) The above order of business may be suspended at any time by a two-thirds (2/3) vote of the members of the National Executive Board present at the meeting. In case of a special meeting of the Board, the National President's call for the meeting shall set forth the business to be transacted and the order of it.

(C) Unless otherwise specifically provided for by the Constitution or these Bylaws, the National Executive Board shall decide any matter coming before it by a majority vote of the Board members present.

(D) A quorum for the transaction of business at any meeting of the Board shall consist of not less than one-half (1/2) of the members, or their proxies, of the Board.

Section 2. Conventions — Rules and Order of Business

(A) The rules and order of business of special and regular National Conventions shall be determined by the National Executive Board at its regular or special meeting preceding such National Convention. The rules and order of business as approved by the Board will be distributed to each delegate in attendance at the National Convention.

(B) A quorum shall exist at a National Convention when at least forty percent (40%) of the Chapters of this organization are represented by delegates certified by the Credentials Committee.

(C) Resolutions adopted by the Convention with respect to any matter shall terminate, as to their effect, upon the call to order of the next subsequent regular convention unless at the time of the adoption of the Resolution it is expressly provided that the effect of the Resolution shall be for a longer or shorter period, or unless the Resolution is rescinded.

Section 3. Chapter Treasurer

A blanket surety bond covering each Chapter Treasurer shall be provided by the Administrative Controller at a cost to each Chapter not to exceed the cost of providing the bond per annum.

Section 4. Proxies

(A) For purposes of representation at any National Convention or District Conference, a Chapter may designate by proxy any member or members of this organization elected pursuant to Part IV of the Bylaws on a form prescribed by the Administrative Controller. There shall be the statement made that the authority to issue and assign a proxy is given pursuant to a vote of the Chapter membership at a regular or special Chapter meeting, held upon fifteen (15) days notice mailed to each member at his/her last known address.

(B) A member of the National Executive Board may designate any member of this organization to attend and vote on his/her behalf at any meeting of the Board, on a proxy form approved by the Board.

Section 5. Fiscal Year

The business year of this organization shall commence at 12:01 a.m. on October 1 and end at midnight on September 30 next following.

Part VI —Miscellaneous

Section 1. Rules of Order

In the absence of any provision to the contrary in the Constitution and these Bylaws, all meetings of the National Executive Board, all meetings of Joint Councils, Chapters, committees, and National Conventions shall be governed by the parliamentary rules and usages contained in the then-current edition of Robert's Rules of Order, Revised.

Section 2. Official Statements

Memorials, resolutions, or opinions of any character whatever which conflict with the policies and objectives of this organization shall not be issued in the name of the National Treasury Employees Union.

Section 3. Amendments

(A) Amendments to these Bylaws shall be submitted to the Administrative Controller in writing for consideration by the National Executive Board. The National Executive Board will then report the recommendations of the Board to the next regular or special National Convention, which may adopt such amendments by a majority vote.

(B) Proposed Amendments to these Bylaws not submitted for consideration by the National Executive Board may be introduced at a regular or special National Convention. After introduction of the Proposed Bylaw, the Convention shall vote on whether it shall be considered. Only those proposed Bylaws receiving a three-fourths (3/4) vote of the convention shall then be considered individually.

(C) These Bylaws shall become effective midnight on the day on which they are approved by a majority vote of the delegates to the National Convention.

(D) Bylaw amendments received by the Administrative Controller shall be made available to chapter Presidents by posting to the Chapter Presidents' area of the NTEU website. Bylaw amendments received by the Administrative Controller less than ten (10) days preceding the Convention will be made available at the Convention.

Section 4. Conflict of Bylaws with Constitution

When it shall be determined by a majority vote of the National Convention that a section or sections of the Bylaws is in conflict with one (1) or more articles or sections of the Constitution, that section or sections of these Bylaws in conflict shall immediately become null and void and shall be as if it or they had never existed.

Section 5. In the absence of any provision to the contrary in the Constitution and these Bylaws, "days" shall mean calendar days.

Part VII — Definitions

In addition to their ordinary meanings, the terms used in this Constitution and Bylaws shall have the following meanings

(A) RETIREE—means any former employee of the Federal government who is retired from the Federal government and is drawing an annuity under the U.S. Civil Service Retirement System and/or the Federal Employees Retirement System.

(B) FORMER EMPLOYEE—means any former employee of the Federal government who left the Federal government before he/she was eligible for retirement.

(C) NEW EMPLOYEE—an employee who has never been a member of NTEU or who has not been a member during the twelve (12) months prior to submitting an application.

(D) MEMBER—(1) A member who is eligible for membership pursuant to Article V, Section 1 of the Constitution and who has remitted to the Chapter for remittance to the National Headquarters Office an executed cash application with the total amount of National

per capita dues payable as a cash payment on a quarterly or annual basis as set forth in Part I, Section 1 (B)(6) and (C)(1);

(2) One who is eligible for membership pursuant to Article V, Section 1 of the Constitution and is an employee or a new employee who has remitted an executed Form 1187 to the Chapter for remittance to the National Headquarters Office, with the intent to remit the total amount of national per capita dues payable pursuant to the dues withholding program.

(3) One who is eligible for membership pursuant to Article V, Section 1 of the Constitution and is an employee or a new employee who has remitted a payroll direct debit form transmitting dues to NTEU to the Chapter for remittance to the National Headquarters Office, with the intent to remit the total amount of national per capita dues payable pursuant to the dues withholding program.

(E) MEMBER-AT-LARGE—an employee of the Federal government who is employed in a department, agency, or subdivision thereof where NTEU does not hold a unit of exclusive recognition. A member-at-large is eligible to participate in all insurance programs sponsored by NTEU but is not eligible to vote in NTEU elections or receive representation from NTEU representatives.