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November 9, 2021

Ryan T. Cates, President
AFSCME Local 404
721 Grant Avenue
North Mankato, MN

Dear Brother Cates:

We have completed our review of the amendments to the Local 404 Constitution, which were submitted by AFSCME Council 5 Field Representative Annie Jakacki on your behalf. The amendments have been approved with the following exceptions and/or revisions.

1. Article IV, Section 3. We have updated the dues-rate language to reflect the local's current rate provided by staff at Council 5.
2. Article IV, Section 4. We have updated this section to comply with Article III, Section 5, of the *International Constitution*.
3. Article V, Section 3. For clarity, we have added a phrase to the quorum language you submitted to comply with Article IX, Section 17, of the *International Constitution*, which states that the quorum for every local union shall be greater than the number of voting members of the local executive board. This section now reads: "The quorum for meetings of this local union shall be as set by the International Constitution, provided that the quorum shall be at least one greater than the number of voting members on the executive board."

American Federation of State, County and Municipal Employees, AFL-CIO

TEL (202) 429-1000 FAX (202) 429-1293 TDD (202) 659-0446 WEB www.afscme.org 1625 L Street, NW, Washington, DC 20036-5687

Enclosed are two complete copies of the local constitution, as amended, with my signature of approval on the final page. Should the local amend this constitution in the future, please submit the amendments for approval after they have been adopted by the membership.

In solidarity,

A handwritten signature in black ink that reads "Lee Saunders". The signature is written in a cursive, flowing style.

LEE SAUNDERS
President

LS/NS:nd

Enclosures

cc: Mike Sukal, Director, Organizing and Field Services
Erin Young, Central Regional Director
Lisa Martin, Area Field Services Director
Julie Bleyhl, Executive Director, AFSCME Council 5
Annie Jakacki, Field Representative, AFSCME Council 5
Deb Smith, Support Specialist, AFSCME Council 5
Adam A. Castle, Recording Secretary, AFSCME Local 404

Constitution

for

St. Peter Regional Treatment Center Employees

Local 404

Article I Name

The name of this local shall be St. Peter Regional Treatment Center Employees Local Number 404 of the American Federation of State, County and Municipal Employees.

Article II Affiliations

This local shall be affiliated with the Minnesota Council Number 5 of the American Federation of State, County and Municipal Employees; the Minnesota AFL-CIO and the appropriate central body or bodies of the AFL-CIO.

Article III Objectives

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

Article IV Membership and Dues

Section 1. All employees of the state of Minnesota in the Department of Human Services in bargaining units 2, 3, 4, 6 and 7 at the St. Peter Regional Treatment Center (SPRTC) Campus, including Community Based State Operated Services, Forensic Services, Community Behavioral Health Hospital (CBHH) and Chemical Dependency Services (CARE) attached to the St. Peter Regional Treatment Center, excluding supervisory employees and MinnesotaCare eligibility representatives, are eligible for membership in this local union subject to the requirements of the Constitution of the International Union.

Section 2. Application for membership shall be made on a standard application form. Unless such form includes a valid authorization for payroll deduction of dues, the application shall be accompanied by the current month's dues.

Section 3. The monthly membership dues of this local shall be \$62.97 per member. The dues shall automatically be adjusted by the amount of International Union and Council 5 per capita tax increases in January.

Section 4. Membership dues shall be payable monthly, in advance, to the local secretary-treasurer, and in any event, shall be paid not later than the 15th day of the month in which they become due. Any member who fails to pay dues by the 15th day of the month in which they become due shall be considered delinquent, and upon failure to pay dues for two consecutive months shall lose their good standing status and stand suspended. Provided, however, that any person who is paying fees through a system of regular payroll deduction, bank draft, or similar system, shall for so long as such person continues to pay through such deduction method, be considered in good standing.

Section 5. A member suspended under the above section may be reinstated to membership upon payment of all arrearages or upon signing a membership payroll deduction card.

Article V Meetings

Section 1. Regular meetings of this local shall be held once each month, at a time and place to be fixed by the membership or the executive board.

Section 2. Special meetings may be called by the local president, the executive board, or by petition filed with the president and signed by 10% of the members of the local. Special meetings may also be called by the International President or by an authorized representative of the International President.

Section 3. The quorum for meetings of this local union shall be as set by the International Constitution, provided that the quorum shall be at least one greater than the number of voting members on the executive board.

Article VI Officers, Nominations and Elections

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

Section 2. Nominations shall be made at a regular or special meeting of the local. At least fifteen days' advance notice shall be given the membership prior to the nomination meeting. A nominating committee may be appointed or elected to make nominations, but whether or not such nominating committee is used, nominations shall be permitted from the floor at the nomination meeting. All regular elections shall be held in the month of January.

Section 3. To be eligible for office, a member must be in good standing for one year immediately preceding the election, except in the initial election held in this local; provided, however, that no retired member shall be a candidate for office. For a member who is transferred or promoted into this local from another AFSCME local, this requirement shall be satisfied if such member's combined membership in good standing in both local is one year at the time of the election.

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

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

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

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

Article VII
Duties of Officers and Executive Board

Section 1. The president shall:

- a. preside at all meetings of the local union and of the executive board.
- b. be a member of all committees except election committees.
- c. countersign all checks drawn against the funds of the local.
- d. appoint all committees and all special committees of the local, subject to the approval of the executive board.
- e. report periodically to the membership regarding the progress and standing of the local and regarding the president's official acts.

Section 2. The vice-president administration shall:

- a. assist the president in the work of the president's office.
- b. in the absence of the president or in the president's inability to serve, preside at all meetings and perform all duties otherwise performed by the president.
- c. upon approval by the executive board, be authorized to act as co-signer of checks drawn on the local funds in place of the president or the secretary-treasurer.
- d. be a member of all committees of the local and the executive board except election committees.
- e. Serve as coordinator for agreements between the local union and the appointing authority.

Section 3. The vice-president steward coordinator shall:

- a. assist the president in the work of the president's office.
- b. in the absence of the president and vice-president administration, preside at all meetings and perform all duties otherwise performed by the president.
- c. upon approval by the executive board, be authorized to act as co-signer of checks drawn on the local funds in place of the president or the secretary-treasurer.
- d. collate grievance activities of the chief stewards.
- e. be responsible for recruitment and training of stewards and advocates
- f. coordinate training activities for the local.

Section 4. The recording secretary shall:

- a. keep a record of the proceedings of all membership meetings and of all executive board meetings.
- b. carry on the official correspondence of the local, except as the executive board may direct otherwise.

- c. perform such other duties as the executive board may require.

Section 5. The secretary-treasurer shall:

- a. receive and receipt for all monies of the union.
- b. deposit all monies so received in the name of the local union in a bank or banks selected by the executive board, and money so deposited shall be withdrawn only by check signed by two authorized local union officers.
- c. prepare and sign checks for such purposes as are required by the constitution or are authorized by the membership or the executive board.
- d. prepare and submit the monthly membership report to the Council 5 and the International Union offices and see that a check is drawn in payment of the local's per capita tax each month and sent to the International Secretary-Treasurer.
- e. keep an accurate record of receipts and disbursements and shall, once each month, submit to the membership a monthly operating statement of the financial transactions of the local for the previous month.
- f. act as custodian of all properties of the local union.
- g. give a surety bond for an amount to be fixed by the executive board of the local union and at the expense of the local union and through the International Union.
- h. see that any financial reports required by the International Union Constitution to be submitted to the International Union are submitted in accordance with the International Union Constitution.

Section 6. The chief stewards shall:

- a. coordinate grievance activities and report to the vice-president.
- b. perform such other duties as the executive board may require.

Section 7. The trustees shall make or cause to be made at least semi-annually an audit of the finances of the local, including the finances concerning any health and welfare, pension, insurance or other benefit covering members of such local, and shall report to the membership on the results of such audit.

Section 8. The executive board shall be the governing body of the local union except when meetings of the local union are in session. All matters affecting the policies, aims and means of accomplishing the purposes of the local not specifically provided for in this constitution or by action of the membership at a regular or special meeting shall be decided by the executive board. The board shall meet at the call of the president or of a majority of the members of the board. A report on all actions taken by the executive board shall be made to the membership at the next following meeting. A majority of the members of the executive board shall be required for a quorum.

Article VIII
Miscellaneous Provisions

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

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

Section 3. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern this local union in all cases to which they are applicable and in which they are not inconsistent with this constitution and special rules of this local union or the American Federation of State, County and Municipal Employees.

Article IX Amendments

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

Approved by:

A handwritten signature in black ink that reads "Lee Saunders". The signature is written in a cursive style with a large, stylized initial "L".

LEE SAUNDERS
President

Approval date: November 9, 2021