

C S E A R E G I O N C O N S T I T U T I O N

Endorsements	V	7	6
Executive Board			
Consists of	VI	1	6
Power and Authority	VI	2	6
Voting Members	VI	2	6
Fiduciary Responsibilities	VI	3	7
Expenses Exceeding Budgetary Allowance	IX	5	9
Expenses (reimbursement of)	IX	10	10

F

Finances			
Rebates	IX	2	8-9
Budget	IX	3 & 4	9
Expenditures	IX	6 & 17	9 & 11
Investments	IX	7	9
Reimbursements	IX	10 & 11	10
Gifts	IX	12	10
Indebtedness	IX	13	10-11
Agreements/Contracts	IX	14	11
Loans	IX	15	11
Contributions	IX	16	11
Advances	IX	18	11
Records	IX	19	12
Political Contributions	IX	23	13
Fiduciary Responsibility	VI	3	7
Fiscal Year	IX	1	8

H

Honoraria	IX	8 & 9	9-10
-----------	----	-------	------

I

Indebtedness	IX	13	10-11
--------------	----	----	-------

J

Judicial Board			
Members	XI	1(a)	14
Eligibility to Serve	XI	1(b)	15
Term	XI	1(c)	15
Vacancy	XI	1(d)	15
Hearing Officer	XI	1(e)	15
Release Time	XI	1(f)	15
Jurisdiction	XI	2	16
Procedure	XI	3	16-21
Complaint	XI	3(a)(1-6)	16-19
Answer to Charges	XI	3(a)(7&8)	19
Hearing of Charges	XI	3(a)(8)	19
Decision	XI	3(a)(9)	19-20

C S E A R E G I O N C O N S T I T U T I O N

S

Secretary			
Bonded	V	3	4
Duties	V	3	4
Vacancy	IV	3	3

T

Terms			
Officers	IV	2	2
Treasurer			
Bonded	V	4	5
Duties	V	4	5
Vacancy	IV	3	3
Trusteeships	XI	3(b)	20-21

V

Vice President			
Bonded	V	2	4
Duties	V	2	4
Vacancy	IV	3	3
Voting Members	VI	2	6

C S E A

REGION CONSTITUTION

THIS CONSTITUTION IS MANDATED BY THE BOARD OF DIRECTORS OF THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC. FOR USE BY ALL REGIONS OF THE CIVIL SERVICE EMPLOYEES ASSOCIATION, INC., LOCAL 1000, AFSCME, AFL-CIO, AND SUPERSEDES ALL PREVIOUSLY ADOPTED CONSTITUTIONS.

REVISED

APRIL 2004



NOTES

CSEA MISSION STATEMENT

As working men and women — every one and everywhere — we are our greatest resource.

We organize and represent workers to ensure our voice is heard, our place at the table is kept and the American dream is ours in the 21st Century.

As a labor union, we hold these values as our working principles:

Honesty: *We are honest with ourselves and each other.*

Inclusiveness: *Every group, every idea is welcomed.*

Full participation: *We encourage and expect full participation in all union matters.*

Respect: *We respect each other and honor our differences.*

Diversity: *We celebrate our diversity and use it to strengthen us.*

Open Communications: *We listen and provide for open communication across all parts of our union and in all directions.*

Accountability: *We are accountable for our actions and decisions.*

Fiscal Responsibility: *We conduct our business in a fiscally sound manner.*

As a labor union, we are committed to union democracy and we follow these values with integrity.

Penalties	XI	4	21-22
Appeals	XI	5	22-23
Suspension	XI	3(a)(12&13)	20
Trusteeships	XI	3(b)	20-21

L

Logo (use of)	V	7	6
---------------	---	---	---

M

Mailings (to members)	V	7	6
Meetings			
Region Executive Board	VII	1	7
Special Executive Board	VII	2	7
Parliamentary Procedure	XIII	1	26
Membership			
Definition of good standing	III	--	2

O

Oath of Office	IV	2	2
Officers			
Terms	IV	2	2
Vacancy	IV	3	2-3
Duties	V	1-7	3-6
Training	V	5	5

P

Political/Ideological Endorsements and Expenditures	X	1-4	13-14
Power and Authority (to transact business)	VI	2	6-7
President			
Bonded	V	1	4
Duties	V	1	3-4
Vacancy	IV	3	2
Purpose and Policy	II	--	1
Parliamentary Procedure	XIII	1	26

R

Rebates	IX	2	8-9
Region (definition of)	II	--	1
Reimbursements	IX	10	10

TABLE OF CONTENTS

ARTICLE	Page
I. NAME	1
II. PURPOSE AND POLICY	1
III. MEMBERSHIP	2
IV. OFFICERS	2
V. DUTIES OF OFFICERS	3
VI. EXECUTIVE BOARD	6
VII. MEETINGS	7
VIII. COMMITTEES	7
IX. FINANCES	8
X. POLITICAL AND IDEOLOGICAL ENDORSEMENTS AND EXPENDITURES	13
XI. JUDICIAL BOARD	14
XII. NOMINATING AND ELECTION PROCEDURES	23
XIII. MISCELLANEOUS	26
XIV. AMENDMENTS	27

INDEX

	ARTICLE	SECTION	PAGE
A			
Agent (as defined for a Region officer)	V	6	5
Agreements (authorization)	IX	14	11
Amendments			
By-Laws	XIII	2	27
Constitution	XIV		27
Annual Report(Treasurer)	V	4	5
Assessing (Locals)	IX	22	13
Audit Committee	VIII	1 & 3	8
B			
By-Laws			
Amendments	XIII	2	27
C			
Committees			
Standing	VIII	1	7-8
Discretionary	VIII	2	8
Competing Labor Organization			
Definition of	IV	4	3
Constitution			
Amendments	XIV		27
Contributions	IX	12 & 16	10 & 11
D			
Dissolution (of Region)	IX	20	12
E			
Elections			
Candidates (Eligibility)	XII	1 & 2	23
Nominations	XII	3(a)	23-24
Petition as Slate	XII	3(b)	24
Candidate Names on Ballot	XII	4	24
Election Agency	XII	5	24
Eligibility to Vote	XII	6	24
Announcement of Results	XII	7	25
Notice of Results (to candidates)	XII	7	25
Write-in Votes	XII	7	25
Protests	XII	8	25-26

ARTICLE I
Name

This organization shall be known as the * _____
Region _____ of the Civil Service Employees Association,
Inc., Local 1000, AFSCME, AFL-CIO.

ARTICLE II
Purpose and Policy

This Region is organized as a subdivision of the Civil Service Employees Association, Inc., Local 1000, AFSCME, AFL-CIO, and exists to represent all members assigned to it by the Association, consistent with the Union’s purpose and policy as follows:

We exist as a Union to organize working people and, through our active involvement in our Union, to enhance the quality of life for all workers and their families, to improve and protect our working conditions, and to have a voice in the political process.

We are devoted to the concept that an injury to one is an injury to all. We are responsible as union members to forcefully and effectively defend our rights and those of all workers to ensure justice and dignity in the workplace and the community.

We are dedicated to the principle that the democratic process within our union is a right of every member, whether employed or retired, without regard to race, creed, color, national origin, age, sex, physical challenges, marital status, political affiliation, or sexual orientation.

* The Delegates have mandated that the six Regions of CSEA be known as Long Island Region (1), Metropolitan Region (2), Southern Region (3), Capital Region (4), Central Region (5), and Western Region (6).

ARTICLE III
Membership

Any employee who is a member in good standing** of a Local having its headquarters in this Region shall also be a member of this Region.

ARTICLE IV
Officers

Section 1. The officers of this Region shall be a President, at least three Vice Presidents, a Secretary and a Treasurer. The Region President, with the approval of two thirds (2/3) of the Region Executive Board, may create other offices as deemed necessary. Such offices must be described in the Region By-Laws.

Section 2. The Region Officer terms due to expire on June 30, 1999 shall be extended to March 1, 2000. Thereafter, commencing with election year 2000, Region Officers will serve four (4) year terms, or until their successors have been certified by the Statewide Election Committee, commencing March 1, 2000. No person shall be a candidate for or hold more than one Region elective office as defined in Article IV, Section 1 of this Constitution. All officers must take the oath of office.

Section 3. If the President is unable to act for any cause whatsoever, the next ranking Vice President shall perform the duties of President and shall be deemed the Acting President. If the office of President becomes vacant, the next ranking Vice President shall succeed to the office of President.

** A member in good standing is a member whose dues are not delinquent and who is not currently serving a disciplinary penalty imposed by the Judicial Board of CSEA.

Section 2. By-Laws, not inconsistent with the provisions of this Constitution, may be adopted or amended at a regular or special meeting of the Region Executive Board, having first been presented to the Region Executive Board in writing at least ten (10) days prior to the meeting. A copy of any By-Laws properly promulgated by the Region shall be provided to the office of the Statewide Secretary to be incorporated in the permanent CSEA records. No By-Laws or amendments thereto shall be effective until reviewed by the Statewide President or his/her designee.

ARTICLE XIV
Amendments

This constitution may be amended or revoked by a majority vote of the Board of Directors of the Statewide Association.

has been aggrieved, it shall sustain the protest and take any other action which it deems appropriate in order to remedy the situation. If the Statewide Election Committee determines that the signed statements and supporting proof fail to establish a violation of any of the election procedures, it shall dismiss the protest and so notify the member. If the Statewide Election Committee determines that the signed statements and supporting proof raises a question of fact which, if resolved in favor of the member, would establish that there has been a violation of the election procedures, it shall hold a hearing to determine whether in fact the protest is valid.

At the hearing, the protester shall bear the burden of proof. The Statewide Election Committee may also invite other interested parties to appear and present evidence. All interested parties will be entitled to bring witnesses and present evidence in support of their positions. All expenses incurred relative to the hearing must be borne by the individuals involved. No member of the Statewide Election Committee will be permitted to vote on a protest which involves his or her own Region.

If the Statewide Election Committee determines that the protester has failed to establish a violation of the election procedures, the Committee shall so notify the protester. If the Statewide Election Committee sustains the protest, the Committee shall notify the protester, the Region and all affected candidates. The Statewide Election Committee may take any action it deems appropriate in order to remedy the situation.

ARTICLE XIII **Miscellaneous**

Section 1. Parliamentary procedure shall be in accordance with *Robert's Rules of Order, Revised*, insofar as they do not conflict with the CSEA Constitutions.

If the office of Vice President becomes vacant, the next ranking Vice President, if any, shall succeed to that office and each next ranking Vice President shall succeed to the vacancy in the higher Vice President position.

Failure to assume the higher office as outlined in this Article will result in automatic removal from the office currently held.

In the event that a Treasurer or Secretary is disabled and unable to act by reason of such disability for a period of more than two (2) weeks, the President with the approval of a majority of the Region Executive Board may appoint a member in good standing of the Region to serve in the position of the disabled officer until such officer is able to resume his or her official duties.

A vacancy in any other Region office or on the Region Executive Board which is elected or selected from the entire Region shall be filled for the remainder of the term by the Region President with the approval of a majority of the Region Executive Board, provided that the person so selected has been a member in good standing of the Region since June 1 of the preceding year.

Section 4. No member of the Executive Board of the Region shall be a member of a competing labor organization. A competing labor organization is any organization which is seeking or has sought to represent employees for the purposes of collective bargaining. No elected or appointed public official who is deemed to have a conflict of interest by the Judicial Board of CSEA shall continue as a member of the Executive Board of the Region.

ARTICLE V **Duties of Officers**

Section 1. The Region President shall be the responsible

and chief administrative officer of the Region and shall preside at all meetings of the Region and of the Region Executive Board. The President shall, with the approval of a majority of the Region Executive Board, appoint all committees of the Region. The President shall be a member, ex officio, of all committees of the Region.

The President shall insure that all Region officers perform their respective duties in accordance with this Constitution. The Region President may require each Local President to furnish a statement as to whether or not the Local has complied with all of the provisions of the Local Constitution.

The President shall be bonded at the expense of the Statewide Association in an amount fixed by the Board of Directors of the Statewide Association.

The President shall notify the Statewide Treasurer of any change in the office of Region Treasurer within seven (7) days of such change.

Section 2. The duties of the Vice Presidents shall be those assigned by the President or the Executive Board of the Region.

The Vice Presidents shall be bonded at the expense of the Statewide Association in an amount fixed by the Board of Directors of the Statewide Association.

Section 3. The Secretary shall be the custodian of all records, exclusive of financial records, and papers of the Region and shall give notice of all meetings and keep a complete and accurate record of all proceedings. The Secretary shall furnish to the Treasurer copies of all motions regarding Region funds.

The Secretary shall be bonded at the expense of the Statewide Association in an amount fixed by the Board of

Statewide Election Committee shall determine the date of voter eligibility.

Section 7. Commencing with the year 2000 election cycle, balloting is to be conducted for all elective offices between January 15 and February 15 of the election year. Write-in votes are prohibited. Announcement of the results of the election shall be made by the Statewide Election Committee within forty eight (48) hours after the ballots have been counted. The member receiving the greatest number of votes for each office respectively shall be declared elected to that office. All candidates shall be notified of the results of the election.

Section 8. Any member believing himself or herself aggrieved by any aspect of the election process may file a written protest with the Statewide Election Committee, Civil Service Employees Association, Inc., 143 Washington Avenue, Albany, New York 12210 by registered or certified mail, return receipt requested. Such written protest must be postmarked within ten (10) calendar days after the member knew or should have known of the act or omission complained of. The protest must include the member's signed statement, supported by available documentary proof, containing a short and plain statement of the facts upon which the member relies to show that he or she has been aggrieved. Each election protest must contain the name, address and telephone number of the member protesting the election. Notice of such protest must be sent by certified mail, return receipt requested, to all other candidates, by the Statewide Election Committee, which Notice of Protest shall include a written statement that the affected candidates have a right to respond to the protest by filing an answer along with any supporting documentation by certified mail to the Statewide Election Committee, with a copy to all other parties, within ten (10) days of receipt of the Notice of Protest.

If the Statewide Election Committee determines that the signed statements and supporting proof establish that the member

and the last four (4) digits of the social security numbers along with the first initial of the last name of not less than 500 members in good standing eligible to vote in the election. Any member submitting the required number of valid signatures to the Statewide Election Committee at CSEA Headquarters in a timely manner shall be placed on the ballot as a candidate for office.

(b) Any candidate for region office may choose to petition as part of a slate of candidates for region office. Where a candidate chooses to petition as part of a slate, he/she must meet all of the slate petitioning requirements as set forth by the rules and regulations adopted by the Board of Directors of the Statewide Association. Any candidate who meets all of the slate petitioning requirements will appear on the ballot as part of the candidate's designated slate. A candidate who does not meet all of the slate petitioning requirements may appear on the ballot as an independent candidate if he/she meets all of the requirements for independent candidate status as set forth by the rules and regulations adopted by the Board of Directors of the Statewide Association.

Section 4. On a date set by the Statewide Election Committee, and upon notice to each candidate, a member of the Statewide Election Committee shall conduct a meeting of all candidates to draw by lot the order in which the candidates' names will appear on the ballot.

Section 5. The election shall be conducted by an independent election agency under the supervision of the Statewide Election Committee in accordance with the Statewide Constitution and the rules and regulations adopted by the Board of Directors of the Statewide Association.

Section 6. Only CSEA members in good standing of the Region as of December 1 of the year preceding the election will be eligible to vote in an election. If an election is held at a time other than between January 15 and February 15 of the election year, the

Directors of the Statewide Association.

Section 4. The Treasurer shall be the custodian of all funds of the Region. The Treasurer shall keep a true and accurate record of any receipts and disbursements and shall file an itemized report annually with the Region. Such records shall be open at all times to the inspection of the Presidents and Executive Boards of the Region and Statewide Association.

The Treasurer shall inform the membership annually as to how the Region's funds are invested, used or encumbered.

Before January 1 of each year, the Treasurer shall file an annual report for the preceding fiscal year with the Treasurer of the Statewide Association which shall state income, expenditures, investments and funds available to the Region. Failure to file such fiscal reports shall preclude the Region from receiving any rebate or other monies from the Statewide Association until such report has been filed.

The Treasurer shall be bonded at the expense of the Statewide Association in an amount fixed by the Board of Directors of the Statewide Association.

Section 5. All officers shall attend officers' training sessions as provided by the Association. Failure to abide by this requirement may result in the office being declared vacant.

Section 6. Except to the extent specified in this Constitution, no Region officer shall have the power to act as agent for or otherwise bind the Association in any way whatsoever. No member or group of members or other person or persons shall have the power to act on behalf of or otherwise bind the Association except to the extent specifically authorized in writing by the Association President or by the CSEA Board of Directors.

Section 7. No endorsement or promotion of any vendor, service or provider by the Region or by any officer thereof may be made without the prior approval of the Board of Directors of the Association.

All mailings to CSEA members on behalf of any Board approved vendor, service or provider shall be done by the Association, upon the approval of the President.

No Region or officer thereof shall permit the use of his/her name, title, and/or the CSEA name or logo for endorsement or promotional purposes.

No Region or officer thereof shall provide membership listings to any vendor, service or provider.

ARTICLE VI Executive Board

Section 1. There shall exist in each Region a Region Executive Board which shall consist of the elected officers, Local Presidents and any other offices provided in the By-Laws of the Region and shall reflect, where applicable, representation of the State departments, Local Government divisions, school districts, judicial, authorities and other communities of interest which may be deemed necessary within the Region.

Section 2. The power and authority to transact business relative to the members of the Region shall be vested in the Region Executive Board. No action may be taken by the Executive Board except by vote of the members thereof eligible to vote. The voting members of the Region Executive Board shall be the elected officers of the Region, the Local Presidents of the Region, any person appointed to fill an elected office pursuant to Article IV, and other elected officers within the Region as provided in the

(b) The Appeals Committee shall consider any objections which have been duly filed and shall issue a determination no later than the second Board of Directors meeting following receipt of the objections.

ARTICLE XII Nominating and Election Procedures

Section 1. In order to be eligible to seek office, a candidate must be at least 18 years of age, a member in good standing of the Region since January 1 of the year preceding the election year, shall not have been a member of a competing labor association or union since January 1 of the year preceding the election year, and shall not currently be serving a disciplinary penalty imposed by the Judicial Board of CSEA. The candidate must not have been the subject of a bonding claim by the Association or otherwise be disqualified from coverage by the Association's surety bond.

Section 2. No person may be a candidate for Statewide and Region Office during the same election year. No person may be a candidate for more than one Region Office as defined in Article IV, Section 1 of this constitution. This section does not prohibit a member from being a candidate for delegate to the CSEA conventions as well as for Region Office.

Section 3. (a) Nominations for the Offices defined in Article IV, Section 1 of this Constitution shall be made by official petition provided by the Chairperson of the Statewide Election Committee or other responsible employee of the Association so designated, upon the written request of any member. When nominating petitions are given out, the name of the candidate and the office that candidate is seeking must be typed or clearly printed at the top of the petition. A record must be kept of all petitions disbursed. A member who is otherwise eligible may qualify as a candidate for office by submitting a nominating petition carrying the signatures

period of time not to exceed three (3) years;

(6) expulsion from membership.

(b) If the charges or any part thereof are sustained against a Local or Unit concerning a trusteeship, the Judicial Board may impose (in addition to the penalties in paragraph (a) set forth above which may be imposed against officers or members of the Local or Unit) any one or more of the following penalties:

(1) formal reprimand;

(2) full or partial restitution where the consequences of the offense can be measured in material terms;

(3) the continuation of the trusteeship for a period of time until elections can be held and officers installed;

(4) the continuation of the trusteeship for a period not to exceed three (3) years.

Section 5. APPEALS.

(a) Any person or entity believing himself/herself aggrieved by a formal decision of the Judicial Board may appeal the formal decision by filing an objection with the Appeals Committee of the Board of Directors of the Statewide Association within fifteen (15) days of the receipt of the formal decision of the Judicial Board. The objections must be sent certified mail, return receipt requested, to the Board of Directors, Appeals Committee, 143 Washington Avenue, Albany, New York 12210. The objections must state with specificity, all portions of the Judicial Board decision to which objection is taken, including the specific question of procedure, fact, law or policy to which objections are taken and the reasons therefor.

By-Laws of the Region. Such officers or persons must be present at the Executive Board meeting to exercise their vote.

Section 3. The Region Executive Board has a fiduciary responsibility to the members of the Region as described under **Article IX, Finances**. The Region Executive Board shall approve the Region budget, shall be required to approve any expenses in excess of amounts budgeted and may establish reasonable honoraria for elected officers of the Region subject to the restrictions set forth under **Article IX, Finances**.

**ARTICLE VII
Meetings**

Section 1. The Region Executive Board shall hold at least four (4) meetings per year and shall hold as many more as may be deemed necessary by the Region President.

Section 2. Special meetings of the Region Executive Board shall be held upon the call of the President. Upon written request, by certified mail, return receipt requested, of at least ten percent (10%) of the Region Executive Board, the President shall call a special meeting of the Region Executive Board within seven (7) days after receipt of the written request. This special meeting of the Executive Board shall be held within fifteen (15) days after receipt of the written request. Such request must set forth the reasons for calling a meeting and the proposed agenda.

**ARTICLE VIII
Committees**

Section 1. The Region President, with the approval of the Region Executive Board, shall appoint the following standing committees:

- (a) Audit Committee
- (b) Budget Committee
- (c) Political and Legislative Action Committee
- (d) Education Committee
- (e) Health and Safety Committee

Section 2. The Region President, with the approval of the Region Executive Board, may appoint the following committees:

- (a) Program Committee
- (b) Public Relations Committee
- (c) Membership Committee
- (d) Resolutions Committee
- (e) By-Laws Committee
- (f) Women’s Committee
- (g) Human Rights Committee

The Region President shall appoint such other committees as may be authorized by the Region Executive Board.

Section 3. The Audit Committee shall consist of not less than three (3) members, none of whom shall be officers of the Region or Executive Board of the Region. The Audit Committee shall have the responsibility of auditing the books of the Region after the close of the fiscal year ending September 30, and submitting a written report of its findings on forms prescribed by the Statewide Association to the Region President, the Region Executive Board, and the Treasurer of the Statewide Association by January 1 of each year.

ARTICLE IX
Finances

Section 1. The fiscal year of this organization shall be from October 1 through September 30 of the succeeding year.

Section 2. All funds rebated from the Statewide Association to the Region are rebated in trust on behalf of the members and

Unit or individual officers charged have a right to object by filing an answer by certified mail to the Judicial Board within ten (10) days after receipt of the charges. If no answer is received, the charges shall be deemed admitted.

(2) The President or Board of Directors of the Statewide Association shall appoint one or more trustees to act in all matters concerning the Local and/or Unit pending a hearing and determination by the Judicial Board of the charges.

(3) The Judicial Board shall hold a hearing within thirty (30) days after receiving an answer from the Local, Unit and/or individual officers. The hearing shall be conducted as stated above under paragraph (a).

Section 4. PENALTIES.

(a) If the formal Judicial Board charges or any part thereof are sustained against any member, the Judicial Board may, to the extent permitted by law, impose any one or more of the following penalties:

- (1) formal reprimand;
- (2) full or partial restitution where the consequences of the offense can be measured in material terms;
- (3) removal from any elected or appointed office or position;
- (4) suspension of the right to hold or seek any elected or appointed office or position for a period not to exceed five (5) years;
- (5) suspension from membership for a specified

vote of at least five (5) voting members present.

(10) All meetings and decisions of the Judicial Board shall be in accordance with parliamentary procedure as prescribed by *Robert's Rules of Order, Revised*

(11) Nothing herein shall preclude settlement of the complaint or charges at any stage of this procedure.

(12) Any member or officer may be suspended from elected office, pending a hearing and determination by the Judicial Board, by the President of the Statewide Association or by the Executive Board of any Region, Local or Unit of CSEA provided that a written complaint is filed with the Judicial Board within seven (7) days of the suspension. If such complaint is not filed with the Judicial Board in conformity with the procedures set forth under this section, the Judicial Board may revoke the suspension.

(13) Upon suspension, all records and documents under the control of the suspended officer must be turned over to CSEA.

(b) Trusteeships.

(1) Any Local or Unit may be placed in trusteeship for any reason deemed good and sufficient by the President or by the Board of Directors of the Statewide Association. Charges against any Local or Unit may also be deemed charges against the individual officers of the Local or Unit. In such case, all charges will be heard together before the Judicial Board. The President or the Board of Directors of the Statewide Association must serve the Local, Unit, and/or officers thereof with charges by certified mail, return receipt requested, with a copy to the Judicial Board within ten (10) days of placing the Local or Unit in trusteeship. Such charges must contain a clear and concise statement of facts constituting the basis for placing the Local or Unit in trusteeship and must be accompanied by a written statement that the Local,

agency shop fee payers of the Region. All funds received by the Region are to be spent only to represent its members and agency shop fee payers with respect to all terms and conditions of employment and in furtherance of legitimate union business.

Section 3. On or before September 30 of each year the Region Executive Board shall approve a budget in a form prescribed by the Statewide Association.

Section 4. On or before November 1 of each year the President of the Region must file a budget approved by the Region Executive Board with the Treasurer of the Statewide Association in a form prescribed by the Statewide Association.

Section 5. The Region Executive Board shall be required to approve any expenses in excess of the amounts budgeted and provide the Treasurer of the Statewide Association with an explanation of such amounts, including documentation and a copy of the duly approved resolution of the Region Executive Board approving such excess amounts within thirty (30) days of such approval.

Section 6. No withdrawal or expenditure of Region funds may be made without the signature of at least two (2) officers of the Region, one being the Treasurer and the other being the President or ranking Vice President.

Section 7. No officer or member of the Region Executive Board shall invest, or cause to invest, union funds in any manner which results in personal profit or advantage for any officer or member of the Region.

Section 8. Money may only be paid by a Region to individuals pursuant to duly approved reasonable* honoraria or for

* Reasonableness shall be determined on the basis of the following factors: number of members in the Region, amount of unreimbursed time spent on union business, financial condition of the Region, amount of unreimbursed travel on Region business and other necessary expenses.

the reimbursement of reasonable, actual and necessary expenses incurred in furtherance of union business.

Section 9. On or before November 1 of the year preceding the election, the Region President shall notify the Treasurer of the Statewide Association of any honoraria which have been approved by the Region Executive Board. The Region President shall also include a copy of the resolution by the Region Executive Board continuing, changing or creating any honoraria. The Region Executive Board may establish reasonable honoraria for the elected officers of the Region provided that the establishment of any honorarium or change in the amount of any existing honorarium shall not take effect until after an intervening election has occurred.

Section 10. No reimbursement for expenses may be made by the Region without having the individual seeking expenses submit a voucher in the form prescribed by the Statewide Association and approved by the Board of Directors of the Statewide Association, together with the receipts and any other documents required to support such expenses. No reimbursement for expenses may be paid by the Region to any individual who has been reimbursed for those expenses from any other source.

Section 11. Reimbursement by the Region for delegate expenses, including travel, meals, lodging and other delegate expenses cannot exceed the amount authorized for such reimbursements by the Board of Directors of the Statewide Association.

Section 12. No gift of appreciation or contributions to any cause may be made by the Region. Disbursements of up to One Hundred Dollars (\$100.00) per item may be made by the Region for such things as acknowledgements of retirement and memorials to deceased members.

Section 13. No Region shall incur any indebtedness

misconduct and the penalties which may be imposed. These formal Judicial Board charges shall be accompanied by a written statement that the individual charged has a right to object by filing an answer by certified mail to the Judicial Board, with a copy to all other parties, within ten (10) days of receipt of the formal Judicial Board charges. The Judicial Board shall notify the President of the Statewide Association who shall determine the extent to which the Statewide Association shall participate in the prosecution of the formal Judicial Board charge. In those instances where the President of the Statewide Association is charged with misconduct, the Judicial Board shall notify the Board of Directors of the Statewide Association who shall make this determination.

(7) Within thirty (30) days of the receipt of an answer denying the formal Judicial Board charges, the Judicial Board shall appoint one or more members to hold a hearing on the formal Judicial Board charges. The hearing shall be conducted according to rules of procedure promulgated by the Judicial Board. Each party may be represented by an attorney and shall be given the right to present witnesses and other evidence in his or her own behalf and to cross-examine witnesses presented by the other parties. A verbatim record shall not be required; however, any party to the proceedings may request a stenographic transcript of the proceedings provided that the party requesting a transcript bear the cost of such record and furnish copies to the Judicial Board and to the other parties.

(8) If no answer is served to the formal Judicial Board charges, or if there is no appearance by a party at a scheduled hearing, the Judicial Board may make a determination on the evidence then before it, or may hold a hearing without participation by the absent party.

(9) Where a hearing is held, the Judicial Board shall issue a decision within sixty (60) days after the close of the hearing. All determinations of the Judicial Board shall be made by a majority

for an unauthorized purpose, including publicizing through the media any political endorsement contrary to the endorsements and positions approved by the Statewide and/or Region Political Action Committee.

(f) Interfering with any elected official of CSEA in the discharge of that official's lawful duties.

(g) Solicitation or acceptance of any money or the acceptance of any gift of more than nominal value from any employer, employee of the union, or from any person or firm which has or which is seeking to establish a business relationship with the Statewide Association or any subdivision thereof.

(h) Conviction of a crime, the nature of which is such as to bring the union as an organization into disrepute.

(i) Knowingly submitting a false financial statement or audit report to the Statewide Association or any subdivision thereof.

(j) Any other conduct detrimental to the best interests of CSEA.

(5) A complaint may be amended at any time with proper notice to all parties but, once filed, may not be withdrawn without the consent of the Judicial Board.

(6) Upon receiving a complaint, the Judicial Board may dismiss the complaint or any part thereof if it appears to be frivolous in nature, lacking sufficient substantiation or alleging conduct for which penalty is not appropriate. If the Judicial Board determines that there is probable cause to believe that the complaint, if proven, would sustain a finding of misconduct, the Judicial Board shall then issue formal Judicial Board charges against the member or officer setting forth the specific acts of

without the prior approval of the Board of Directors of the Statewide Association.

Section 14. No Region is authorized to enter into any lease, contract or other agreement (excluding collective bargaining agreements) which extends beyond the term for which its officers have been elected without the prior approval of the Board of Directors of the Statewide Association. All leases, contracts or other agreements shall be submitted in advance of signing for review by the Statewide Counsel.

Section 15. No Region may make any loans to any individual, corporation or other entity without the prior approval of the Board of Directors of the Statewide Association.

Section 16. Any funds appropriated by a Region to contribute jointly to any cause with any other employee organization, or to provide for any services of the kind provided by the Statewide Association, its agents and/or employees must first be approved by the Region Executive Board and the Board of Directors of the Statewide Association before such funds may be expended or any obligation for such expenditure may be incurred. Such services include, but are not limited to, negotiations, administration of the collective bargaining agreements, legal services and the use of any paid professional staff except for clerical office help.

Section 17. Expenses incurred for the operation of Region offices may not exceed the usual and customary rates and fees normally charged for such services in the area.

Section 18. When reasonable and necessary, advances in amounts not exceeding the amounts approved by the Board of Directors of the Statewide Association may be paid no sooner than ten (10) days before the event for which the advance is sought. Submission of vouchers and adjustments must be made within

thirty (30) days after the close of such event. No additional advances may be made to any individual who is in violation of this Section or who owes any monies to the Region.

Section 19. The Region shall make all Region records available for inspection to the duly authorized representatives of the Statewide Association upon request of the President or Board of Directors of the Statewide Association. Upon the Region's failure to make the Region's records available for inspection, or in the event the Region furnishes records which are deemed to be inadequate, the Region may be placed in trusteeship by the President of the Statewide Association.

Section 20. In the event that the Region is dissolved by the Statewide Association, all books, papers, funds and property of such Region shall forthwith be delivered to the President of the Statewide Association to be held in escrow for a period of one (1) year for the purpose of reorganizing the Region or designating a successor Region. If the Region is not reorganized within one (1) year, or if a successor Region is not designated, such books, papers, funds and property shall become the property of the Statewide Association.

Section 21. Whenever members of the Region or any Local of the Region shall be transferred or reassigned permanently to another governmental agency, either by the New York State Constitutional Convention, Executive Order, or legislative action, that Region under whose jurisdiction the members have been, shall pay to the Region under whose jurisdiction they will come, the prorated share of the current refund for each member from the effective date of transfer to the end of the fiscal year.

Section 22. In the event that a Region adopts a plan for assessing the Locals within its Region, the State Treasurer shall, upon notification by the Region Treasurer that a Local is delinquent in its Regional assessments, deduct that amount from

(3) The complaint must contain the name, address, social security number, and Local of the member making the complaint and the name, address, and Local of any party against whom the complaint is made. The complaint must set forth a clear, concise statement of the alleged wrongful conduct together with the dates and places where the conduct took place, and the names, addresses and telephone numbers of any witnesses to the alleged wrongful conduct. If a violation of a CSEA Constitution is alleged, the specific Article and Section of that Constitution must be included; if the complaint alleges a violation of a mandate of the Board of Directors of the Statewide Association, the specific mandate must be stated. The complaint shall be accompanied by documentation and/or a statement signed by the member which supports the complaint and must also contain a statement by the member making the complaint that the person against whom the complaint is made has been given a copy of the complaint.

(4) The following shall constitute the basis for complaints against any member or officer of CSEA:

(a) A violation of any provision of the Statewide, Region, Local or Unit Constitution.

(b) Misappropriation, embezzlement, improper or illegal use of union funds.

(c) Any conduct which aids or supports, or is intended to aid or support, a competing labor organization.

(d) Refusal or failure to carry out legally authorized mandates or decisions of the President of the Statewide Association, the Board of Directors of the Statewide Association, the Delegate Body or the Judicial Board.

(e) Using the name of the Statewide Association, or any Region, Local, or Unit thereof, in an unauthorized manner or

Section 3. A Region may make recommendations for CSEA endorsement or contribution through its Political and Legislative Action Committee. Such recommendation shall be made directly to the Statewide Political and Legislative Action Committee.

Section 4. Any recommendations of the Region with reference to matters of principle or policy, or proposals to be submitted to the Governor, the Legislature, or to the executive or administrative heads of state government shall first be submitted to the officers of the Region for submission to the Executive Officers* of the Statewide Association. No officer or representative of the Region shall be empowered to take any action on behalf of the Region or Statewide Association before the Governor, the Legislature, or the executive or administrative heads of state government with reference to such matters or proposals unless expressly authorized by a majority of the Executive Officers of the Statewide Association. Recommendations or proposals submitted to local governments on matters affecting only the Region should first be submitted to the President of the Statewide Association where time permits.

ARTICLE XI
Judicial Board

Section 1. MEMBERS.

(a) The Judicial Board shall be comprised of eight members. Each Region President shall appoint one member and the President of the Statewide Association shall appoint two

* Executive Officers are defined as the four Statewide Officers of the Civil Service Employees Association, Inc. and the six Region Presidents.

members. From these eight members, the President of the Statewide Association shall appoint the Chairperson and the Vice Chairperson of the Judicial Board.

(b) In order to be eligible to be on the Judicial Board, a person must have been a member in good standing of CSEA for a continuous period of five (5) years preceding the appointment and must have held, or be currently holding, an elected office. No Statewide Officer shall be appointed to the Judicial Board.

(c) Each Judicial Board member shall serve for a term coincident with the term of the officer appointing that member.

(d) A vacancy on the Judicial Board shall be filled by the officer making the initial appointment.

(e) No member of the Judicial Board shall serve as a sole Hearing Officer at hearings which involve charges against members, Locals or Units from that member's Region. No member of the Judicial Board may vote on a determination of the Judicial Board which involves a member or a Unit from that member's Local. No member of the Judicial Board may vote on a determination of the Judicial Board which involves that member's Local. Any member of the Judicial Board who is also on the Board of Directors of the Statewide Association may be present during the presentation of an appeal to the Board of Directors, but may not vote on the disposition of that appeal.

(f) Any member of the Judicial Board who is not eligible for paid release time and who must charge his or her own leave accruals for time spent on Judicial Board business will be compensated at the same per diem rate as is a member of the Board of Directors of the Statewide Association.

Section 2. JURISDICTION.

(a) The Judicial Board herein created shall have the power to hear, investigate, determine, and all powers incidental thereto, as well as the power to promulgate procedures concerning:

- (1) all complaints and charges against members;
- (2) trusteeships;

(3) whether elected or appointed public officials who are members of CSEA are deemed to have a conflict of interest.

(b) The Judicial Board, upon good cause shown, shall have the power to waive any time limits contained in this article.

(c) The Judicial Board shall not be divested of its jurisdiction over one who is the subject of a complaint or charge, by the resignation of such person from CSEA membership, if the conduct complained of took place while such individual was a member of CSEA.

Section 3. PROCEDURE.

(a) Charges against individual members.

(1) Any member may file a complaint against any member or officer of CSEA. Any Executive Board of a Unit, Local or Region may file a complaint against any member or officer of CSEA.

(2) Each complaint must be filed with the Judicial Board, 143 Washington Avenue, Albany, New York 12210, by certified mail, return receipt requested, and a copy of the complaint must be served on any person against whom the complaint is made by certified mail, return receipt requested.

the Local's direct rebate from the Association and transmit the assessment to the Region Treasurer.

Section 23. No monies received by any Region may be contributed or applied to promote or detract from the candidacy of any person in any CSEA/AFSCME election or in any other labor organization. Such monies may be utilized for notices and other expenses necessary for the holding of an election. This provision shall not prohibit a Region from spending monies to distribute campaign literature for all candidates on an equal basis.

Section 24. No Region money shall be used to fund or reimburse guests at the Annual Meeting of the Association.

ARTICLE X

Political and Ideological Endorsements and Expenditures

Section 1. Only the Statewide Political and Legislative Action Committee may determine endorsements of any candidate for political or party office or any proposition on behalf of CSEA. No Region or member may endorse or give the appearance of endorsing by publicizing to the membership or media any candidate for political or party office or any proposition until that candidate or proposition has been approved by the Statewide Political and Legislative Action Committee.

Section 2. No member or officer of a Region shall make, or cause the Region to make, either directly or indirectly, any expenditure, reimbursement or contribution of any kind from union funds or property for political or ideological purposes, nor may the Region make any loans or incur any indebtedness for such purposes.