

# CONSTITUTION



OF THE

MINNESOTA AFL-CIO

(Approved October 21, 2016)

## **EXECUTIVE OFFICERS**

**Bill McCarthy, President**

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## **PREAMBLE**

The establishment and future of this Federation represents an expression of the hopes and aspirations of the working people of Minnesota.

We seek fulfillment of these hopes and aspirations through democratic processes within the framework of our constitutional government and consistent with our institution and traditions.

At the collective bargaining table, in the community, in the exercise of the rights and responsibilities of citizenship, we shall work to responsibly serve the interests of all the people of our state and nation.

We pledge ourselves to the more effective organization of working men and women; to the securing to them of full recognition and enjoyment of the rights to which they are justly entitled; to the achievement of ever-higher standards of living and working conditions; to the attainment of security for all the people sufficient to enable workers and their families to live in dignity; to the enjoyment of the leisure which their skills make possible; and to the strengthening and extension of our way of life and the fundamental freedoms which are the basis of our democratic society.

We shall combat resolutely the forces which seek to undermine the democratic institutions of our nation and to enslave the human spirit. We shall strive always to win full respect for the dignity of the human individual whom our unions serve.

With Divine guidance, grateful for the fine traditions of our past, confident of meeting the challenge of the future, we proclaim this constitution.

## **ARTICLE I**

### **NAME AND LOCATION**

This Federation shall be known as the **Minnesota AFL-CIO**. It is established pursuant to the charter issued by the American Federation of Labor and the Congress of Industrial Organizations (hereinafter AFL-CIO). The Minnesota AFL-CIO shall consist of those organizations eligible for affiliation pursuant to the requirements of the AFL-CIO and which conform to the provisions of this constitution.

The headquarters of the Minnesota AFL-CIO shall be located and maintained by the Executive Officers in St. Paul, Minnesota.

## **ARTICLE II**

### **MISSION**

The mission of the Minnesota AFL-CIO shall be:

- (a) To assist in furthering the objectives and policies of the AFL-CIO and its affiliates provided the affiliates' objectives and policies are consistent with those of the AFL-CIO;
- (b) To aid and assist affiliated organizations in their mutual and individual endeavors;
- (c) To secure legislation which enhances the rights, security and welfare of workers and organized labor and to oppose legislation inimical to these objectives;
- (d) To encourage workers to register and vote, to exercise their full rights and responsibilities of citizenship, and to perform their rightful role in the political life of the local, state and national communities;
- (e) To facilitate the flow of information between affiliated organizations on matters of mutual interest;
- (f) To assist in the formation of area labor councils within Minnesota;
- (g) To encourage all workers without regard to race, creed, color, sex, national origin, religion, age, disability or sexual orientation to share equally in the full benefits of union organization;
- (h) To protect the labor movement from corrupt influences and from the undermining efforts of those who consistently pursue policies and activities directed toward the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association; and
- (i) To engage in such other activities which are consistent with the objectives and principles established by the constitution and policies of the AFL-CIO.

### **ARTICLE III**

#### **AFFILIATION**

**Section 1.** The Minnesota AFL-CIO shall be composed exclusively of the following organizations, which shall conform to this constitution and any rules and regulations adopted pursuant thereto:

- (a) Local Unions of National and International Unions and organizing committees affiliated with the AFL-CIO, and Local Unions chartered directly by the AFL-CIO;
- (b) Local Councils chartered by the Trade and Industrial Departments of the AFL-CIO;
- (c) Joint Boards, District Councils, State Councils and similar subordinate organizations which are duly chartered by an affiliate of the AFL-CIO;
- (d) Minnesota State Retiree Council, AFL-CIO;
- (e) Associate Member Organizations as approved by the AFL-CIO;
- (f) Area labor councils chartered by the AFL-CIO;

(g) State chapters of AFL-CIO constituency groups, as defined in the Rules Governing AFL-CIO State Central Bodies, that are chartered by a national AFL-CIO constituency group. If a constituency group has one or more chapters in the state, but no statewide chapter, a local chapter designated by the national constituency group may be admitted as an affiliate.

**Section 2.** No organization that is not affiliated with the AFL-CIO or with an affiliate of the AFL-CIO shall be permitted to affiliate or be retained as an affiliate. No organization that has been suspended or expelled by a parent body affiliated with the AFL-CIO shall be permitted to affiliate or be retained as an affiliate. No organization officered, controlled or dominated by persons whose policies and activities are consistently directed toward the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association shall be permitted to affiliate or be retained as an affiliate.

## **ARTICLE IV**

### **CONVENTION**

**Section 1.** The convention shall be the supreme governing body of the Minnesota AFL-CIO and, except as otherwise provided in this constitution, its decisions shall be by a majority vote.

**Section 2.** The regular constitutional convention of the Minnesota AFL-CIO shall be held biennially during the month of August at a location to be designated by the General Board. If the regular constitutional convention cannot be scheduled at a suitable location during the month of August, the President may schedule it in an adjacent month.

**Section 3.** A special convention may be held as follows:

(a) A special convention may be held by direction of a regular convention, by order of the General Board or on request of affiliated local unions which represent a majority of the total membership of the Minnesota AFL-CIO as evidenced by the records of the Secretary-Treasurer at the last regular convention.

(b) In the event a special convention has been called, all affiliated organizations shall be given at least thirty (30) days' notice, together with a statement of the particular subject or subjects to be considered at such convention.

(c) Representation to a special convention shall be on the same basis and subject to the same qualifications and procedures that govern a regular convention.

(d) A special convention shall have the same authority and power conferred upon a regular convention. Its decision shall be equally binding and it shall be governed by the same procedures applicable to a regular convention. However, a special convention shall be limited solely to the subject or subjects specifically and definitely indicated in the call for the special convention.

**Section 4.** No less than 45 nor more than 120 days prior to an election of state central body officers, the Minnesota AFL-CIO shall compile and notify each affiliated organization of the availability of a list containing the following information:

- (a) the name and address of each of the state federation’s elected officers (including Executive Board and General Board members);
- (b) the name and mailing address of each of the organizations affiliated with the state federation;
- (c) the name of each of the affiliated organization’s principal officers;
- (d) each organization’s projected per capita voting strength and delegate entitlement at the election; and
- (e) to the extent available, the names and mailing addresses of the delegates.

The Minnesota AFL-CIO shall compile and notify each affiliated organization of the availability of a list containing the information set forth above in each non-election year in the same month in which the information was last provided.

**Section 5.** Affiliated local unions in good standing shall be entitled to the number of convention delegates based on per capita tax paid according to the following schedule:

<b>Affiliated Membership</b>	<b>Delegates</b>
1 -- 200 .....	1
201 -- 300 .....	2
301 -- 400 .....	3
401 -- 500 .....	4
501 -- 750 .....	5
751 – 1,000 .....	6
1,001 – 1,500 .....	7

and one (1) additional delegate for each 1,000 additional members.

(a) Each area labor council, district, regional or state council, joint board or Minnesota State Retiree Council, AFL-CIO, shall be entitled to three (3) convention delegates. Associate member organizations shall be entitled to one (1) convention delegate.

(b) A state chapter, or local chapter if no state chapter exists, of an AFL-CIO constituency group shall be entitled to one delegate. No AFL-CIO constituency group, or its delegate, may be present for or have voice or vote in any meeting or proceeding concerning the endorsement of a political candidate or other partisan political activity concerning public elected office by the Minnesota AFL-CIO, nor may any constituency group, or its delegate, be present for or have voice or vote in any meeting or decision of the Minnesota AFL-CIO’s Committee on Political Education.

(c) Each accredited convention delegate shall be entitled to one (1) vote.

(d) A convention registration fee, as established by the General Board, shall be paid for each delegate and alternate.

**Section 6.** Representation, for determining the number of convention delegates and for roll-call votes at the convention, shall be based on the average monthly membership on which per capita payment is made for the 12-month period ending March 31st, of the year the convention is held. Local unions affiliated for less than the base period shall have their per capita voting strength computed by adding the per capita payments for all months affiliated (including the month prior to the convention) and dividing that total by 12.

**Section 7.** No individual shall be eligible to serve as a delegate unless that person is a member or retired member of a local union affiliated with the Minnesota AFL-CIO or is a national or International Union representative regularly servicing such an affiliated union.

(a) No person shall be eligible to serve as a delegate who holds a salaried position, or any other position of administrative or executive authority, in a union or any subordinate branch of a union which has been suspended or has disaffiliated from the AFL-CIO.

(b) No individual shall be eligible to serve as an officer, member of the Executive Board, member of the General Board or committee or other governing body of, any other committee of, or as a delegate from, or as a representative, agent or employee of the Minnesota AFL-CIO who consistently pursues policies and activities directed toward the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association. No person shall be eligible to serve in any of the aforementioned capacities who holds a salaried position or any other position of administrative or executive authority in a union, or any subordinate branch of a union, which has been suspended from or has disaffiliated from the AFL-CIO.

(c) No delegate shall be seated except upon presentation of a proper credential from an affiliated organization in good standing pursuant to the provisions of this constitution. No delegate shall be seated representing any area labor council if that delegate's local union is not affiliated with the Minnesota AFL-CIO.

**Section 8.** Not less than sixty (60) days prior to the opening of each regular convention, the Secretary-Treasurer shall furnish each affiliate with the credential form(s) in duplicate, which must be attested as required on the form(s). The duplicate shall be retained by the delegate and the original sent to the Secretary-Treasurer. An electronic registration system may also be made available to affiliates as an optional alternative to returning the paper forms. No credentials shall be accepted later than twenty (20) days prior to the opening of the convention.

Credentials received by the Secretary-Treasurer less than twenty (20) days prior to the opening date of the convention shall be acceptable subject to the approval of a majority vote of the delegates.

**Section 9.** Affiliates submitting resolutions shall submit them to the Secretary-Treasurer at least twenty-five (25) days in advance of the convention opening. Resolutions originating in affiliated state council meetings, held in conjunction with the convention, shall be submitted prior to the opening of the convention and must be on subject matter directly involving the council. Resolutions which are not received by the Secretary-Treasurer within the prescribed time limits shall require a three-fourths (3/4) majority vote of the convention to allow consideration.

**Section 10.** The President shall appoint, prior to the opening of the convention and subject to the approval of the convention, such committees as are necessary to conduct the affairs of the convention. All delegates will be eligible for appointment to a convention committee if their credentials are received at least twenty (20) days prior to the opening of the convention. Such committees may meet before the opening date of the convention and shall proceed to consider all resolutions, appeals, reports and constitutional amendments submitted to the convention, and shall report thereon to the convention. Resolutions originating in a convention committee will require a three-fourths (3/4) majority vote of the convention prior to consideration.

**Section 11.** Each resolution, memorial, petition, appeal or constitutional amendment received for consideration by the convention, as soon as practical after receipt thereof, shall be classified as to nature, contents and subject matter and referred by the President to an appropriate committee, which committee shall make a report thereon to the convention prior to consideration of any such matter by the convention. The President shall cause to be distributed, copies of such resolutions, petitions, memorials, appeals or constitutional amendments to the delegates of the convention at the opening session thereof, or as soon thereafter as practical.

**Section 12.** One-fourth (1/4) of the delegates seated at a regular or special convention shall constitute a quorum.

**Section 13.** Matters before a convention may be decided by a voice vote, a show of hands, or by division of the delegates. A call of the roll may be demanded by thirty (30) percent of the delegates present. Upon such roll call, each delegate representing an affiliated local union shall be entitled to one (1) vote for each member represented. The votes of a local union shall be divided equally among all of its accredited delegates and each delegate shall be entitled to cast only that person's assigned number of votes. To facilitate the calling of the roll, one delegate may be designated to cast all of the votes of the delegates representing that local union. If any delegate shall challenge the correctness of the votes so cast, the individual delegates of that local shall be polled. The Secretary-Treasurer shall prepare for convention use, information showing the number of votes to which each affiliate is entitled. Delegates from affiliated area labor councils, district, regional and state councils, constituency groups, joint boards, associate member organizations, and the Minnesota State Retiree Council, AFL-CIO, shall be entitled to one (1) vote for each delegate.

**Section 14.** All elected officers shall be delegates of the succeeding convention with all the privileges of the floor and the right to vote. The expenses of the President and Secretary-Treasurer shall be paid by the Minnesota AFL-CIO. Compensation for any other officer shall be determined by the policies of the General Board.

**Section 15.** On the second (2nd) day of each convention, at the hour of 11:00 a.m., the chair shall suspend all business before the convention and call upon the delegates and guests to stand in silence for one (1) minute in honor of those members who have died since the previous convention.

**Section 16.** The rules of the previous regular convention shall apply until the new Rules Committee report is adopted.



## ARTICLE V

### OFFICERS

**Section 1.** The officers of the Minnesota AFL-CIO shall consist of a President and Secretary-Treasurer, who shall be the Executive Officers, the Executive Board members and the General Board members.

(a) Each officer shall be a member of an affiliated organization, which is in good standing pursuant to the provisions of this constitution.

(b) No individual shall be eligible to serve either as an Executive Officer or as a member of the Executive or General Board who consistently pursues policies and activities directed toward the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association.

(c) No individual shall be eligible to serve as an Executive Officer, Executive Board or General Board member who is retired or whose livelihood does not depend on the organization or from the organization with whom they are affiliated, with the exception of the Executive Board member from the Minnesota State Retiree Council, AFL-CIO.

(d) The Executive Board shall consist of:

(1) one representative of each national or international union whose Minnesota local union affiliates together represent 75% of the total affiliated membership of the Minnesota AFL-CIO, or a representative from the twelve largest affiliates of the Minnesota AFL-CIO, whichever number is greater. Such representatives shall be nominated by a caucus of delegates from their union(s).

(2) one constituency group representative nominated in caucus by the delegates representing the constituency groups;

(3) the President of the Minnesota State Retiree Council, AFL-CIO;

(4) the President of the Minnesota State Building and Construction Trades Council;

(5) one representative from each area labor council. The elected President of each area labor council shall automatically sit on the Executive Board.

(6) two at-large representatives nominated in a caucus of delegates from affiliates that are not among the unions representing 75% of the affiliated membership or the twelve largest unions (whichever criteria represents the largest number of members).

(e) The affiliated membership of national or international unions for the purpose of determining which unions represent 75% of the affiliated membership of the Minnesota AFL-CIO or are its twelve largest affiliates. (See Article V, Section f) shall be the average monthly membership on which per capita payment is made to the Minnesota AFL-CIO for the twelve month period ending March 31st of the year the convention is held. The

affiliated membership of local unions that are affiliated with the Minnesota AFL-CIO for less than the base period shall be computed by adding the per capita payments for all months the local has been affiliated (including the month prior to the convention) and dividing that total by 12 or the number of months affiliated, whichever is greater.

(f) In the event of new affiliations, mergers of unions or significant organizing that would place an affiliate in the top 75% of the membership or the 12 largest affiliates, the Executive Board may recommend to the General Board that a temporary Executive Board seat be created until the next election. This seat would be filled in accordance with the provisions for filling vacancies on the Executive Board (Article V, Section 12.)

(g) The General Board shall consist of:

- the Executive Officers;
- the Executive Board members;
- a representative from each national constituency group organization that meets the criteria established by the Executive Board for its program and budget, that is recognized by the AFL-CIO and is not otherwise represented on the Executive Board;
- forty-five (45) representatives from the six defined geographic areas (Appendix A) allocated according to the proportion of members on the COPE count residing or working within the geographic areas;
- a representative elected by the Minnesota Young Workers Group; and
- up to 3 At-Large seats for diversity inclusion.

(h) Should the per capita tax payments of a union holding one of the Executive Board seats reserved for the 12 largest affiliates or those representing 75% of the affiliated membership drop substantially, without good reason, below that required to qualify for a seat pursuant to Article V, Section (e) (1), the Executive Board may recommend to the General Board that the seat be declared vacant and fill it in accordance with Article V, Section 12. The same shall apply to unions for which a temporary seat has been created on the Executive Board, as provided in Article V, Section 1(g).

**Section 2.** The election terms of the officers shall be for four (4) years. The term of any additional representative elected to the Executive Board or General Board following a regularly scheduled election, shall expire at the end of the regular four (4) year election cycle.

**Section 3.** The Executive Officers of the Minnesota AFL-CIO shall be elected by the regular convention by a majority vote. If more than two (2) candidates are nominated for any office and no one (1) candidate receives a majority of the votes cast, all except the two (2) candidates receiving the highest number of votes shall be eliminated and a second vote taken.

**Section 4.** The nomination and election for the offices of President and Secretary-Treasurer shall be on the last day of a regular convention. Following nominations for these offices, voting shall be by a standing vote, unless a roll-call vote is required pursuant to the provisions of this constitution.

**Section 5.** (a) Nominees for the affiliate representative seats on the Executive Board shall be determined at a caucus of the delegates representing each affiliate or group of affiliates, as defined in Section 1 of this Article.

(b) A nominee need not be present; however, a nominee must indicate in writing before the voting occurs that, if nominated, he/she will accept. Each affiliate representative caucus shall draft rules that are consistent with the Rules Governing AFL-CIO State Central Bodies. In the event an affiliate caucus does not adopt caucus rules by a majority vote, it shall use the Minnesota AFL-CIO caucus rules developed for the small unions and geographic area caucuses. These rules shall prohibit bullet balloting. Proxy votes shall not be allowed.

**Section 6.** The nominees for the at-large Executive Board member seats shall be nominated by plurality vote, pursuant to the caucus rules adopted by the Minnesota AFL-CIO. Nominees need not be present; however, a nominee must indicate in writing before the voting occurs that, if nominated, they will accept. The rules shall prohibit bullet balloting. Proxy votes shall not be allowed.

**Section 7.** Constituency group delegates shall caucus to determine the nominee for the constituency group Executive Board Member, by plurality vote, pursuant to the caucus rules adopted by the Minnesota AFL-CIO. Each delegate shall be entitled to one vote in the caucus nomination process. Nominees need not be present; however, a nominee must indicate in writing before the voting occurs that, if nominated, they will accept. The rules shall prohibit bullet balloting. Proxy votes shall not be allowed.

**Section 8.** (a) In years with geographic area Executive and General Board elections, the Minnesota AFL-CIO shall send out geographic allocations – in conjunction with credential forms (Article IV, Section 8) – not less than 60 days prior to the opening of each regular state convention.

(b) Geographic area caucuses shall be convened, by persons who are appointed by the President, at a date and time as determined by the adoption of the state convention agenda. A caucus chair and a caucus secretary shall be selected by the delegates in each geographic area.

(c) Each delegate shall be assigned to caucus in the geographic area where they live or work as identified on the official convention credential, which is to be completed and submitted by the delegate's affiliated organization. Any challenge to the geographic area assignment of a delegate shall be decided by the convention Credentials Committee.

(d) Candidates for the geographic area representatives on the General Board shall be nominated by plurality vote in a caucus of delegates who live or work in the geographic area, and elected by the convention as a whole. To be eligible for nomination under this section, a member must live or work within the geographic jurisdiction from which they are nominated. Nominees need not be present; however, a nominee must indicate in writing before the voting occurs that, if nominated, they will accept.

(e) The Minnesota AFL-CIO shall develop caucus rules that are consistent with AFL-CIO policy for this caucus. These rules shall prohibit bullet balloting. Proxy votes shall not be allowed.

(f) Geographic area caucus meetings shall not conflict with affiliate caucus, multi-union, or constituency group caucuses.

**Section 9.** The convention delegates, as a whole, shall vote on all positions.

**Section 10.** The following oath of office shall be administered to the officers-elect:

*“I, (give name), do solemnly pledge my word of honor in the presence of witnesses here assembled, that I will, to the best of my ability, perform the duties of the office to which I have been elected. While serving in this office, I will represent the member-ship honestly and faithfully, fully recognizing the obligation and responsibilities which have been entrusted to me.*

*I will seek to adhere to the highest standards of honesty, integrity and ethical conduct while serving in the office to which I have been elected.*

*I also pledge that at the conclusion of my term of office, I will provide to my successor all official documents, records and property belonging to the Minnesota AFL-CIO.”*

**Section 11.** In the event of a vacancy in the office of either the President or the Secretary-Treasurer by reason of death, resignation or otherwise, the remaining Executive Officer shall perform the duties of the vacant office until a successor is elected.

(a) It shall be the duty of such Executive Officer to issue, within ten (10) days of the date of the vacancy, a call for a meeting of the General Board of this Federation, upon ten (10) days' notice, for the purpose of electing an Executive Officer to fill said vacancy for the unexpired term.

(b) A vacancy in either the office of President or Secretary-Treasurer shall be filled by the General Board, by a majority vote.

(c) If a ballot is requested for the vote to fill a vacancy, all ballots must be signed.

(d) All affiliates shall receive at least forty-five (45) days' notice of the election.

(e) Candidates wishing to be considered for the position must notify the remaining Executive Officer of their candidacy no less than fourteen (14) days before the election.

**Section 12.** The General Board shall fill vacancies that occur on the Executive Board. This shall be done after the President consults with the leadership of the appropriate affiliate, organization or organizations in a defined geographic area.

**Section 13.** The General Board shall fill vacancies that occur on the General Board. This shall be done after the President consults with the leadership of the appropriate constituency groups, area labor council, or organizations in a defined geographic area.

**Section 14.** In the event an elected officer is absent from two (2) consecutive meetings of the Executive Board or General Board without an excused absence granted by the Executive Board or General Board, that office shall be declared vacant and filled pursuant to the provisions of the constitution for the period of the unexpired term.

**Section 15.** The Minnesota AFL-CIO will undertake all reasonable efforts to ensure diversity of representation at every level.

**Section 16.** All officers and managerial employees of the Minnesota AFL-CIO must certify that they have read the AFL-CIO's Ethical Practices Code, that they are in compliance with it, and, if not, state the steps that will be taken to comply with it.

## **ARTICLE VI**

### **DUTIES OF THE PRESIDENT**

**Section 1.** The President shall function as the Chief Executive Officer of the Minnesota AFL-CIO. The President shall exercise supervision of the affairs of the organization, sign all official documents, preside at regular, COPE and any special conventions, preside at all meetings of the Executive Board and General Board, call meetings of the Executive Board and General Board and direct the legislative program of the Minnesota AFL-CIO.

**Section 2.** The President shall have authority to interpret the Constitution between meetings of the Executive Board and General Board. This interpretation shall be conclusive and in full force and effect unless reversed or changed by the Executive Board or General Board or a regular convention.

**Section 3.** The President shall receive for services rendered a salary and benefit package set annually by the General Board, as recommended by the Executive Board.

**Section 4.** The President, in consultation with the Secretary-Treasurer, shall have the authority to hire, appoint, direct, supervise, compensate and discipline employees of the Minnesota AFL-CIO, subject to the terms and conditions of collective bargaining agreements negotiated with the exclusive bargaining representative(s) representing the employees. Collective bargaining agreements are subject to ratification by the Executive or General Board.

**Section 5.** The President shall make a report of the administration of such office and of the affairs of the Minnesota AFL-CIO to the regular convention.

## **ARTICLE VII**

### **DUTIES OF THE SECRETARY-TREASURER**

**Section 1.** The Secretary-Treasurer shall be the Chief Financial Officer of the Minnesota AFL-CIO and shall receive and collect all monies due the Federation, and shall pay all bills duly authorized.

**Section 2.** The Secretary-Treasurer shall be in charge of and preserve all monies, properties, securities and other evidences of investment, books, documents, files and effects of the Minnesota AFL-CIO which shall at all times be subject to the inspection of the President, the Executive Board and General Board.

**Section 3.** The Secretary-Treasurer shall issue the call for and act as secretary at all conventions and shall cause the proceedings of such conventions and all meetings of the Executive Board and General Board to be recorded. The Secretary-Treasurer shall make a report of the activities of such office, in conjunction with the President, to the regular convention.

**Section 4.** It shall be the duty of each affiliated organization to furnish the Secretary-Treasurer a statement of their membership in good standing and to furnish such additional statistical data relating to the membership of such organizations as may be requested by the Secretary-Treasurer of the Minnesota AFL-CIO.

**Section 5.** The Secretary-Treasurer shall secure a bond for the faithful performance of official duties in an amount as may be determined by the Executive Board. The Secretary-Treasurer shall receive for services rendered a salary and benefits set annually by the General Board, as recommended by the Executive Board.

**Section 6.** The Secretary-Treasurer shall make a financial report to the Executive Board and General Board quarterly, and print the same annually and forward a copy to all affiliated organizations.

**Section 7.** The Secretary-Treasurer shall provide for an annual audit of all books, accounts, records and financial transactions of the Minnesota AFL-CIO by a Certified Public Accountant. Such audits shall be furnished to the Executive Board and reported to the regular convention.

**Section 8.** The Secretary-Treasurer shall, under the direction and instruction of the Executive Board, invest the surplus funds of the Minnesota AFL-CIO in sound securities or deposit the same in a bank or banks.

## **ARTICLE VIII**

### **DUTIES OF THE EXECUTIVE BOARD**

**Section 1.** The Executive Board shall consist of the President, the Secretary-Treasurer and the elected Executive Board members listed in Article V, Section 1.

**Section 2.** The Executive Board shall be the governing body of the Minnesota AFL-CIO between conventions and General Board meetings. It is authorized and empowered to take such action and render such decisions as may be necessary to carry out fully and adequately the decisions and instructions of the conventions and to enforce the provisions contained in this constitution. Between conventions, it shall have the power to direct the affairs of this organization and to take such actions and render such decisions as are necessary and appropriate to safeguard and promote the best interest of the Minnesota AFL-CIO, and its affiliated unions, including the organization of unorganized industries by means most appropriate. The Executive Board shall be responsible for the development of the Annual Budget prior to the beginning of the new fiscal year. It shall present same to the General Board for approval.

**Section 3.** The Executive Board shall meet upon the call of the President or when the majority of the Executive Board members request a meeting in writing at a time and place designated by the Executive Board.

**Section 4.** It shall be the duty of the Executive Board and/or the General Board to monitor legislative measures directly affecting the interests of working people and to initiate, wherever necessary, such legislative actions as the convention may direct.

**Section 5.** The Executive Board shall have power to make rules to govern matters consistent with this Constitution and shall report accordingly to the Minnesota AFL-CIO.

**Section 6.** A majority of the members of the Executive Board shall constitute a quorum for the transaction of the business of the Board.

**Section 7.** The regular convention, or Executive Board between regular conventions, may suspend or remove any officer, Executive Board or General Board member on written charges, notice and hearing for violation of the Constitution of the AFL-CIO or the rules issued pursuant thereto, or the Constitution or By-Laws of this organization, or for conduct unbecoming an officer of the Minnesota AFL-CIO, misappropriation of funds, malfeasance in office, or neglect of duty.

**Section 8.** The Executive Board shall have the further power to refuse to seat or to remove from office any member of the Executive Board or General Board who is found by the Executive Board, by a two-thirds (2/3) vote, after notice and hearing, to be ineligible to serve under the provisions of Article V, Section 9, of this constitution. Any action of the Executive Board or General Board under this Section may be appealed to the regular convention, provided however, that such action shall be effective when taken and shall remain in full force and effect pending any appeal.

**Section 9.** Procedures for charges and hearings:

(a) A member of the General Board shall have the power to file charges against any member of the Executive Board or General Board on the grounds that such person or persons are guilty of malfeasance or maladministration or have failed or refused to abide by the program and policies established by the AFL-CIO, the Minnesota AFL-CIO Constitution and the decisions of conventions.

(b) Such charges shall be in writing, specifying the offense or offenses charged, and shall be filed with the Secretary-Treasurer of the Minnesota AFL-CIO, or if the Secretary-Treasurer is charged, with the President of the Minnesota AFL-CIO. A copy of the written charges, together with a notice establishing the time and place of the hearing, shall be served by registered mail on the accused at least ten (10) calendar days before a trial thereon is held.

(c) The Executive Board shall act as the Trial Board, and shall be empowered to hear and determine the charges, provided that neither the accused nor the accuser shall participate in the decision of the Board. A two-thirds (2/3) vote of this Trial Board present at the trial shall be necessary to convict.

(d) The Executive Board, sitting as the Trial Board, shall have the final power to determine the procedure of the trial provided that the accused shall have the right to be present and to have full opportunity to offer such evidence in defense of the charges as shall be just and fair under the circumstances.

(e) The accused and the accuser shall each be entitled to designate not more than six (6) members of any affiliates in good standing to attend the proceedings as observers.

(f) The Executive Board shall have power to provide such punishment for any person found guilty, which, in the discretion of the Board, shall be just and proper, including removal from office.

(g) Either the accuser or accused may appeal the decision of the Executive Board to the next regular convention of the Minnesota AFL-CIO. The decision of the Executive Board shall remain in effect pending any appeal. A further appeal may be made to the AFL-CIO pursuant to the AFL-CIO Constitution.

**Section 10.** All Executive Board meetings shall be conducted in the same open manner as conventions of the Minnesota AFL-CIO. Open manner for these purposes is defined as any member in good standing of the Minnesota AFL-CIO has the right to observe Executive Board meetings. However, by a majority vote, the Executive Board may declare an executive session – closing the meeting – for subjects that, in their judgment, warrant such a session.

**Section 11.** The Executive Board may conduct business by electronic means as necessary.

**Section 12.** A committee of the Executive Board shall annually meet to review officer compensation and benefits and make recommendations for changes to the Executive Board prior to the approval of the annual budget. It shall represent same to the General Board for approval.

**Section 13.** When an officer retires, the Executive Board shall receive an itemized list of severance compensation due to the officer prior to retirement. No gifts or gratuities beyond this itemized list will be given to the retiring officer.

## ARTICLE IX

### DUTIES OF GENERAL BOARD

**Section 1.** The General Board shall consist of the President, the Secretary-Treasurer, the Executive Board and elected General Board members listed in Article V, Section 1.

**Section 2.** The General Board shall meet three times per year and upon the call of the President.

**Section 3.** A quorum shall consist of at least fifty percent of the General Board members.

**Section 4.** Each General Board member shall be entitled to one vote.

**Section 5.** The president shall preside at all General Board meetings. The President shall appoint such committees as may be deemed necessary, subject to the approval of the General Board.

**Section 6.** Expenses for attending General Board meetings shall be determined by the General Board's policies. The General Board shall have the authority to establish policies to reimburse Executive Board or General Board members for necessary expenses incurred in the performance of their duties for the Minnesota AFL-CIO.

**Section 7.** The General Board shall serve as the COPE Committee. In accordance with Article XI, Section 2, additional seats can be added to the COPE Committee by the President with the approval of the General Board. Pursuant to the Rules Governing State Central Bodies, no constituency group or its delegate shall be



present for or have voice or vote in any meeting or decision of any state federation Committee on Political Education.

**Section 8.** The General Board may create temporary Executive Board seats, in accordance with Article V, Section 1(f) at the request and recommendation of the Executive Board.

**Section 9.** The General Board shall approve the filling of all vacancies on the Executive Board and the General Board. The President shall consult with the appropriate leadership of the specific affiliate(s) or organization(s) prior to the filling of vacancies.

**Section 10.** The General Board shall approve the annual budget prior to the beginning of the new fiscal year.

**Section 11.** The General Board shall develop the legislative program.

**Section 12.** The General Board shall establish goals for the Minnesota AFL-CIO and work with affiliates, area labor councils, chapters, constituency groups and the Minnesota State Retiree Council, AFL-CIO to implement such goals.

**Section 13.** The General Board shall continually and vigorously promote the union label, the union shop card and the union button.

**Section 14.** The General Board may conduct business by electronic means as necessary.

**Section 15.** All General Board meetings shall be conducted in the same open manner as conventions of the Minnesota AFL-CIO. Open manner for these purposes is defined as any member in good standing of the Minnesota AFL-CIO has the right to observe General Board meetings. However, by a majority vote, the General Board may declare an executive session – closing the meeting – for subjects that, in their judgment, warrant such a session.

**Section 16.** The General Board shall annually review and approve officer salary and benefits prior to the approval of the annual budget and as recommended by the Executive Board.

## **ARTICLE X**

### **REVENUE**

**Section 1.** The revenue of the Minnesota AFL-CIO shall be derived through the affiliation of local unions who pay a per capita tax of one dollar, thirty-five cents (\$1.35) per dues paying member per month effective January 1, 2016. Area labor councils, district, regional or statewide councils, Minnesota State Retiree Council, AFL-CIO, constituency groups and other affiliated organizations shall pay an annual affiliation fee in the amount of fifty dollars (\$50.00).

**Section 2.** The payment of per capita tax by affiliated local unions shall be computed on the total employed membership based on reports filed by the local union with their respective national or international union.

**Section 3.** The per capita tax shall be payable by each local union to the Secretary-Treasurer of the Minnesota AFL-CIO on a monthly basis. The per capita tax shall be payable on or before the twenty-fifth day of each month, for the preceding month. Any affiliated local union which becomes delinquent in per capita payments for more than three (3) months shall stand suspended as an affiliate of the Minnesota AFL-CIO and can only be reinstated upon the payment of the arrearages. An affiliate suspended for failing to pay their dues shall be notified in writing of said suspension by the Secretary-Treasurer.

**Section 4.** The General Board may exonerate any affiliated organization from the payment of per capita tax to the Minnesota AFL-CIO for any month provided that such a request for exoneration is properly documented and sufficient evidence is presented to the General Board to warrant granting of the exoneration.

## ARTICLE XI

### COMMITTEE ON POLITICAL EDUCATION

**Section 1.** The Minnesota AFL-CIO shall have a Committee on Political Education (COPE) which shall be a standing committee. The Minnesota COPE shall be governed by the applicable provisions of the Constitution of the AFL-CIO, by the Rules Governing AFL-CIO State Central Bodies, and by the Constitution of the Minnesota AFL-CIO.

**Section 2.** The Minnesota COPE shall be composed of the Executive Officers and General Board members of the Minnesota AFL-CIO. Additional appointments to the COPE may be made by the President of the Minnesota AFL-CIO and shall be subject to the approval, by a majority vote, of the General Board. The terms of office for any appointed members of the Minnesota COPE shall be co-terminus with the elected members. Such additional appointments to the COPE may also be rescinded by a majority vote of the General Board.

**Section 3.** In addition to such other duties as may be assigned by the Minnesota AFL-CIO, the Minnesota COPE shall: (a) encourage the qualification and registration to vote of members of affiliates of the Minnesota AFL-CIO, including family, friends and co-workers;

(b) insure maximum voting participation in elections;

(c) encourage qualified candidates to seek public office;

(d) provide political education for members, their families and friends and develop educational programs on political issues;

(e) recommend endorsement, non-endorsement, or opposition in both primary and general elections, of candidates and ballot proposals pursuant to procedures in this Constitution;

(f) assist in the solicitation of voluntary individual contributions in the political education program of the AFL-CIO;

(g) seek establishment of a Congressional District committee in each such district where there is more than one AFL-CIO area labor council for the purpose of coordinating the political education activities within the district; and

(h) provide assistance, direction and coordination for the political education work of the area labor councils' COPE within Minnesota.

**Section 4.** The President and Secretary-Treasurer of the Minnesota AFL-CIO shall serve as the President and Secretary-Treasurer respectively, of the Minnesota COPE.

The duties of the President and the Secretary-Treasurer, as prescribed in Articles VI and VII, respectively, shall, to the extent applicable, apply to the Minnesota COPE.

**Section 5.** The Minnesota COPE may establish an administrative subcommittee, of which the President and Secretary-Treasurer shall be members, to perform the non-policy responsibilities and to expedite the routine functioning of the Minnesota COPE.

**Section 6.** The Minnesota COPE shall meet at least annually and the Minnesota COPE Administrative Committee, if established, shall meet at least twice a year. Meetings shall be called by the President upon adequate notice. Special meetings shall be called upon the request of at least one-fourth (1/4) of the membership of the Minnesota COPE.

**Section 7.** The endorsement procedure of the Minnesota AFL-CIO shall conform to the following rules:

(a) Action for endorsement, non-endorsement, or opposition by the Minnesota AFL-CIO, or by the Minnesota COPE when acting for the Minnesota AFL-CIO shall be limited to:

- candidates in primary, special and general elections;
- candidates for the state legislature or a state constitutional convention;
- candidates for the U.S. House of Representatives;
- candidates for the U.S. Senate;
- candidates for Governor and Lt. Governor;
- candidates for all statewide offices; and
- constitutional and other ballot issues of a statewide nature.

(b) It shall be the responsibility of the Minnesota COPE to prepare appropriate recommendations concerning candidates and statewide ballot issues for consideration by the Minnesota AFL-CIO.

(c) Action for endorsement, non-endorsement, or opposition for candidates for the State Legislature or a State Constitutional Convention shall be taken only after first considering the recommendations, if any, of the

appropriate area labor council. In the absence of such recommendations, the Minnesota AFL-CIO may act on its own initiative.

(d) Action for endorsement, non-endorsement, or opposition for candidates and statewide ballot issues shall be taken by the Minnesota AFL-CIO at a regular or special convention acting on the recommendation of the Minnesota COPE or the action may be taken by the Minnesota COPE when duly authorized by the Minnesota AFL-CIO. Should action be required after a regular convention and prior to the next convention, Minnesota COPE can take action for endorsement, non-endorsement, or opposition for candidates and statewide ballot issues. In the absence of any recommendations by the Minnesota COPE, the Minnesota AFL-CIO shall act on its own initiative.

(e) Action for endorsement, non-endorsement, or opposition for candidates for the U.S. House of Representatives and the U.S. Senate shall be taken only after considering the information available from the AFL-CIO and National COPE. In the case of candidates for the U.S. House of Representatives, action shall be taken only after considering the recommendations, if any, of the appropriate area labor council(s), and Congressional District COPE(s) established pursuant to Section 3 (g) above. In the absence of such recommendations, the Minnesota AFL-CIO may act on its own initiative.

(f) The Minnesota AFL-CIO and the Minnesota COPE shall support the action of the AFL-CIO on candidates for President and Vice President of the United States. The Minnesota AFL-CIO and the Minnesota COPE shall not make any endorsements, direct or implied, with respect to the offices of President and Vice President of the United States.

(g) All final actions for endorsement, non-endorsement, or opposition for candidates or statewide ballot issues, whether by convention, or by the Minnesota COPE when acting for the Minnesota AFL-CIO, shall require a two-thirds (2/3) majority of the votes cast. In the absence of a two-thirds (2/3) majority, for either endorsement, non-endorsement, or opposition, the Minnesota AFL-CIO shall be neutral.

**Section 8.** Prior to the submittal of its recommendations to the regular or special convention, the Minnesota COPE may appoint a subcommittee charged with the duty of screening candidates to obtain their positions on public policy issues. Such screenings, if conducted, shall be reported to the Minnesota COPE and to the Minnesota AFL-CIO.

**Section 9.** Endorsements for candidates for municipal or county offices and local ballot issues shall be made by the respective area labor council COPE(s).

**Section 10.** The officers and members of the Minnesota COPE shall conform their activities with regard to candidates and ballot issues to the position of the Minnesota AFL-CIO or the appropriate area labor council, as the case may be. The officers and members of the Minnesota COPE shall not act in any official capacity whatsoever on behalf of any candidates who have been denied COPE endorsement or for any candidates who are in opposition to COPE endorsed candidates.

**Section 11.** The Minnesota COPE shall be operated by constitutionally dedicated funds made available by the Minnesota AFL-CIO, and by such funds as may be made available by the National COPE, for its educational activities and programs, subject to the requirements of applicable federal, state and local laws.

**Section 12.** The financial records of the Minnesota COPE shall be subject to the reporting and auditing provisions of the Minnesota AFL-CIO and to the requirements of the Rules of the AFL-CIO Governing State Central Bodies and of applicable federal, state and local laws.

**Section 13.** Minnesota COPE may make endorsement decisions by electronic means as necessary.

## ARTICLE XII

### RETIREMENT PLAN

**Section 1.** A Retirement Plan shall be established and maintained by the Minnesota AFL-CIO for the Executive Officers and all full-time staff of the Minnesota AFL-CIO. Contributions shall be paid by the Minnesota AFL-CIO for deposit with a financial institution selected by the Executive Officers with the approval of the Retirement Committee.

**Section 2.** The Retirement Plan shall be under the supervision of a Retirement Committee comprised of five (5) General Board members selected by the General Board, for a term of four (4) years, at its first regular meeting following the election of officers.

The Retirement Committee shall elect its own chair and secretary and shall meet at least annually. No geographic area shall be represented by more than one (1) committee representative. No committee representative shall be compensated for services rendered; however, expenses will be allowed in accordance with policies established by the General Board.

**Section 3.** The Executive Officers of the Minnesota AFL-CIO shall be full-time employees.

## ARTICLE XIII

### PROHIBITIONS

**Section 1.** The Minnesota AFL-CIO shall have no authority or power to order any local union or other organization to strike or take a strike vote. This prohibition, however, shall not prevent the Minnesota AFL-CIO from giving proper assistance to such local union or other organization with the approval of its parent body, so long as such assistance is not inconsistent with the other objectives, principles and policies of the AFL-CIO.

**Section 2.** The Minnesota AFL-CIO shall not take part in any collective bargaining activities or in any labor dispute involving any affiliated local union except upon the request or consent of the national or international union or organizing committee with which such local union is affiliated, or, in the case of local unions directly affiliated with the AFL-CIO, except upon the request or consent of the President of the AFL-CIO.

**Section 3.** The Minnesota AFL-CIO shall have no authority or power to originate a boycott. This organization shall not endorse any boycott, nor order the placing on an unfair list, the names of any person, firm or corporation that has an agreement with any national or international union or organizing committee affiliated with the AFL-CIO, or any of its subordinate bodies, or any subordinate body of the AFL-CIO (except with the expressed written approval of the Executive Board of the National AFL-CIO).

## **ARTICLE XIV**

### **CONFORMITY**

**Section 1.** This Constitution shall be subject to the Constitution of the AFL-CIO and the Rules and Regulations issued pursuant thereto. In the event of non-conformity between this Constitution and the Constitution of the AFL-CIO or its Rules and Regulations, the Constitution of the AFL-CIO and its Rules and Regulations shall govern.

## **ARTICLE XV**

### **AMENDMENTS**

**Section 1.** This constitution can be amended or altered only by the regular biennial constitutional convention or special convention called in accordance with the provisions of Article IV Section 3 of this constitution, by a two-thirds (2/3) vote of those delegates present and voting, either by a show of hands, or by a roll call vote, if required in conformance with this Constitution. All amendments to this Constitution are subject to the written approval of the President of the AFL-CIO prior to implementation.

## **ARTICLE XVI**

### **PARLIAMENTARY AUTHORITY**

**Section 1.** The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Minnesota AFL-CIO in all cases to which they are applicable and in which they are not inconsistent with these bylaws, the Constitution of the AFL-CIO and the Rules and Regulations pursuant thereto, and any special rules of order the Minnesota AFL-CIO may adopt.

## **APPENDIX A**

Geographic Areas for Area Labor Representation as Defined by the Minnesota AFL-CIO Constitution. In years of nomination and election of Executive and General Board seats the geographic allocations will be sent out with the credentials forms, not less than 60 days prior to the opening of each regular state convention, per Article IV, Section 8.

### **EAST CENTRAL**

(5 area representatives as defined)

Aitkin	Mille Lacs
Benton	Morrison
Cass	Sherburne
Crow Wing	Stearns
Isanti	Todd
Kanabec	

### **MINNEAPOLIS METRO**

(15 area representatives as defined)

Anoka	Meeker
Carver	Scott
Hennepin	Wright
McLeod	

### **NORTHEAST**

(5 area representatives as defined)

Carlton	Lake
Cook	Pine
Itasca	St. Louis
Koochiching	

### **ST. PAUL METRO**

(11 area representatives as defined)

Chisago	Ramsey
Dakota	Washington

## **SOUTHEAST**

(5 area representatives as defined)

Blue Earth	Mower
Dodge	Nicollet
Faribault	Olmstead
Fillmore	Rice
Freeborn	Steele
Goodhue	Wabasha
Houston	Waseca
Le Sueur	Winona

## **WEST**

(4 area representatives as defined)

Becker	Murray
Beltrami	Nobles
Big Stone	Norman
Brown	Otter Tail
Chippewa	Pennington
Clay	Pipestone
Clearwater	Polk
Cottonwood	Pope
Douglas	Red Lake
Grant	Redwood
Hubbard	Renville
Jackson	Rock
Kandiyohi	Roseau
Kittison	Sibley
Lac Qui Parle	Stevens
Lake of the Woods	Swift
Lincoln	Traverse
Lyon	Wadena
Mahnomen	Watonwan
Marshall	Wilkin
Martin	Yellow Medicine

