NATIONAL CONSTITUTION & BY-LAWS
OF THE
NATIONAL ASSOCIATION
OF
GOVERNMENT EMPLOYEES

Adopted at the 2026 National Convention
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PREAMBLE

We who are employed by the Governments of the United States or Canada, or by the political subdivisions thereof or therein, or by any other business enterprise therein, do pledge ourselves to improve the general welfare of all employees, their families, and their dependents, and as almost every improvement in the condition of working people has been accomplished by the efforts of organized labor, and in the interest of a higher standard of citizenship, do ordain and establish these By-Laws and Constitution of the National Association of Government Employees.

MISSION STATEMENT

We are the National Association of Government Employees (NAGE), an organization of members united by the belief in the dignity and worth of workers and the services they provide and dedicated to improving the lives of workers and their families and creating a more just and humane society.
We are public workers (federal, state, county, and municipal), police officers, firefighters, correctional officers, health care workers (nurses, paramedics, and emergency medical technicians), office workers, professional workers, and allied workers. We seek a stronger union to build power for ourselves and to protect the people we serve.

We are people of every race, ethnicity, national origin, religion, age, physical ability, gender, gender identity, and sexual orientation, we are the standard-bearers in the struggle for social and economic justice begun nearly half a century ago by shipyard workers who dared to dream beyond their daily hardships and to organize for economic security, dignity, and respect.

Our vision is of a society:

Where all workers and their families live and work in dignity.
Where work is fulfilling and fairly rewarded.
Where workers have a meaningful voice in decisions that affect them.
Where workers have the opportunity to develop their talents and skills.
Where the collective voice and power of workers are realized in a democratic and progressive union.
Where union solidarity stands firm against the forces of discrimination and hate and the unfair employment practices of exploitative employers.
Where government plays an active role in improving the lives of working people.

To achieve this vision:

We must bargain contracts that improve wages and working conditions, expand the role of workers in workplace decision-making, and build a stronger union.
We believe our strength comes from our unity, and that we must not be divided by forces of discrimination based on gender, race, ethnicity, national origin, religion, age, physical ability, sexual orientation, or immigration status.
We believe our power and effectiveness depend upon the active participation and commitment of our members, the development of our leaders, and solidarity with each other and our allies.
We must organize the unorganized.
We must build political power to ensure that workers' voices are heard at every level of government to

create economic opportunity and foster social justice.
We must provide meaningful paths for member involvement and participation in strong, democratic unions.
We must develop highly trained and motivated leaders at every level of the union who reflect the membership in all its diversity.
We must build coalitions and act in solidarity with other organizations who share our concern for social and economic justice.
We must engage in direct action that demonstrates our power and our determination to win.
To accomplish these goals we must be unified, inspired by a set of beliefs and principles that transcends our social and occupational diversity and guides our work.
We believe we can accomplish little as separate individuals, but that together we have the power to create a just society.
We believe unions are the means by which working people build power, by which ordinary people accomplish extraordinary things.
We believe we have a special mission to bring economic and social justice to those most exploited in our community, especially to women, minority groups, and workers of color.
We believe our future cannot be separated from that of workers in other parts of the world who struggle for economic justice, a decent life for their families, peace, dignity and democracy.
We believe unions are necessary for a democratic society to prevail, and that unions must participate in the political life of our society.
We believe we have a moral responsibility to leave the world a better place for our children and everyone's children.

ARTICLE I

NAME AND OFFICE

SECTION 1.
This organization shall be known as the National Association of Government Employees affiliated with Service Employees International Union and may also be referred to as SEIU/NAGE Local 5000, NAGE, or the National Union.

SECTION 2.

The National Union shall maintain its headquarters at the place designated by the National Executive Board.

ARTICLE II

OBJECTIVES AND PURPOSES

The objectives and purposes of this National Union shall be to benefit its members and improve their conditions by every means, including but not limited to:

A. Securing economic advantages, including better wages, hours, and working conditions, through organizing, collective bargaining, legislative and political action, and the utilization of other lawful means;

B. Organizing and uniting in this National Union all working men and women eligible for membership herein;

C. Engaging in all such civic, social, political, legal, economic, cultural, educational, charitable, and other activities, whether on local, national, or international levels, as will advance this National Union's standing in the community and in the labor movement and further the interests of this organization and its membership, directly or indirectly;

D. Advancing and strengthening the rights of working men and women to bargain collectively;

E. Providing benefits and advantages to individual union members, officers, and employees through education, training, access to new technology, pensions, health and welfare, and death benefits;

F. Helping Local Units share experiences, pool resources, learn from each other’s best practices, and be accountable to each other;

G. Cooperating with and assisting, by moral, monetary or other means, other labor organizations, whether or not affiliated with this National Union, or any other groups or organizations, having objectives which are in any way related or similar to those of this National Union, or which are of a nature beneficial to this National Union or to its members, directly or indirectly;

H. Strengthening and safeguarding this National Union by every lawful means so that it may carry out its purposes, objectives and obligations;

I. Utilizing, in every lawful way, including but not limited to every kind of use, expenditure and investment, the property and funds of this National Union, in order to achieve its purposes and objectives and perform its obligations, and for such other purposes directly or indirectly furthering the interests of this National Union and its members.

ARTICLE III

ORGANIZATION

SECTION 1.
The National Association of Government Employees shall be organized for purposes of identification by Local Units. The National Executive Board may establish Local Units in the territorial Commonwealths and insular possessions of the United States and Canada, and shall designate the divisions under which they shall be assigned.

SECTION 2.
Local Units consisting of law enforcement personnel shall have a Division under this Constitution and By-Laws, known as the *International Brotherhood of Police Officers (IBPO)*; Locals consisting of personnel employed by correctional institutions shall have a Division known as the *International Brotherhood of Correctional Officers (IBCO)*; Locals consisting of personnel employed by federal, state, county, and municipal governments shall be *NAGE Locals*; and Locals consisting of personnel employed as EMTs, paramedics, and other related emergency response employees shall have a Division known as the *International Association of EMTs and Paramedics (IAEP)* and/or a National EMS Division (*NAGE EMS*).

SECTION 3.
The National Executive Committee is empowered to create any Divisions, charter new Local Units, and change or eliminate the existing Divisions to accurately reflect the membership of the National Union consistent with the National Union's jurisdiction. In addition, the National Executive Committee shall have the authority to approve the merger or consolidation of any Division of the National Union.

SECTION 4.
The SEIU Code of Ethical Practices and Conflict of Interest Policy is incorporated herein by reference. (Code may be viewed at www.nage.org)

ARTICLE IV

LOCAL UNITS

SECTION 1.
The National President, with the approval of the National Executive Committee, may charter Local Units and amend charters of this organization within any United States or Canadian political subdivision or private sector enterprise.

SECTION 2.
Those who desire to form a Local Unit shall make an application to the National President. The National President with the National Executive Committee shall review such application, and upon their approval, the Charter Members will be notified by the National President.

SECTION 3.
Each Local Unit shall bear a number assigned by the National Executive Committee.
Each Local Unit will be assigned to a Division.

SECTION 4.
Each authorized Local Unit shall adopt as its Constitution and By-Laws, the Constitution and By-Laws of the National Association of Government Employees, unless such Local Unit notifies the National Executive Committee of its intention not to adopt the National Constitution and By-Laws and forwards to the National President a Constitution and By-Laws for approval by the National Executive Committee that has been adopted by the Local Unit and is consistent with the National Constitution and By-Laws. In the event that the Local Unit's Constitution and By-Laws are silent or in conflict with the National Constitution and By-Laws, the National Constitution and By-Laws shall prevail.

SECTION 5.
Members shall not be eligible for election to Local Unit office unless they have been members in good standing for one continuous year prior to the date nominations open. Any candidate who does not meet this requirement may seek a waiver from the National President in order to be eligible to run for Local Unit office. This Section is not applicable for the first election of newly Chartered Locals.

SECTION 6.
Each Local Unit shall elect a President, one or more Vice Presidents, a Treasurer, and such other officers as they shall deem advisable from the membership of the Local Unit. These Officers shall constitute the Local Unit Executive Board. Each Local Unit shall establish a quorum, but in no case shall the quorum be fewer than fifty percent (50%) of the Executive Board. Each Local Unit shall have a Grievance Committee that is either elected by the Local Unit or appointed by the Local President with approval of the Local Executive Board. Members may not run for or hold more than one (1) Local Unit Officer position at a time without receiving a waiver from the National President.

SECTION 7.
All officers of a Local Unit shall be elected by a plurality vote of the membership participating in the election who are eligible to vote. The election shall be by secret ballot not less than once every three years. Absentee ballots may be permitted subject to the regulations of the U.S. Department of Labor.

SECTION 8.
To be eligible to vote in any Local Unit election, a member in good standing must be paying dues before the close of the nomination period, unless Local Unit By-Laws provide otherwise. Where a Local Unit represents members who work an irregular, casual, on-call, or non-recurring schedule, such members shall be eligible to vote in any Local Unit election if they are in good standing before the close of the nomination period and have made at least one dues payment within the thirty (30) days immediately preceding the close of the nomination period.

SECTION 9.
No less than fifteen days prior to an election, notice thereof shall be mailed to each member's last known home address or, where allowed by applicable law, emailed to each member, or both. A reasonable opportunity shall be given for the nomination of candidates and every member in good standing shall be eligible to be a candidate and to hold office and shall have the right to vote for or otherwise support the candidate of their choice, without being subject to penalty, discipline or improper interference or reprisal of any kind by the Local Unit or by any member thereof. Each member eligible to vote shall be entitled to one vote. Members whose dues have been withheld by an agency pursuant to their voluntary authorization shall not be declared ineligible to vote or to be a candidate for office by reason of alleged delay or default in the payment of dues. The foregoing protection shall not apply to any member who has failed to make reasonable arrangements for the direct payment of dues following the termination of dues checkoff by their employer. The votes cast shall be counted; the results published separately. The ballots and records pertaining to the election shall be preserved for three (3) years. No monies received by way of dues, assessments, or similar levies, and no other items of value, including National Union or Local Unit email systems, letterhead or logos, member email lists, or other assets, shall be used to promote the candidacy of any person in an election. However, such assets may be utilized for notices, factual statements of issues not involving candidates, and other expenses necessary for the holding of an election. No member may utilize the email system and/or any communication system owned, maintained, and/or operated by the employer to promote the candidacy of any person in an election when prohibited by the employer.

SECTION 10.
The current officers of a Local Unit shall serve until the installation of their newly-elected successors, which shall occur no later than fifteen (15) calendar days after the date of the election, unless Local Unit by-laws state otherwise or the National President determines pursuant to the authority granted under Articles VII, section 4(A)(ii), that a delay is appropriate in the interest of the Local. An office shall be considered vacant upon creation of the office, death, discharge, resignation, loss of good standing, or removal of an officer from the bargaining unit. In the absence of applicable Local Unit by-laws, the National President shall have the authority to appoint, with approval by a majority vote of the National Executive Committee, a member to fill any vacancy for the remainder of the term of office.

SECTION 11.
All Local Units shall have at least one general membership meeting annually. Local Units**,** upon written approval of the National President, shall be authorized to provide stipends to local officers and stewards.

SECTION 12.
A Local Unit financial report, including supporting data, shall be presented at every Local Unit meeting.

SECTION 13.
The National President or the National President's designee may assist Local Units in conducting Local Unit elections upon written request to the National President from the Local Unit. No assistance shall be rendered without prior approval of the National President or the National President's designee.

SECTION 14.
The National President shall have the authority to order a secret mail, email, or online ballot election if a Local Unit has failed to hold an election under its By-Laws, or beyond its three (3) year term limit. Written requests for timely Local Unit elections must be addressed to the National President.

SECTION 15.
Records of the Local Units, including: bank statements, financial records, checks, correspondence, grievances, grievance records, notes and minutes of official meetings, shall be maintained for six (6) years from the end of the most recent fiscal year. Election records shall be maintained for three (3) years. All records shall be turned over to the duly elected president or the president's designee upon succession to office.

SECTION 16.
Members are responsible for keeping the Local Unit informed of their current name, mailing address, email address, and telephone number. The National Union and the Local Unit may each rely, in good faith, on the last known contact information provided by either the member or employer for purposes of all official communications, including but not limited to notices of meetings, nominations, elections, and other matters, as permitted by applicable law.

SECTION 17.
For Local Units impacted by government action limiting collective bargaining rights or an employer's action in response thereon:

A. Local Unit(s) may be chartered for a consolidated group of members of local units whose charters have been suspended or dissolved. Where the National President determines it is in the members' best interest, the National President may, upon reasonable notice, transfer members in good standing from a Local Unit whose charter has been suspended or dissolved to the applicable group without interruption or the requirement of a new membership application. As applicable, Local Units established pursuant to this subsection shall conduct their affairs in compliance with these National Constitution and By-Laws, and members in good standing of such locals established are full members with all applicable rights. The National President may transfer members to their original Local Unit upon a determination that the original Local Unit can resume operations, without requiring a new membership application.

B. The removal of an officer from a certified bargaining unit shall not create an automatic vacancy in local unit office. Officers of local units whose bargaining rights have been so eliminated or suspended, and who otherwise remain in good standing, remain eligible for local office, subject to the applicable provisions of the National Constitution and By-Laws.

C. Otherwise eligible individuals who have lost collective bargaining rights and are removed from a bargaining unit retain their eligibility for membership, subject to such limitations or conditions as the National President may determine consistent with the National Constitution and By-Laws.

D. A member whose dues payment is interrupted solely by reason of cessation of dues checkoff by their employer shall not automatically lose good standing, provided the member makes reasonable arrangements for the direct payment of dues within such period as the National President may establish.

ARTICLE IVA

THE HANDLING OF GRIEVANCES

SECTION 1.
Bargaining unit employees represented by the National Association of Government Employees (hereinafter Grievant(s)) shall have the following rights and shall employ the following remedies under the provisions of these Constitution and By-Laws if they believe the Local Grievance Committee has acted improperly in handling a grievance under the Collective Bargaining Agreement.

SECTION 2.
Grievants, upon receiving written notification via regular or electronic mail from the Local Unit Grievance Committee that the Committee has determined either to (1) reject the grievance; (2) settle the grievance; or (3) decline to further process the grievance, shall take the following action to protect their rights:

A. Step One – The Grievant shall, within seventy-two (72) hours of notification of the Local Unit Grievance Committee's action complained of, notify at least one member of the Local Unit Grievance Committee, in writing, that the Grievant appeals the Committee's decision to the National President. **The Local Unit shall immediately take the required action to protect the Grievant's rights under the Collective Bargaining Agreement by proceeding to the next step of the Grievance Procedure.**

B. Step Two – The Grievant must notify the NAGE Office of General Counsel, in writing by registered, certified, or overnight mail service within five (5) calendar days following the decision of the Local Unit Grievance Committee, that the Grievant appeals the Local Unit Committee's decision. An appeal is considered timely if placed in the mail within five (5) calendar days of the decision, as shown by an official postmark of the U.S. Postal Service. Appeals shall be mailed to:

Office of General Counsel
National Association of Government Employees
159 Burgin Parkway
Quincy, Massachusetts 02169-4213

(a) Such appeal shall set forth a complete narrative as to the facts in support of the grievance, a copy of the Collective Bargaining Agreement, the decision of the Local Unit Grievance Committee and whatever documents are reasonably necessary for an understanding of the case.

(b) The Appeal will be decided by the National President or National Officer duly designated to act by the National President.

(c) The National President or duly designated National Officer shall schedule and conduct a hearing if necessary on the Grievant's Appeal as soon as is administratively possible.

(d) The National President or duly designated National Officer, at their sole discretion, may (1) render a decision conducting whatever investigation deemed necessary, (2) decide the matter on the record created by the Local Unit, or (3) refer the matter for decision to the National Executive Committee.

(e) The National President or duly designated National Officer may, at any time, (1) order the Local Unit Grievance Committee to take all steps necessary to protect the Grievant's rights under Grievance Procedure pending the decision under (d) above, or (2) if the final decision is in favor of the Grievant, the National President or National Officer shall order the Local Unit to take whatever actions the National President or National Officer deems necessary under the Collective Bargaining Agreement. Arbitration of termination cases so decided pursuant to this Article will be paid for by the National Union.

SECTION 3.
Local Unit members who believe their grievances have been improperly handled by their Local Unit Grievance Committee or other authorized local bargaining agent shall, without exception, employ the remedies and procedures contained herein. Complainants shall not be entitled to enforce or present their claims against the National Union or its Local Unit subordinate in any court or other administrative body without first exhausting these internal procedures, except where the internal processes of the National Union or its Local Unit have exceeded a four-month lapse of time.

Where the internal processes of the National Union, or its Local Unit have exceeded a four-month lapse of time, the Local Unit or member or officer thereof or officer of the National Union against whom charges have been brought and disciplinary action taken as a result thereof or who claims to be aggrieved as a result of adverse rulings or decisions rendered may file a complaint (if applicable) with the National Labor Relations Board in accordance with Section 101(a)(4) 1 of the Labor-Management Reporting and Disclosure Act (LMRDA).

SECTION 4.
Where there is no statutory duty to represent bargaining unit employees, or no collective bargaining agreement is in effect covering the employees at issue, the provisions of this Article shall not apply.

ARTICLE V
ELIGIBILITY TO MEMBERSHIP

SECTION 1.
A. Subject to the provisions of this Article, individuals shall be eligible for membership in this organization who are (i) employed by the governments of the United States or Canada, or the political subdivisions thereof or therein, or by any business enterprise therein; and (ii) pays all dues and maintains their dues on a current basis with the National Union.

B. Membership is only open to a person employed in a bargaining unit represented by the National Union, members and employees of a body affiliated with the National Union by written agreement, or any person employed by or providing service as a staff member or as an elected officer of the National Union.

C. A member who fails to pay dues shall lose good standing without a union trial or without notice. Any request for reimbursement for overpayment of dues shall be limited in scope to the current fiscal year.

D. A member on dues check-off who has no earnings from which dues can be withheld is responsible for paying dues directly to the National Union in order to remain in good standing.

SECTION 2.
Good standing is defined as continuous, timely payment of all dues owed to the National Union. A member shall have the opportunity to maintain good standing status for the purpose of being a candidate for elected union office by paying all back dues owed within fifteen (15) days of the close of any nomination period. It is the responsibility of the member to maintain good standing.

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

SECTION 4.
No person may become a member of the National Association or any Local Unit who has, at any time, been found to be guilty of any conduct violative of Article XII, Sec. 1, of the National Constitution without obtaining a waiver of these provisions by the Executive Board of the Local Unit and the National Executive Committee.

SECTION 5.
A member, upon retirement or separation from employment with federal, state, county, municipal or a political subdivision, government or corporation doing business with the federal, state, county and municipal government, or any other business enterprise, is entitled to become a retired member. However, members who retire and wish to retain NAGE insurance and other benefits at a reduced annual cost may do so. To qualify for reduced cost, such retiree must have been a member for five (5) or more years or a chartered member. Such retired member can attend local meetings but may neither vote nor hold local office unless the retired member is a full dues paying member in good standing, and

has received a waiver from the National Executive Committee. An employee of any applicable federal, state, county, municipal or political subdivision, government or corporate employer, who is not in a NAGE bargaining unit by reason of their position, may upon application approved by the National President, be granted an associate membership on a year-to-year basis. Associate members are not entitled to attend meetings, to hold office, to vote, or to any representation.

SECTION 6.
Any member in good standing in a Local Unit, who has been assigned to the jurisdiction of another Local Unit, shall be entitled to a certificate from their original Local Unit, or from the National Union, stating their membership and duration upon request.

SECTION 7.
The National Association of Government Employees subscribes to Federal "Standards of Conduct for Labor Organizations" as set forth in 5 U.S.C. § 7120 and subscribes to comparable codes for states, counties, municipalities and their subdivisions as may be applicable.

SECTION 8.
No person shall use, conspire to use, or threaten to use force or violence to restrain, coerce, or intimidate, or attempt to restrain, coerce, or intimidate any member of the National Association of Government Employees for the purpose of interfering with or preventing the exercise of any right to which they are entitled under the pertinent rules, regulations, laws and Executive Orders referred to in Section 7.

SECTION 9.
The National Association of Government Employees prohibits its National and Local Unit officers and members from directly or indirectly through a spouse, minor child, or otherwise, from participating in business or financial interests which conflict with their duty to the National Union.

SECTION 10.
Nothing in this or any other provision of this Constitution shall prevent a Local Unit from investing funds in State chartered credit unions as well as Federal credit unions or in the federally insured savings and loan associations, whenever such investments shall be authorized by a regular meeting of the Local Unit or by the National Executive Committee.

SECTION 11.
A National Union member called to active duty in our Armed Services shall be considered a member in good standing during such service.

ARTICLE VI

GOVERNING BODY

SECTION 1.
The legislative body of the National Association of Government Employees shall be the National Convention, and except as otherwise provided in this Constitution, the decisions of the Convention shall be by majority vote of the duly elected delegates in attendance.

SECTION 2.
The Convention of the National Union shall be held every four years at a time to be fixed by the National Executive Board. In the event of a local or national emergency which renders the holding of a Convention impracticable, the National Executive Committee, by a majority vote, may postpone the holding of the Convention until such time as it may become practicable to hold a Convention. The date and location of the Convention will be left to the discretion of the National Executive Board.

SECTION 3.
The National President is authorized to appoint, with the approval of the National Executive Committee, such committees, and chairpersons thereof, as may be necessary to serve during the Convention.

SECTION 4.
Rules and order of business governing the preceding Convention shall be in force from the opening of any Convention of the National Association of Government Employees until new rules have been adopted by action of the Convention.

SECTION 5.
A. Unless the Local Unit By-Laws provide otherwise, the President of a Local Unit is the ex officio delegate to all intermediate or national bodies including National Conventions, provided the Local President has been elected by secret ballot vote. To further define this section, ex-officio delegates shall be the person elected as Local Unit president at least thirty (30) days prior to the National Convention.

B. Local Unit Officers or any member in good standing elected by secret ballot also may be voting delegates to intermediate or national bodies including National Conventions if the Constitution and By-Laws of the Local Unit so provide. Local Units that do not have Local Unit By-Laws shall follow U.S. Department of Labor rules and regulations for holding delegate elections if the Local Unit president declines to be the delegate or additional delegates are needed. An elected delegate must be a member in good standing of the National Union but need not be a member of the electing Local Unit.

C. Election of delegates, if necessary, must be conducted by secret ballot. Notice of nominations and elections may be sent via regular or electronic mail to members of the Local Unit at their last known address, not less than fifteen (15) calendar days prior to the election. Notice of nominations and elections may be combined provided that a reasonable time is allowed for nominations. The Local Unit secretary shall preserve for one (1) year the ballots and all other records pertaining to the election. Where applicable law allows, election of delegates may be

conducted via electronic mail or via internet voting.

D. The number of delegates allocated to each Local Unit shall be as follows: One delegate for 500 members or less, and one additional delegate for every 500 members or fraction thereof.

E. If the number of elected officers is less than the number of delegates, then arrangements shall be made for nominations in that Local Unit by secret ballot election via in person, regular mail, electronic mail, or by internet voting as allowed by applicable law. If the total number of officers is greater than the number of delegates allowed, then officers shall attend as delegates in the order listed in the Local Unit By-Laws, or in the absence of local unit by-laws as follows: President, Executive Vice President, Secretary, and Treasurer.

F. For the purpose of voting, the computation of membership for a Local Unit shall not include life members, retired members paying less than the full dues required for working members of their Local Unit, associate members, or non-dues paying members; but the computation of membership shall be based upon the full-time-equivalent membership represented by the Local Unit's dues payment to the National Union.

SECTION 6.
At the National Convention, each Local Unit shall be entitled to one vote for each ten members or fraction thereof, in good standing on the first day of June in the year of the National Convention.

SECTION 7.
A quorum for the transacting of business shall consist of delegates representing at least 25% of the represented membership of the National Union at the Convention.

SECTION 8.
A special National Convention of the National Union can be called by either:

A. The National President, with the approval of two-thirds of the members of the National Executive Committee; or

B. A majority of signatures of the members of each of twenty-five (25) locals, such total majority to represent ten (10) percent of the overall membership of the National Union.

ARTICLE VII
NATIONAL OFFICERS

SECTION 1. COMPOSITION

A. The National Convention shall elect the National President, all National Executive Vice Presidents, a minimum of fourteen (14) National Vice Presidents, and a minimum of thirty-five (35) National Executive Board members. One seat shall be reserved for a retiree who remains in good standing in accordance with Articles V, Section 5 and VII, Section 1.B.

B. No member shall be eligible for nomination or election to National Office unless the member maintains membership of the National Union in continuous good standing for at least two (2) years immediately preceding the nomination and has during all of that time paid the full dues required for working members of the Local Unit within each month when due. The National President may waive the foregoing requirements in the National President's discretion for good cause shown. All National Officers shall maintain such membership during their term of office and all National Officers shall pay their dues directly to the National Union to fulfill the requirements of this section.

SECTION 2. VACANCIES

Such officers shall serve until the election and installation of their successors following any National Convention. Vacancies occurring between National Conventions shall be filled as follows: Upon the vacancy in the Office of National President, the National Executive Vice President, who then has the longest current consecutive service in the role without interruption, shall assume the Presidency until the next National Convention; upon a vacancy in the office of a ~~the~~ National Executive Vice President~~s~~, the National President shall nominate from amongst the National Vice Presidents and said nominee shall be approved by majority vote of the National Executive Board; National Vice President and National Executive Board Member vacancies may be filled by nomination by the National President and approved by majority vote by the National Executive Board. For purposes of this section, a vacancy in national office occurs upon death; written resignation; removal in accordance with these Constitution and By-Laws; loss of eligibility to hold office pursuant to applicable law or these Constitution and By-Laws; or the officer's inability to perform the duties of the office for more than ninety (90) consecutive days, as determined by a majority vote of the National Executive Committee after written notice to the officer and a reasonable opportunity to respond.

SECTION 3. CONSOLIDATIONS AND MERGERS

The National President, with the approval of the National Executive Board, shall have the power to create additional offices of the Governing Body of this union, in the event of any consolidations or mergers with other unions, groups, or associations, which take place between National Conventions. Offices when created shall become permanent additions pursuant to this section. In no event shall any new offices be created once a Convention Call has been issued.

SECTION 4. NATIONAL PRESIDENT—DUTIES AND POWERS

A. (i) It shall be the duty of the National President to preside at the Convention of the National Union and at meetings of the National Executive Board and National Executive Committee, and conduct them in accordance with parliamentary rules and in conformity with this Constitution. Except as otherwise noted, the National President shall appoint all boards and committees and be an

ex-officio member of same. The National President shall hire all staff and set their compensation.

(ii) The National President shall act to the best of the National President's ability in furthering the purposes and objectives of the organization and the interests of its members.

(iii) The National President shall have general supervision and direction over the affairs of the National Union. The National President, or the National President's designee, shall be authorized to call and make arrangements for such meetings, seminars and conferences as the National President may deem necessary, and shall direct all departments, functions, and programs of the National Union.

(iv) The National President, or the National President's designee, shall have general supervision and direction of the organizing efforts of this National Union. The National President shall have power to appoint organizers, representatives, coordinators and organizing committees and to make such loans or grant such subsidies to Local Units and affiliated bodies as may be deemed necessary.

(v) The National President shall be empowered to employ necessary staff and retain counsel, accountants, and other professional personnel as may be required to assist in the duties of the office and to fix their compensation. The National President shall be empowered to fix the compensation of the National Executive Vice Presidents, National Vice Presidents, National Executive Board Members, and appointed auditors.

(vi) The National President shall have authority to decide on all points of law submitted to the National President by Local Units or the membership thereof, or by affiliated bodies, subject to appeal to the National Executive Board, and the next Convention.

(vii) Consistent with the authority granted by Section 4 (A)(ii) of this Article, the National President shall have the authority to take any and all action(s) necessary to further the objectives of the organization and/or protect the interests of its members. The National President's authority shall not be limited to the conduct defined in Article XII, Section 1. Any action taken by the National President under this subsection may be appealed to the National Executive Board and the next Convention.

B. The National President shall sign all charters and other official documents of this National Union; shall have the authority to direct an examination of the books and records of any Local Unit or affiliated body; and shall draw vouchers from the National Treasury for such sums of money as the National President's activities require.

C. All vouchers of the National Union shall be submitted to the National President for approval. The National President may at any time appoint a member of the Committee of Auditors or such other representative or accountant as the National President may designate to examine any matter affecting the finances of the National Union or Local Units.

D. The National President shall appoint a Committee of Auditors, and designate a Chair. Auditors shall be members in good standing of the National Union. The duties of the Committee of Auditors shall be to estimate the revenues of the National Union, present it to the National Executive Board for approval and make recommendations for the allocation of funds and other recommendations related to the finances of the National Union. The Auditors shall make a yearly audit of the National Treasury immediately following the close of each fiscal year, and at such other times as the President

or National Executive Board shall deem necessary. The Auditors may retain such accountants' services as they deem advisable. Copies of the statement of condition and of the annual audit report shall be furnished to members upon written request. The Auditors shall also perform such other duties as are usually incidental to their office. Once appointed, said auditors shall serve until the next Convention, and their compensation shall be set by the National President. They may be removed only by a two-thirds (2/3) vote of the National Executive Board.

E. (i) Whenever the National President has reason to believe that, in order to protect the interests of the membership, it is necessary to appoint a Trustee for the purpose of correcting corruption or financial malpractice, assuring the performance of collective bargaining agreements or other duties of a bargaining representative, restoring democratic procedures, or otherwise carrying out the legitimate objectives of this National Union, the National President may appoint such Trustee to take charge and control of the affairs of a Local Unit or of an affiliated body, pursuant to the procedures established in Article XII of these Constitution and By-Laws.

(ii) The National President may appoint a representative to meet with the officials of Local Units or affiliated bodies and to attend any meetings of Local Units or affiliated bodies where in the judgment of the National President there is a need to assist the Local Units or affiliated bodies with respect to their internal operations. The National President may appoint a hearing officer to examine the internal operations of the Local Officers, Local Unit, or affiliated body, and to assist them in determining what remedial action(s), if any, should be implemented by the Local Unit or affiliated body. At any time, the National President also may designate a Monitor with additional oversight responsibility to review compliance with the National President's recommendations and/or otherwise assist in addressing the internal needs of the Local Unit or affiliated body. Among the internal needs to be considered is whether a Local Unit or affiliated body has met applicable standards endorsed by the National Convention or satisfied such procedures, rules and/or regulations duly adopted by the National Executive Committee to carry out the goals set by the National Convention.

F. National President shall have authority to call upon any and all officers for assistance and advice when the occasion demands or requires it.

G. The President shall appoint an advisory committee for the Public Safety Division, EMT's and Paramedics Divisions, Federal Division, State Division and Local Divisions as well as any further division that may be created. Every member of the Advisory Committee serves at the pleasure of the National President. The Advisory Committees shall consist of at least 11 members, one (1) of which shall be designated to act as the chair by the National President. No member of the Executive Board will be eligible to serve on an advisory committee. The duties of the advisory committee(s) will be to advise the National President, the National Executive Committee, and the National Executive Board on matters pertaining to the division they serve. Each Advisory Committee shall meet at least one (1) time annually at a time and place to be designated by the National President.

H. The National President shall make a full report to each National Convention and at all Executive Board meetings.

SECTION 5. NATIONAL EXECUTIVE VICE PRESIDENTS

The National Executive Vice Presidents shall act as representatives of the National President on all

matters referred to them by the National President and shall be members of the National Executive Committee. The Executive Vice Presidents shall perform such duties as are assigned to them by the National President. They shall work under the supervision of the National President, and their compensation shall be set by the National President. The National President, with a two-thirds (2/3) vote of the National Executive Board may create additional National Executive Vice Presidents as deemed appropriate by the National Executive Board.

SECTION 6. NATIONAL TREASURER

A. The National President shall appoint the National Treasurer from among the National Executive Vice Presidents. The National Treasurer's compensation shall be set by the National President. The National President may delegate to the National Treasurer the authority to perform the duties outlined in the following subsections, subject to the approval and supervision of the National President.

B. The National Treasurer shall receive and collect all monies due to the National Union. All funds shall be deposited in a bank or a credit union in the name of NAGE, subject to an order signed by the National President and one of the Executive Vice Presidents. At the request of the National President, the National Executive Committee shall authorize in writing one or more other National Executive Committee members to sign all checks covering expenditures of NAGE, upon the co-signature of the National President or National Executive Vice President.

C. The National Treasurer shall with the approval of the National President and subject to policies approved by the National Executive Committee, invest any surplus funds of the National Union. In making such investments in all cases, such investments shall be made in accordance with the "Prudent Man Rule." In addition to the foregoing powers and discretion, the National Treasurer is authorized to purchase certificates of deposit, securities of United States corporations, commercial notes, bonds, shares of common stock and to make investments in the securities of registered investment companies. In connection with the investments of the Association, the National Treasurer is authorized, subject to the approval of the National Executive Committee, to pay the reasonable fees and expenses of any bank or investment counselor for advice with respect to such transactions.

D. The National Treasurer shall make a full report of all matters relating to their office to the National Executive Board, and said report shall be presented at each National Convention. In addition, the National Treasurer shall, no less frequently than on a semi-annual basis, make a full report of all financial transactions of NAGE to the National Executive Board.

E. The National Treasurer shall, upon termination of employment, turn over to their successor in office all books, monies, property and other belongings of the National Union.

F. The National Treasurer shall keep all records pertaining to income, disbursements, and financial transactions of any kind for a period of at least six (6) years from the end of the most recent fiscal year, or longer if required by applicable law. The National Treasurer shall obtain an outside certified financial audit of NAGE on an annual basis.

G. The National Treasurer shall furnish to the Auditors all records they request.

H. The National Treasurer shall have the authority to direct an audit of the books and financial records of any Local Unit to determine its financial status whenever it is deemed advisable or when in the National Treasurer's opinion a Local Unit is not remitting dues on the membership to which the National Union is entitled.

SECTION 7. NATIONAL EXECUTIVE SECRETARY

A. The National President shall appoint from among the National Executive Vice Presidents the National Executive Secretary. The National Executive Secretary's compensation shall be set by the National President. The National President may delegate to the National Executive Secretary the authority to perform the duties outlined in the following subsections, subject to the approval and supervision of the National President.

B. In the absence of the National President, the National Executive Secretary shall preside over the meetings of the National Convention, the National Executive Committee, or the National Executive Board**.**

C. The National Executive Secretary shall keep a correct record of all the proceedings of the National Convention, National Executive Board, and the National Executive Committee. The National Executive Secretary shall have the custody of and maintain the papers and other documents and effects of the National Union and the preceding National Convention. The National Executive Secretary shall conduct the correspondence pertaining to the general office and the Executive Committee.

D. The National Executive Secretary shall maintain records of the membership of the National Union and shall report to the National President and the National Executive Board as required. The National Executive Secretary shall keep all membership records and application cards, and a record of all members admitted by initiation or otherwise, as well as rejections and suspended or expelled members.

ARTICLE VIII
NATIONAL EXECUTIVE COMMITTEE

SECTION 1.
A National Executive Committee shall be established and be comprised of the National President, all National Executive Vice Presidents, and all National Vice Presidents. A National Executive Committee member, after completing at least twenty (20) years of aggregated service in the roles of National President and/or National Executive Vice President, who retires from office voluntarily in good standing (not through loss of election, removal from office, or resignation in lieu of or during pending charges) shall serve as an *ex officio* member of the National Executive Committee. *Ex officio* members shall not count toward a quorum and shall not have voting rights.

SECTION 2.
The National Executive Committee shall meet at least every other month or otherwise at the direction of the National President. Yearly, at least two of the National Executive Committee meetings shall coincide with the National Executive Board meetings. The National Executive Committee's function will be to advise the National President on any and all matters relating to members engaged in the various functions in which the Committee members are involved. All terms of office shall run from November second (2^{nd}) of the Convention year through November first (1^{st}) of the following Convention year. The Chairman of the National Executive Committee shall be the National President. The National Executive Secretary will chair the meetings in the absence of the National President.

SECTION 3.
A quorum of the National Executive Committee shall be a majority of its members.

SECTION 4.
The National Executive Committee shall elect a subcommittee of three (3) members from amongst its membership to set the salary of the National President and to make a recommendation of the salary of the National President to the National Executive Committee. Said recommendation shall be voted upon by the National Executive Committee.

SECTION 5.
Between National Conventions, the Executive Committee shall have the authority to take such steps it determines are needed to insure that the National Union shall be able to meet its obligations.

ARTICLE IX

NATIONAL EXECUTIVE BOARD

SECTION 1.
A National Executive Board comprised of all National Executive Committee Members and all Executive Board Members shall be elected at the National Convention. Vacancies and additions to the National Executive Board will be filled by a nomination of the National President upon majority vote of the National Executive Board.

SECTION 2.
The National Executive Board shall meet at least semi-annually or otherwise at the direction of the National President or within ten (10) days after the written request of eight (8) or more members of the National Executive Board. The National Executive Board's function will be to advise the National President and the National Executive Committee on any and all matters relating to members engaged in the various functions and Sub-Committees in which the National Executive Board Members are involved. The term of office pursuant to these By-Laws shall run from November second (2^{nd}) of the Convention year through November first (1^{st}) of the following Convention year.

Agendas to National Executive Board Meetings will be submitted 30 days in advance in order to allow discussion of such agendas. This requirement shall not affect the ability of any member of the National Executive Board to raise any non-agenda items for discussion or offer any formal motions to be considered at the meeting. Minutes of all National Executive Board Meetings shall be published.

SECTION 3.
The National Executive Board shall annually approve the budget for the operation of the National Union. The National Executive Board shall annually formulate and approve an annual organizing plan for the National Union. The National Executive Board shall annually formulate and approve an annual education and communication plan for the National Union. The National Executive Board shall annually formulate and approve an annual political strategy for the National Union.

SECTION 4.
The Sub-Committees of the National Executive Board shall be determined by the National Executive Board.

SECTION 5.
A majority of the members shall constitute a quorum of the National Executive Board. When the National Executive Board is not in meeting and the National President deems it necessary for the National Executive Board to act promptly, a designee of the National President shall poll the National Executive Board and such action and vote may be taken by telephone, email, letter, or fax. Such action so taken on vote of two-thirds (2/3) of the members of the National Executive Board shall constitute official action of the National Executive Board.

SECTION 6.
The National Executive Board shall have the authority to authorize a housing program for the benefit of the National Union.

SECTION 7.
The purchase and sale of (1) all motor vehicles; (2) all real estate; (3) all tangible property in excess of $75,000; and (4) the approval of any and all non-personnel related contracts in excess of $125,000.00 shall require the approval of the National Executive Board.

ARTICLE X
REVENUES

SECTION 1.
The financial records of the National Office and the Local Units shall be kept on a fiscal year basis. The fiscal year shall begin September first (1st) and end on August thirty-first (31st).

SECTION 2.
The revenue of the National Union shall be derived from membership dues and from such other sources as may be approved and implemented by the National Executive Board.

SECTION 3.
Local Units meeting the requirements of voluntary dues allotments (Dues Check-Off) will sign an agreement with their Agency whereby the Agency will deduct the specified dues and make all payments directly to:

NATIONAL TREASURER/FISCAL OFFICE
NATIONAL ASSOCIATION OF GOVERNMENT EMPLOYEES
159 BURGIN PARKWAY
QUINCY, MASSACHUSETTS 02169-4213

or such other address as the National Treasurer shall designate to each Local Unit by written notice.

SECTION 4.
The dues structure of the National Union and any division thereof shall not be changed except by a majority vote of the National Executive Board.

SECTION 5.
Between National Conventions, the National Executive Board shall have the authority to take such steps it determines are needed to insure that the National Union shall be able to meet its obligations.

SECTION 6.
Upon receipt of a Local Unit's membership dues, the National Treasurer will return to said Local (every month for the previous month) the Local Unit's Per Capita. Per Capita shall be paid at the rate of $3.00 per member, per month, based on full-time-equivalents and/or the payment of full dues. Any Local Unit may notify the National Treasurer to suspend Per Capita payments to said Local Unit.

SECTION 7.
Any Local Unit that fails to pay membership dues on or before the last day of each month shall be notified by the National Treasurer, and if at the end of three months thereafter it is still in arrears, it may become suspended from membership. Any Local Unit remaining suspended for six months may be required to surrender its charter to the National Treasurer and forfeit all rights and privileges in this National Union. A suspension under this Section is distinct from a charter suspension described in Article XII, Section 3, B. (x).

SECTION 8.
A suspended Local Unit may be reinstated in this National Union upon payment of all arrearage; provided, however, that the National President shall, in exceptional cases, have the power to remit or abate such arrearage in whole or in part when circumstances warrant such action.

SECTION 9.
A. Local Units shall be required to submit bank statements, canceled checks, and any other information as may be requested periodically by the Audit Committee pursuant to Article VII Section 4(E). The Local Unit shall submit this material to the Audit Committee within thirty (30) days from the date of the request.

B. Shall a Local Unit fail to comply with Section 9(A) of this Article, the Per Capita payments consistent with Section 6 of this Article will be suspended until such time as the Local Unit is in compliance. No Local Unit shall be required to provide the requested information more than twice in any year except under special circumstances.

SECTION 10.
Local Units shall maintain a separate bank account for the business of the Local Unit and shall not commingle union monies with any personal accounts. No bank debit/ATM cards will be utilized for Local Unit's bank account(s). Any Local Unit may request a waiver from the National President to justify the use of ATM/Debit Cards for a Local Unit's business. All checks drafted by the Local Units will be signed by two (2) officers of the Local Unit.

SECTION 11.
No Local Unit or the National Union shall directly or indirectly make any loan to any member or employee.

SECTION 12.
A. Financial records of Local Units, including check books, bank statements, receipts, invoices, and related correspondence and documents, shall be stored in a locked drawer, cabinet, or other secure area within the permanent office of the Local Unit.

B. Petty cash funds are discouraged. Any petty cash fund utilized by a Local Unit shall not exceed the sum of one hundred dollars ($100.00), from which all expenditures must be properly documented.

C. Financial records shall be maintained for six (6) years from the end of the most recent fiscal year.

SECTION 13.
The National Treasurer shall have the authority to direct an audit of the books and financial records of any Local Unit to determine its financial status whenever it is deemed advisable or when in the National Treasurer's opinion a Local Unit is not remitting per capita tax on the membership to which the National Union is entitled.

ARTICLE XI

BONDING OF OFFICERS AND EMPLOYEES

SECTION 1.
Every National Officer and every employee of the National Union who handles funds or other property of the National Union shall be bonded, with a recognized surety company, in accordance with the provisions of Section 502(a) of the Federal Reporting and Disclosure Act of 1959, as amended. The bond of each such person shall be fixed at the beginning of the National Union's fiscal year and shall be in an amount not less than ten (10%) percent of the funds handled by such person and their predecessor or predecessors, if any, during the preceding fiscal year of the National Union, but in no case more than $500,000.

SECTION 2.
Except with respect to a Local Unit whose property or annual receipts does not exceed $5,000 in value, every officer, agent, or employee of any Local Unit handling funds or other property of such Local Unit shall be bonded in the same manner as provided for National Officers and employees of the National Union under Section 1 of this Article XI.

SECTION 3.
All officers and employees of the National Union acting lawfully on behalf of the National Union within the scope of their official duties and employment shall be represented and indemnified from personal financial loss and expense arising out of any claim, demand, suit, or judgment by reason of any act or omission, except for an intentional violation of the civil rights of any person.

ARTICLE XII
DISCIPLINE OF LOCALS AND MEMBERS

SECTION 1.

A. Local officers or members may be charged with the following:

(1) Violation of any specific provision of this Constitution, or of the By-Laws of the Local Unit;

(2) Violation of the oath of loyalty and/or their duty to the International Union, the National Union, the Local Unit, and/or the members thereof;

(3) Misfeasance, malfeasance, or nonfeasance such that they have breached their duty to the International, the National Union, the Local Unit, and/or the members thereof;

(4) Disloyalty or conduct unbecoming a member;

(5) Financial malpractice;

(6) Corrupt or unethical practices or racketeering;

(7) Advocating or engaging in dual unionism or secession;

(8) Disobedience to the regulations, rules, mandates and decrees of the International Union or the National Union or the Local Unit;

(9) The wrongful taking or retaining of any money, books, papers or any other property belonging to the International Union, the National Union or Local Unit; or the wrongful destruction, mutilation or erasure of any books, records, bills, receipts, vouchers or other property of the National Union or the Local Unit;

(10) Working as a strike breaker or violating wage or work standards established by the International Union or the National Union or a Local Unit;

(11) The bringing of false charges against a member or officer without good faith or with malicious intent;

(12) Failing to pay his or her proper union membership dues, or failing to remit proper dues from the Local Unit to the National Union;

(13) Discrimination or advocacy of forbidden discrimination against any other member on the basis of race, ethnicity, creed, color, religion, gender, marital status, sexual orientation, national origin, ancestry, age, or disability.

If such charges are substantiated in accordance with the procedures established hereafter, such remedial and/or punitive action can be taken as is justified and in the best interest of the organization

and its members.

B. Disciplinary action, up to and including the imposition of trusteeship or the dissolution of the Local Unit, may be taken:

(1) When a Local Unit, through misfeasance, malfeasance, or nonfeasance fails to meet its duty of fair representation to its members;

(2) When a Local Unit fails to meet its financial obligations to the National Union, or to any other vendor or oblige;

(3) When the Local Unit fails in its duty to its membership;

(4) When the Local Unit fails to preserve and protect its assets, fails to meet its legal obligations, or fails in any other duty such that its obligations to the members, the National Union, the International Union, or the Local Unit itself are not being met.

C. For the purposes of this document, the following words are defined as follows:

1. "Misfeasance" - The improper performance of an act(s) which a person is supposed to do.

2. Malfeasance" - The doing of an act(s) which a person is not supposed to do at all.

3. "Nonfeasance" - The omission of or failure to perform an act(s) which a person is supposed to do.

SECTION 2.
Charges Brought by Member(s) of a Local Unit and Determined at the Local Level:

A. Charges alleging any conduct described in Sections 1 A or B above on the part of any member or officer of a Local Unit shall be filed in duplicate with the Secretary of the Local Unit, who shall serve a copy thereof on the accused either personally or by registered or certified mail, directed to the last known address of the accused, at least ten (10) days before the hearing upon the charges. The Local Unit President shall send a copy of this notice to the National President. The charges must specify the events or acts which the charging party believes constitute a basis for charges and must state which subsection(s) of Section 1 of this Article the charging party believes have been violated. If the charges are not specific, the trial body may dismiss the charges either before or at the hearing, but the charging party shall have the right to re-file more detailed charges which comply with this Section. No charges may be filed more than six (6) months after the charging party learned, or could have reasonably learned, of the act or acts which are the basis of the charges.

B. The Executive Board of the Local Unit shall act as the Trial Body, unless the Constitution and By-Laws of the Local Unit provide for another trial procedure. The accused may appear in person and with witnesses to answer the charges and shall be afforded a full and fair hearing. The person charged may select any member to act as an advocate unless otherwise limited by the Local Constitution and

By-Laws.

C. If any portion of the charges is sustained by the evidence, then the trial body shall render such judgment and impose such discipline that it considers just. If the charges are not sustained, they shall be dismissed, and the accused shall be restored to full rights of membership and/or office.

D. If the charges brought are against a member(s) of the Local Executive Board or Trial Body, the person(s) charged shall not sit as a member of that body for the purpose of deliberating on the charges. If this results in an insufficient number of persons to constitute a quorum, the parties shall agree to a method of establishing a fairly constituted panel to determine the sufficiency of the charges and to issue a judgment. If the parties cannot agree, either party may submit the issue to the National President in writing. The National President shall determine the method of establishing a fairly constituted panel, or shall order that the National Union take immediate jurisdiction.

E. If the accused is unable or unwilling to be present at any hearing provided for herein, a defense may be presented in writing. In default of appearance or defense, the Trial Body shall proceed with the hearing regardless of the absence of the accused.

F. The Trial Body, after requisite due process has been afforded, may impose such penalty as it deems appropriate and as the case requires. The National President shall be notified of the Hearing Decision.

G. The National President may assume original jurisdiction of the charge(s) filed against a Local Unit member or officer if the National President believes the charges involve a situation that may seriously jeopardize the interests of the Local Unit or the National Union, or that the hearing procedure of the Local Unit will not completely protect the interests of the member, officer or Local Unit. The Local Unit member, officer, or Local Unit may request that the National President assume original jurisdiction. Upon the National President assuming original jurisdiction, the proceedings shall be conducted in accordance with Article XII, section 3(A).

SECTION 3.
Charges Brought by or Action Taken by National President

A. Regarding individual members:
(i) When and if the National President finds that by action or inaction any individual officer(s) or member(s) have engaged in, are engaging in, or are about to engage in conduct which constitutes one or more of the offenses found in Section 1 A (1) - (13) above, the National President shall have the authority to take such action as is warranted to insure that National Union, its Local Units and its members are not subjected to harm or the risk thereof. The National President shall have the authority to take any and all acts he deems just and necessary, including but not limited to those found in Article XII, Section 2.

(ii) When and if the National President determines that it is appropriate to invoke the powers provided in the above subsection, the National President shall first issue a notice, advising the officer(s) or member(s) against whom such action is contemplated that such action is, in fact, contemplated, the reasons for such contemplated action, and a citation to the specific section(s) of this Constitution which

the National President considers has been violated. The notice shall establish a time and place for a hearing on the charges, which can be held before the National President or other member(s) of the National Executive Board designated by the National President. The hearing shall be held within thirty (30) days of the issuance of the notice and be held in a reasonable place and at a reasonable time. A decision shall issue within sixty (60) days following the conclusion of the hearing. At such hearing, the party against whom such action is contemplated shall have the opportunity to answer the charges, to offer defenses, and to otherwise dispute that just cause exists for the action contemplated.

(iii) If the National President believes that charges filed against an officer or a Local Unit involve a situation which may seriously jeopardize the interests of the Local Unit or the National Union, the National President may suspend the officer(s) from office in the Local Unit until a decision has been reached.

B. Regarding Local Units:
(i) When and if the National President finds that one or more of the conditions found in Section 1 B. (i) - (iv) exist within a Local Unit, the National President shall have the authority to appoint a trustee to take charge and control of the affairs of such Local Unit.

(ii) When and if the National President determines that it is appropriate to invoke the powers provided in the above subsection and in Article VII, Section 4(F), the National President shall issue a notice, advising the officers of the Local Unit against whom such action is contemplated that such action is, in fact, contemplated, the reasons for such contemplated action, and a citation to the specific section(s) of this constitution which the National President considers has been violated. Said notice shall establish a time and place for a hearing on these charges, which can be held before the National President or other member(s) of the National Executive Board designated by the National President. Said hearing shall be held within thirty (30) days of the issuance of the notice and be held in a reasonable place and at a reasonable time. A decision shall issue within sixty (60) days following the conclusion of the hearing. At such hearing, the officers and members of the Local Unit against whom such action is contemplated shall have the opportunity to answer said charges, to offer defenses, and to otherwise dispute that just cause exists for the action contemplated.

(iii) If, in the judgment of the National President, an emergency situation exists, the National President can invoke the power provided in Section 3(B) of this Article and in Article VII, Section 4(F). If the National President invokes the authority granted ~~him~~ under this subsection, the National President shall, within thirty (30) days after having taken such action, cause a hearing to be held. At such hearing, the officers and members of the Local Unit against whom such action has been taken shall have the opportunity to answer said charges, to offer defenses, and to otherwise dispute that just cause exists for the action taken. Notice of the date, time, and place for said hearing shall be sent to the officers of the Local Unit against whom such action was taken within ten (10) days after the action was taken. Said hearing shall be held within thirty (30) days following the taking of the action, and a decision shall issue within sixty (60) days following the conclusion of the hearing.

(iv) Upon the imposition of a trusteeship, either under the provisions of Subsections (ii) or (iii) above, the trusteed Local Unit and the officers and members thereof shall cooperate with the Trustee designated by the National President, in order that the purposes of the trusteeship may be accomplished as soon as possible. The Trustee shall be authorized to take full charge of the affairs of

the Local Unit, to appoint temporary officers or employees at any time during the trusteeship, and to take such other action as in the Trustee's judgment is necessary for the good of the Local Unit and its interests. The Trustee shall report on the affairs/transactions of the Local Unit or affiliated body to the National President. The Trustee and all of the acts of the Trustee shall be subject to the supervision and direction of the National President. The National President may remove Trustees at any time and appoint successor Trustees.

(v) The Trustee, temporary officers, and persons employed to carry on the affairs of the Local Unit, during the period of such trusteeship, shall give bond in such form and amount as may be necessary to indemnify against possible financial loss.

(vi) The Trustee shall take possession of any funds, books, records and papers of the Local Unit and tender receipt for same. The Trustee shall promptly pay all outstanding claims, properly proved, if funds are sufficient. The National Union shall not be responsible for any actions or activities of a Local Unit unless such actions or activities have been directed or authorized by the Trustee.

(vii) The Trustee is authorized, upon presentation of notice of imposition of an emergency trusteeship by the National President, to notify any financial institution where the assets of the subordinate Local Unit are kept or deposited that the Trustee or the designee of same shall have exclusive dominion and control over the assets of the subordinate body, including but not limited to authority to remove said assets from said institution.

(viii) When it is determined by the National President or the Executive Committee that self-governing should be restored, the Trustee shall conduct an election at such time as the Trustee shall designate, in conformity with the provisions of the Local Unit's Constitution as far as the Trustee deems practical and, upon installation of officers, the trusteeship shall terminate. When self-government is restored, the Trustee shall return all funds, books, papers and other property to the Local Unit or affiliated body. If, however, the Local Unit or affiliated body is dissolved by the revocation of its charter, then any balance remaining to the credit of the Local Unit or affiliated body shall be forwarded to the National Union and shall become the property of the National Union.

(ix) In case of the suspension, dissolution, decertification, or the expulsion of a Local Unit or an officer of a Local Unit or of a National Officer, all funds, including all monies collected for Local Unit operations, properties, books and assets belonging to the Local Unit, or the National Union, which are or might be in the possession of the Local Unit or an officer of the Local Unit, or the National Officer, shall be turned over to a duly authorized representative of the National Union designated by the National President or the National Executive Committee, and the National Union shall have the right to possession of such properties, books, and assets. All such funds, including all monies collected for Local Unit operations, properties, books and assets received by the National Union shall be held in trust by it until such time as such Local Unit which has been suspended, dissolved or expelled is either reconstituted, rechartered or reorganized, at which time such funds, including all monies collected for Local Unit operations, properties, books, and assets shall be returned to such reconstituted Local Unit; provided, however, that if such Local Unit is not reconstituted, rechartered or reorganized within a period of two (2) years (three (3) years for Local Units in suspension) from the time such funds, including all monies collected for Local Unit operations, properties, books, and assets are received by

the National Union, such funds, including all monies collected for Local Unit operations, properties, books, and assets shall become the property of the National Union.

(x) The National President may, in relation to a trusteeship imposed under this Article, suspend the charter of a Local Unit upon a determination that suspension is in the best interests of the National Union, the Local Unit and its members. Upon suspension, the Trustee shall transfer all funds, books, papers, and other property of the Local Unit to the National Union and such assets shall be held in trust for the Local Unit pending restoration pursuant to Section 3. B. (ix) of this Article. The National Union shall provide written notice of the suspension to members of the Local Unit, if any. The National President may restore a suspended charter at any time upon a written determination that the Local Unit can resume self-governance, without requiring a new charter application. After three years in suspension, the National President may determine, with a majority vote of the National Executive Committee, whether to revoke the Local Unit's charter and dissolve the Local Unit. Except as modified by this section, all other provisions of this Article governing the imposition, administration, and termination of trusteeships shall apply to any charter suspension imposed hereunder.

(xi) Where the National President determines that a Local Unit has failed to meet its obligations to its members or to the National Union by reason of the absence of sufficient local officers in good standing to conduct the affairs of the Local Unit, the National President may impose an emergency trusteeship effective immediately. Written notice of the trusteeship and the reasons for it shall be provided to the members, to the extent any members in good standing are known to the National Union. The trusteeship shall be presumed valid. A hearing shall be held within thirty (30) days of receipt of the request if a written request for hearing is received from any member in good standing of the affected local unit within fourteen (14) days of the notice. If no written request for a hearing is received, the trusteeship may be deemed confirmed without hearing. The National President may waive the notice and hearing requirements upon a written finding that the Local Unit has no members in good standing, which finding shall be maintained in the records of the National Union. Except as modified by this section, all other provisions of this Article governing the imposition, administration, and termination of trusteeships shall apply.

ARTICLE XIII
APPEALS

SECTION 1. Discipline
Any person or body against whom disciplinary action has been taken or whose charges have been dismissed in whole or in part shall have the right to appeal as follows:

A. Appeal from a Local Unit decision. Appeal from a Local Unit decision. An appeal to the National President may be taken by either the accused or the member filing the charges from any decision of a Local Unit with respect to such charges, provided such decision is a final decision under the terms of the Constitution and By-Laws of the Local Unit. Any such appeal must be filed in writing with the NAGE Office of General Counsel by registered or certified mail, within fifteen (15) calendar days after the decision. An appeal is considered timely if placed in the mail within fifteen (15) calendar days after the decision, as shown by an official postmark of the US Postal Service. Appeals shall be mailed to:

Office of General Counsel
National Association of Government Employees
159 Burgin Parkway
Quincy, Massachusetts 02169-4213

No specific form or formality shall be required, except that such appeal shall clearly set forth the decision being appealed and the grounds for the appeal. During the pendency of any appeal, the decision being appealed from shall remain in full force unless it is stayed by the National President. The National President, or other member(s) of the National Executive Board designated by the National President, may decide the appeal on the records made by the Trial Body or may, upon at least ten (10) calendar days' notice, hear argument or hold a rehearing. The National President may confirm, reverse or modify the decision appealed.

B. Appeal from a decision of the National President. A decision by the National President, whether from an appeal of a Local Unit decision or based on original jurisdiction, may be taken to the National Executive Committee by either the accused or the member filing the charges with respect to such charges provided such decision is a final decision under the terms of the National Constitution and By-Laws. Any such appeal must be filed in writing with the NAGE Office of General Counsel, by registered or certified mail, within fifteen (15) calendar days after the decision. An appeal is considered timely if placed in the mail within fifteen (15) calendar days after the decision, as shown by an official postmark of the US Postal Service. Appeals shall be mailed to:

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No specific form or formality shall be required, except that such appeal shall clearly set forth the decision being appealed and the grounds for the appeal. During the pendency of any appeal, the decision appealed from shall remain in full force, unless it is stayed by the National Executive Committee. The National Executive Committee may decide the appeal on the record made by the Trial Body or may

appoint a panel to review the record and recommend action(s) to the Committee. The National Executive Committee may, in its discretion, upon at least ten (10) calendar days' notice, hear argument or hold a rehearing either itself or before a hearing officer or officers designated by it. The National Executive Committee may affirm, reverse or modify the decision appealed.

C. Appeals from any decision of the National Executive Committee with respect to charges may be taken to the next National Convention. Any such appeal must be filed in writing with the NAGE Office of General Counsel, by registered or certified mail, within fifteen (15) calendar days after the decision. An appeal is considered timely if placed in the mail within fifteen (15) calendar days after the decision, as shown by an official postmark of the US Postal Service. Appeals shall be mailed to:

Office of General Counsel
National Association of Government Employees
159 Burgin Parkway
Quincy, Massachusetts 02169-4213

No specific form or formality shall be required, except that such appeal shall clearly set forth the decision being appealed and the grounds for the appeal. During the pendency of such appeal, the decision appealed from shall remain in full force. The appellant shall have the right to appear before an appeals committee of the Convention and, if the appellant is a Local Unit or a member appealing an expulsion from membership, shall have the right to appear before the Convention itself only with the consent of the Convention. The action of the Convention on all appeals shall be final and binding.

SECTION 2. Elections
Any member of a Local Unit may use the following procedure to appeal the results of an election for Local Unit officers and delegates to the National Convention:

A. Within fifteen (15) calendar days after the tally of ballots has been furnished to the members of the Local Unit, any member of that Local may file objections to the conduct of the election or conduct affecting the results of the election to the Local Unit's Election Committee, or Local Election Officer. Objections must be made in writing and must contain specific reasons in support thereof.

B. The Local Election Committee or Local Election Officer shall review the appeal and may hold a hearing within fifteen (15) calendar days of receipt of the appeal to take evidence and hear testimony on the appeal. The individual(s) appealing the election shall have an opportunity to appear at the hearing. If no hearing is held, the Local Election Committee or Local Election Officer shall issue a decision in writing within thirty (30)-days of the appeal setting forth the determination to uphold the election, or set it aside and order a new election. If a hearing is held, such a decision shall be issued within thirty (30) days of the conclusion of the hearing.

C. Within fifteen (15) calendar days of receipt of the Local Election Committee's or Local Election Officer's decision, the individual(s) appealing the election or adversely impacted by the Local Election Committee's or Local Election Officer' decision on the initial election appeal, may file objections to the decision and/or conduct of the election or conduct affecting results of the election with the National President. Appeals shall be filed with the NAGE Office of General Counsel. An appeal is considered timely if placed in the mail within fifteen (15) calendar days after the decision, as shown by an official

postmark of the US Postal Service. Appeals shall be mailed to:

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159 Burgin Parkway
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The National President shall order such action as may be necessary to ensure a fair election, including the appointment of an election officer and/or re-run of the election.

D. The National President may assume original jurisdiction of the election appeal. The Local Executive Board may request that the National President assume jurisdiction of the election appeal.

SECTION 3.
The National President reserves the right to accept an appeal from any member harmed by a Local Unit decision that is not defined by Section 1 or Section 2 of this Article or in Article IVA, Section 2. Any such appeal must be filed with the NAGE Office of General Counsel by registered, certified, or overnight mail service within fifteen (15) calendar days after the decision. An appeal is considered timely if placed in the mail within fifteen (15) calendar days after the decision, as shown by an official postmark of the US Postal Service. Appeals shall be mailed to:

Office of General Counsel
National Association of Government Employees
159 Burgin Parkway
Quincy, Massachusetts 02169-4213

During the pendency of any appeal, the decision being appealed shall remain in full force and effect unless otherwise stated by the National President. The National President or the National President's designee may decide the appeal on the record created by the Local Unit, conduct whatever investigation deemed necessary, or upon at least ten (10) calendar days' notice schedule a hearing. The National President may confirm, reverse, or modify the decision appealed.

SECTION 4. Exhaustion of Administrative Remedies
Subject to the provisions of applicable statutes, and except where the internal processes of the International Union, the National Union, and/or the Local Unit has exceeded a four-month lapse of time, every Local Unit or member or officer thereof or officer of the National Union against whom charges have been brought and disciplinary action taken as a result thereof or who claims to be aggrieved as a result of adverse rulings or decisions rendered, agrees, as a condition of membership or affiliation and the continuation of membership or affiliation, to exhaust any remedies provided for in the Constitution and By-Laws of the International Union, the National Union, and of the Local Unit and further agrees not to file or prosecute any action in any court, tribunal or other agency until those remedies have been exhausted.

Where the internal processes of the International Union, the National Union, and/or the Local Unit has exceeded a four-month lapse of time, the Local Unit or member or officer thereof or officer of the National Union against whom charges have been brought and disciplinary action taken as a result

thereof or who claims to be aggrieved as a result of adverse rulings or decisions rendered may file a complaint (if applicable) with the National Labor Relations Board in accordance with Section 101(a)(4) 1 of the Labor-Management Reporting and Disclosure Act (LMRDA).

SECTION 5.
The SEIU Member Bill of Rights and Responsibilities in the Union shall be enforced exclusively through the procedures provided in this Article and any decision rendered pursuant to the procedures provided for herein, including any appeals, shall be final and binding on all parties and not subject to judicial review.

SECTION 6.
Grievance appeals are outlined in Article IVA of these Constitutions and By-Laws.

ARTICLE XIV

NON-LIABILITY OF NATIONAL UNION

Except as is otherwise specifically provided in this Constitution, no Local Unit, or affiliated body, nor any officer, employee, organizer or representative of a Local Unit or affiliated body or of this National Union shall be authorized to make contracts or incur liabilities for or in the name of the National Union unless authorized in writing by the National President and the National Executive Board.

ARTICLE XV

DELEGATES TO INTERNATIONAL CONVENTION OF THE SERVICE EMPLOYEES INTERNATIONAL UNION

SECTION 1.
The convention of the SEIU International Union meets every four (4) years and will convene sometime during the months of April, May, June or July at such time and place as the SEIU International Executive Board may determine.

SECTION 2.
Special SEIU conventions may be called upon order of the SEIU International Executive Board to convene at such time and place as the Board may determine, and any and all business, including appeals from suspensions and decisions of the SEIU International Executive Board, may come before such special convention unless specifically limited by the call. Notice of such call shall be given to each Local Unit at least sixty (60) days prior to the date of the special convention. All other provisions of Article IV of the International Constitution shall control all special conventions.

SECTION 3.
The National Union delegates to the International Conventions shall serve in the following order:

National President
Executive Committee Members
Executive Board Members

If the number of members at any level exceeds the number of Delegates who may serve, then the officers shall be selected according to their seniority for service on said board.

SECTION 4.
The National Executive Board may choose to have an election for delegates to the SEIU Convention, if it deems said election to be in the best interest of the National Union.

ARTICLE XVI

AMENDMENTS TO THE CONSTITUTION

SECTION 1.
All proposed resolutions and proposed amendments to the National Constitution and By-Laws must be submitted by a Local Unit to the National Executive Committee at least thirty (30) calendar days prior to the Convention except that proposed resolutions and proposed amendments not so submitted may be considered by the Convention upon unanimous consent of the delegates present. Three copies of each proposed resolution and amendment should be submitted to the National Executive Committee. The National Executive Committee may present proposed resolutions and constitutional amendments to the Convention at any time during the Convention without the requirement of unanimous consent. Amendments and resolutions shall be considered adopted upon majority vote.

SECTION 2.
Amendments by referendum: Any Local Unit of the National Union and/or the National President with the approval of the National Executive Committee may prepare and circulate a petition for the purpose of causing a resolution of National Union importance or amendment to the National Constitution and By-Laws to be brought to a vote of the whole National Union.

SECTION 3.
Before circulating such a petition by a Local Unit, the National President shall be notified in writing of such action and furnished with a copy or draft of the proposed question, resolution or amendment. If such a petition is subscribed to by a majority of signatures of the members of twenty-five (25) Local Units, such total majority to represent ten percent (10%) of the overall membership of the National Union, the National President shall submit such referendum of amendment to the Constitution to a referendum vote as hereinafter prescribed; provided, however, that any Convention of this National Union may, by motion, submit any resolution or amendment to the entire membership.

SECTION 5.
Such petition shall be filed with the National President. A National Executive Vice President shall furnish ballots as provided in Section 8 hereof.

SECTION 6.
The proposition and a sample ballot shall be printed in an official Notice at least one month before the mailing of the referendum ballots.

SECTION 7.
The National President shall appoint a Referendum Election Committee of ten (10) members, five (5) to be on one side of the proposition to be voted and five (5) on the other, no two (2) of whom shall be members of the same Local Unit, to canvas the vote and count the ballots at National Headquarters. The Referendum Election Committee shall separate the returned ballots according to Local Units against the mailing list for Local Units by means of the return card, and shall then remove the sealed blank envelope containing the ballot and place it in its proper receptacle. After all such ballots from a Local Unit have been so placed in the receptacle they shall be opened and the ballots removed from the envelopes. The Referendum Election Committee shall then proceed to count the ballots. Upon

completion of the count the Referendum Election Committee shall certify the results of its count to the National President. It shall make a written report showing the number of ballots invalidated and the number of votes cast from each Local Unit for each side of the proposition submitted. The results of the Referendum vote shall be published on the National Union's official website.

SECTION 8.
The National Executive Secretary shall mail to each member at the member's last known address appearing on the official records of the National Union one (1) ballot, one (1) blank envelope, and one (1) business reply envelope, bearing the return card of the member. The ballots mailed to the members of any Local Unit shall not exceed the number on which per capita tax is currently paid. The member shall mark the ballot, place it in the return envelope which shall in turn be sealed and enclosed in the business reply envelope. The National Executive Secretary shall obtain a post office box to which all ballots shall be returned. The ballots may be withdrawn from the post office box only by two (2) or more members of the Referendum Election Committee. A letter of instructions only shall accompany the ballots mailed to the membership and no circular material, either pro or con, may be included with the ballot. The letter of instructions shall be prepared by the Referendum Election Committee and signed by two (2) or more of the said Committee but shall contain all of the Committee's members' names.

SECTION 9.
Arguments for or against a referendum shall be published on the National Union's official website, but not more than two thousand (2,000) words for a side. If more than one argument is submitted, the editor is required to publish that which is submitted by the Local Unit initiating the proposition to be voted on.

SECTION 10.
It shall require a majority vote cast to decide all questions other than amendments to the Constitution which shall require two-thirds (2/3) affirmative vote to carry and decide.

SECTION 11.
No resolution or amendment adopted by a referendum vote of the National Union membership may be appealed or amended within one (1) year after election.

SECTION 12.
Except as otherwise expressly stated, any amendment to these Constitution and By-Laws shall become effective immediately upon adoption at the close of the Convention at which it was adopted.

SEIU/NAGE MEMBERS BILL OF RIGHTS AND RESPONSIBILITIES ON THE JOB

- The right to have work that is worthwhile to society, personally satisfying to the worker, and which provides a decent standard of living, a healthy and safe workplace, and the maximum possible employment security.

- The right to have a meaningful and protected voice in the design and execution of one's work and in the long-term planning by one's employer as well as the training necessary to take part in such planning.

- The right to fair and equitable treatment on the job.

- The right to share fairly in the gains of the employer.

- The right to participate fully in the work of the Union on the scope, content and structure of one's job.

- The responsibility to participate in the Union's efforts to establish and uphold collective principles and values for effective workplace participation.

- The responsibility to recognize and respect the interests of all Union members when making decisions about Union goals.

- The responsibility to be informed about the industry in which one works and about the forces that will affect the condition of workers in the industry.

- The responsibility to participate fully in the Union's efforts to expand the voice of workers on the job.

- The responsibility to give fully and fairly of one's talents and efforts on the job and to recognize the legitimate goals of one's employer.

SEIU/NAGE MEMBER BILL OF RIGHTS AND RESPONSIBILITIES IN THE UNION

- The right to have opinions heard and respected, to be informed of Union activity, to be educated in Union values and Union skills.
- The right to choose the leaders of the Union in a fair and democratic manner.
- The right to a full accounting of Union dues and the proper stewardship over Union resources.
- The right to participate in the Union's bargaining efforts and to approve Union contracts.
- The right to have members' concerns resolved in a fair and expeditious manner.
- The responsibility to help build a strong and more effective labor movement, to support the organizing of unorganized workers, to help build a political voice for working people, and to stand up for one's co-workers and all workers.
- The responsibility to be informed about the internal governance of the Union and to participate in the conduct of the Union's affairs.
- The responsibility to contribute to the support of the Union.
- The responsibility to treat all workers and members fairly.
- The responsibility to offer constructive criticism of the Union