

CONSTITUTION OF THE FEDERATION OF INDIAN SERVICE EMPLOYEES, LOCAL 4524, AFT, AFL-CIO

ARTICLE I NAME

This organization shall be known as the Federation of Indian Service Employees, Local 4524, AFT, AFL-CIO (FISE). The national headquarters shall be located in Albuquerque, NM.

The Federation of Indian Service Employees shall maintain affiliation with the following organizations:

- A. American Federation of Teachers (AFT). Whenever possible, FISE will send delegates to the AFT Convention.
- B. The appropriate AFT state federation. Whenever possible, the union will send delegates to the state federation convention.
- C. The state American Federation of Labor–Congress of Industrial Organizations (AFL-CIO).
- D. The appropriate Central Labor Council of the AFL-CIO.

ARTICLE II OBJECTIVES

The objectives of this organization are:

- A. To secure full trade union rights, including the rights to exclusive recognition and collective bargaining, for all employees who are eligible for membership.
- B. To advance the economic, social, and political well-being of the membership.
- C. To encourage mutual understanding and cooperation among the membership.
- D. To promote the interests of citizens who are served by the membership.
- E. To promote the effectiveness and quality of the institutions in which our members work and improve relationships between FISE and management.
- F. To promote democracy and equality in the society at large.
- G. To expose and fight all forms of racism and discrimination.

ARTICLE III MEMBERSHIP

Section 1. General

Membership in FISE shall be open to professional and nonprofessional employees of the Assistant Secretary-Indian Affairs (AS-IA), Bureau of Indian Affairs (BIA), Bureau of Indian Education (BIE), and the Office of the Special Trustee (OST), excluding supervisors and management officials. The Executive Board shall have the authority to extend membership to employees of tribal employers where FISE becomes the collective bargaining representative for such employees.

Section 2. Membership Categories

There shall be the following membership categories: Active, Associate, and Retiree.

- A. **Active Membership:** Active membership in FISE shall be open to any bargaining unit member or former employee currently on furlough or layoff who was a member of the bargaining unit in the last two calendar years. The Executive Board may make determinations regarding whether a person is currently an active member.
- B. **Associate Membership:** The FISE Executive Board may establish special categories of membership for part-time employees, per diem substitute employees, employees on unpaid leave, laid-off employees, or any other former employee who meets the criteria set by the Board.
- C. **Retiree Membership:** The Executive Board shall establish the criteria for retiree membership and the rights afforded to these members.

Section 3. Qualifications for Membership

- A. FISE will show no discrimination toward individuals on the basis of sex, creed, color, race, national origin, sexual orientation, marital status, disability, age or political activities and beliefs.
- B. Membership in FISE shall be obtained through application and payment of dues or other manner as prescribed by the Executive Board.
- C. Only persons who are current in the payment of FISE membership dues shall be considered members in good standing.

ARTICLE IV ORGANIZATION OF FISE

Section 1. Officers

The officers of FISE shall be President, Executive Vice-President and Secretary- Treasurer.

Section 2. Board Composition

- A. The Executive Board will be comprised of the President, Executive Vice-President, and Secretary-Treasurer.
- B. The Board will be comprised of the President, Executive Vice-President, and Secretary-Treasurer, and one Division Representative from AS-IA, BIA, BIE and OST.

Section 3. Stewards and Regions

- A. The members at each worksite shall hold membership meetings, as necessary, to address issues related to their worksite.
- B. The members at each worksite shall elect as many stewards as are permitted by the collective bargaining agreement. Only FISE members are entitled to vote for their steward(s) at the worksite. The stewards' obligations are enforcement of the contract at the worksite, grievance processing, addressing members concerns and building the membership of FISE.
- C. The stewards in each region will elect a regional delegate and alternate to the FISE Convention.
- D. The following regions are based on geographic boundaries in the BIA Contract, but shall apply to all members for purposes of representation at the FISE Convention:
 - Alaska
 - Eastern (Tennessee, Mississippi, North Carolina)
 - Eastern Oklahoma (E. OK Regional Office; Chickasaw Agency, Okmulgee Field Office; Miami Field Office, Talihina Agency; Wewoka Agency; Osage Agency)
 - Great Plains (North Dakota, South Dakota; Nebraska)
 - Midwest (Minnesota, Wisconsin)
 - Navajo Reservation
 - Northwest (Idaho, Montana, Oregon, Washington)
 - Pacific (California)
 - Rocky Mountain (Montana, Wyoming)
 - Southern Plains (Kansas; Pawnee OK Agency; Concho Agency, OK; Anadarko, OK)

- Southwest (New Mexico – excluding Navajo Reservation)
- Western (Nevada; Arizona & Utah – excluding Navajo Reservations)
- Washington, DC. (District of Columbia, Virginia)

Section 5. FISE Convention

- A. The FISE Convention will be convened bi-annually during the second quarter of the year at a time and location determined by the Executive Board.
- B. The delegates to the FISE Convention shall be:
 - i. Elected delegates from each Region.
 - ii. Officers and the FISE Executive Board.
- C. The voting strength of delegates shall be based on the number of members in each Region.
- D. For purposes of the FISE Convention, the membership totals for each Region shall be the number of members 60 days prior to the start of the FISE Convention.

**ARTICLE V
DUTIES OF OFFICERS
AND REPRESENTATIVES**

The officers of FISE shall be President, Executive Vice-President and Secretary- Treasurer. The President, Executive Vice-President and Secretary-Treasurer shall be delegates to the AFT Convention.

Section 1. Duties of the President

It shall be the duty of the President to:

- A. Execute the policies of the organization as determined by the Executive Board and Board.
- B. Act as spokesperson for FISE.
- C. Preside over all meetings of the Executive Board and Board.
- D. Call regular and special meetings of the Executive Board and Board.
- E. Direct the Elections Committee to conduct special elections to fill officer vacancies only if the vacancy occurs during the first year of the vacating officer’s term.

- F. Maintain regular communication with other officers, stewards, representatives and staff.
- G. Automatically be a delegate to the FISE Convention.
- H. Fulfill other duties as the office requires and as are consistent with this Constitution and policies approved by the Executive Board and Board.
- I. Receive, respond to, and report correspondence of the organization.
- J. Be a co-signatory for financial matters.
- K. The President shall appoint any qualified individual to the positions of Executive Vice-President and Secretary Treasurer should such office become vacant prior to the expiration of the elected term of office.
- L. Employ all professional, technical, clerical and support staff of the organization and negotiate contracts for such employees with their collective bargaining representative.

Section 2. Duties of the Executive Vice-President

The Executive Vice-President shall:

- A. Assume duties and responsibilities of the President in his or her absence.
- B. Automatically be a delegate to the FISE Convention.
- C. Maintain regular communication with other officers, stewards, representatives and staff.

Section 3. Duties of the Secretary-Treasurer

The Secretary-Treasury shall:

- A. Record and maintain accurate minutes of the Executive Board meetings.
- B. Distribute recorded minutes to Executive Board members and post on the FISE website within 2 weeks of each meeting's adjournment.
- C. Maintain regular communication with other officers, stewards, representatives and FISE staff.
- D. Review all received, recorded and deposited dues payments and other income in the name of the FISE.
- E. Maintain accurate membership records.

- F. Be authorized to co-sign financial documents and make regular and usual disbursements of funds in the absence of the President or Executive Vice-President.
- G. Prepare an annual report and distribute to the FISE membership.
- H. Ensure the Executive Director arranges for an independent audit of finances of FISE annually by an outside auditing firm and make the audit available to the Executive Board and membership.
- I. Automatically be a delegate to the FISE Convention.

Section 4. Duties of the Division Representatives (AS-IA, BIA, BIE, OST)

The Division Representatives shall:

- A. Oversee and coordinate issues relevant to collective bargaining, grievances and organizing.
- B. Maintain regular communication with the officers, representatives and stewards and bring issues of concern to the attention of the Executive Board.
- C. Automatically be delegates to the FISE Convention.
- D. Attend site visits to assigned regions, schedule steward training, ensure grievances are filed as appropriate, nominate Stewards and Chief Stewards to President.

Section 5. Duties of the Executive Director

The Executive Director shall be responsible and accountable to the President, and shall perform the duties and responsibilities as delegated by the President. Other duties shall be to:

- A. Supervise, administer and coordinate the professional, financial and other activities of FISE, including executing professional services contracts on behalf of FISE.
- B. Direct FISE staff in accordance with policies and procedures authorized by the FISE Convention, Executive Board, or the President.
- C. Serve as a non-voting participant of the FISE Convention and Executive Board.
- D. Be the custodian for all documentary and archival records related to all official business of FISE, including but not limited to affiliation agreements, affirmative action programs, employment contract and other contracts, charters, trust instruments, legal instruments and lists of members.
- E. Have responsibility for the supervision and day-to-day assignment of staff employees.
- F. Manage release time activity and hours.

G. Act as chair of the disciplinary committee without voting rights.

**ARTICLE VI
EXECUTIVE BOARD and BOARD**

Section 1. Meetings.

- A. The Executive Board and Board shall hold four (4) quarterly meetings per calendar year. Meetings may be conducted by teleconference.
- B. Ten (10) business days' notice shall be given prior to any regular meeting of the Executive Board and Board.
- C. Special meetings of the Executive Board may be called by (i) four (4) of its members, (ii) the President or (iii) the Executive Director. A special meeting of the Executive Board may be called upon three (3) business days notice and may be conducted by teleconference.
- D. Agenda items must be submitted by Executive Board members to the President at least ten (10) business days prior to the regular meeting.
- E. FISE members may recommend items for the Executive Board agenda in writing to the President at least ten (10) business days prior to the meeting.
- F. A majority of the Executive Board shall constitute a quorum for a duly called meeting.
- G. Accurate meeting minutes shall be made by the Secretary-Treasurer or a designee and shall be maintained at FISE headquarters. The minutes of Executive Board meetings shall be posted on the FISE website within two (2) weeks of the meeting.
- H. Voting on motions by the Executive Board shall be by voice vote except in cases when there is not a discernable majority in favor or against a proposed item. In such circumstances, there shall be a roll call vote to determine the passage or rejection of the proposed item.

Section 2. Duties:

The Executive Board shall:

- ~~A. Establish salary, benefits and expense reimbursement guidelines.~~

- B. Ensure that all organizational documents and legally required reporting and disclosure items are filed with the appropriate governmental organization. Copies shall be maintained at the FISE office.
- C. Fill vacancies in offices when vacancy occurs within one year of the next regularly scheduled FISE officers election.
- D. Adopt administrative guidelines and policies and ensure adherence to and enforcement of the FISE Constitution.
- E. Determine issues related to jurisdiction of FISE bargaining units.
- F. Determine dues of FISE associate members.
- G. Be empowered to make contracts and incur liabilities including the purchase of services, equipment and real property, to borrow money, to secure such obligations by mortgage or other instrument, and to otherwise engage in financial transactions to the extent permitted by applicable law or statute. The Executive Board shall have the power to sue, complain and defend on behalf of the membership.

The Board shall:

- A. Identify priorities and proposals for collective bargaining.
- B. Develop priorities and strategies for organizing, legislative, political and community outreach activities.
- C. Develop policies concerning the duty of fair representation.
- D. Issue regular reports, including an annual report, to the membership.
- E. Recommend agenda items for the Executive Board meetings and the Convention.
- F. Approve the annual budget for the fiscal year, (July 1 to June 30).

ARTICLE VII FISE CONVENTION

Section 1: Powers and Duties of the FISE Convention

The Convention shall:

- A. Be the final authority of FISE and establish general policies, implement programs of the organization, and act on other business as necessary.
- B. Determine the validity of the credentials of contested delegates and alternates.

- C. Adopt an Order of Business and Rules of Procedure for its operation.
- D. Require and receive reports from the Executive Board members.
- E. Adopt legislative, organizing and community outreach programs.
- F. Recommend proposed amendments to the FISE Constitution.

Section 2: Procedures

- A. The FISE Convention will be convened bi-annually during the second quarter of the year at a time and location determined by the Executive Board.
- B. The agenda for the Convention will be posted on the FISE website at least forty-five (45) days prior to the meeting.
- C. A parliamentarian will be appointed by the President and will be present at all sessions of the Convention.
- D. An accurate record of the proceedings shall be made and these records will be maintained at FISE headquarters.
- E. Except as otherwise provided for in this Constitution, roll call votes on any matter before the Convention shall be required if a motion for roll call vote is supported by one-third of the representatives present at the time the motion is voted upon.

**ARTICLE VIII
ELECTIONS**

Elections for officers and delegates shall be conducted in accordance with the requirements of the AFT Constitution and the Labor Management Reporting and Disclosure Act.

Section 1. Election Committee

- A. The Executive Board shall appoint an Election Committee consisting of three (3) members from among the membership of the organization. If any member of the Elections Committee shall be nominated for FISE office, that member shall be replaced by the President.
- B. The Election Committee will be responsible for setting election timelines and procedures and determining eligibility for office, eligibility to vote, standards for election conduct, and procedures for mailing of campaign material.

- C. The Election Committee will select a Chairperson who is authorized to communicate the official policies of the Committee and who is the person to whom all inquiries or complaints about election conduct should be directed. Members are encouraged to bring their concerns to the Committee as they occur so that any problems may be remedied prior to the election.
- D. The Election Committee is empowered to investigate and resolve any issues related to the election of officers.
- E. Questions and complaints about election procedures or candidate conduct will be presented to the Election Committee chair, who may issue clarifications, directives and instructions to the candidates or the membership.
- F. Challenges and objections to the elections must be submitted in writing, with a statement of supporting reasons and facts, to the Elections Committee within five (5) business days of the count. The Elections Committee shall issue its written opinion regarding the objections no later than ten (10) business days after receipt of such objections.

Section 2. Third-Party Election Agency

- A. The Executive Board will select an independent election agency, either public or private, to conduct the FISE election, including mailing the election notice, notice of nominations, mailing ballots, collecting ballots and counting ballots.
- B. The election agency shall send a written notice and schedule of nominations and elections to the last known, home mailing address of each member in good standing.
- C. Upon the completion of nominations, the election agency shall send a secret ballot to the last known, home address of each member in good standing.
- D. Completed ballots shall be due at the address designated on the return envelope no later than thirty (30) days from the date of the initial mailing of the ballots in order to be counted.
- E. The election agency shall conduct the vote count and notify the candidates and the membership of the results.
- F. A simple majority of votes cast shall determine the winner.

Section 3. Nominations

- A. Members in good standing from all regions must be given suitable opportunity to nominate candidates for FISE offices and delegates to the AFT Convention.
- B. Only Active members in good standing from the appropriate division may nominate and elect the Division Representative for AS-IA, BIA, BIE and OST.

- C. Only stewards from the appropriate region may nominate and elect the regional delegates and alternates to the FISE Convention.
- D. To be nominated for office, an individual must be an active member in good standing for at least six months preceding the final date for nomination eligibility and must have served in the capacity of Regional Representative for at least one (1) year.
- E. An active member in good standing may be nominated for office by written petition of two members in good standing accompanied by the signature of the person nominated indicating his or her willingness to stand for election.

Section 4. Election Timeline and Term of Office

- A. Elections shall be conducted in even-numbered years.
- B. Nominations for officers and delegates shall be conducted in March.
- C. The mail-ballot election shall commence no later than May 1 and ballots shall be counted no later than May 31.
- D. Term of office is three years beginning on July 1 after the election and ending three years later on June 30 in the year of the FISE election of officers.

**ARTICLE IX
DISCIPLINARY PROCEDURES**

Section 1. Discipline

Officers, Executive Board members, and members may be subject to disciplinary action including a fine, suspension or removal from office, and/or suspension or expulsion from membership for cause, which shall be limited to demonstrable failure to perform constitutional or assigned duties, engaging in activities that undermine the objectives of the organization, or engaging in activity that is contrary to this Constitution or policies of the organization.

An Executive Board member will be removed from office if they fail to attend three (3) consecutive meetings of the Executive Board without providing prior written notification to the Executive Board.

Any member against whom charges are made shall have the right to due process, including written notice of the charges, the right to a hearing, the opportunity to present testimony and witnesses, the right to confront the accuser, and representation by any FISE member of his/her own choosing.

Section 2. Disciplinary procedures.

Any disciplinary action shall be subject to the following procedure:

Charges shall be brought by a member of the Executive Board acting on behalf of a member in good standing. The charge shall be presented in writing with supporting documentation to the Executive Board. Charges must be brought within sixty (60) calendar days of the alleged conduct.

- A. If there is evidence to support a disciplinary charge, a Disciplinary Committee shall be formed consisting of three (3) members. The charged party and the charging party shall not be part of the Disciplinary Committee.
- B. The Disciplinary Committee shall conduct an investigation, convene a hearing, and provide the charged party with an opportunity to appear and reply to charges and present evidence.
- C. A decision to discipline the charged party shall require a two-thirds (2/3) vote of the Disciplinary Committee. The decision of the committee is effective immediately and shall be in force pending any appeal.
- D. A disciplinary action may be appealed to the next Executive Board meeting and may be overturned by a two-thirds (2/3) vote of its members.
- E. A disciplinary action may be appealed from the Executive Board to the next FISE Convention. A member of the Disciplinary Committee shall present the disciplinary decision and the charged individual (or their representative) shall have equal time to respond. Thereafter, the delegates shall vote “yes” or “no” to approve the decision of the Disciplinary Committee. A simple majority vote shall prevail.
- F. If the appeal is granted, charges arising from the same events may not be reinstated against the individual.

ARTICLE X REVENUE

The membership dues of this organization are established at 1.16 percent base pay, plus mandated increases in required affiliation fees, including the AFT, state federation and AFL-CIO local and state affiliates, and insurance premiums.

ARTICLE XI RULES OF ORDER

The most recent edition of Robert’s Rules of Order shall govern all meetings of all duly constituted bodies of the organization, except as otherwise provided for in the Constitution.

ARTICLE XII AMENDMENTS TO THE CONSTITUTION

- A. An amendment to the Constitution may be proposed by:
 - 1. Three-fourths (3/4) of the Executive Board.
 - 2. A written petition of ten percent (10%) of the membership submitted to the Secretary-Treasurer.
- B. Proposed amendments to the Constitution shall be publicized to the membership by all regular means of communication ninety (90) days prior to the FISE Convention.
- C. The FISE Convention shall vote to adopt the revised constitution at the conclusion of discussion on the proposed amendments. A two-thirds (2/3) majority of votes cast shall be required for passage.

This Constitution was adopted by the membership on 21st day of
June 2012.

Federation of Indian Service Employees, AFT Local 4524

President

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