

CONSTITUTION & BYLAWS

GODDARD ENGINEERS, SCIENTISTS & TECNICIANS ASSOCIATION
(GESTA)

INTERNATIONAL FEDERATION OF PROFESSIONAL &
TECHNICAL ENGINEERS
AFL-CIO & CLC

LOCAL 29

GREENBELT, MARYLAND 20771

INDEX

| | | |
|--------------------|------------------------------|----|
| ARTICLE I..... | NAME | 3 |
| ARTICLE II..... | OBJECTIVES | 3 |
| ARTICLE III..... | MEETINGS | 5 |
| ARTICLE IV..... | MEMBERSHIP | 6 |
| ARTICLE V..... | ADMISSION TO MEMBERSHIP | 6 |
| ARTICLE VI..... | MEMBERS IN ARREARS | 7 |
| ARTICLE VII..... | RIGHTS OF MEMBERS | 7 |
| ARTICLE VIII..... | DUTIES OF MEMBERS | 8 |
| ARTICLE IX..... | ELECTION OF OFFICERS | 8 |
| ARTICLE X..... | OFFICERS AND DUTIES | 10 |
| ARTICLE XI | DEPARTMENTAL REPRESENTATIVES | 14 |
| ARTICLE XII..... | COMMITTEES | 14 |
| ARTICLE XIII..... | DUTIES OF COMMITTEES | 15 |
| ARTICLE XIV..... | FINANCES | 17 |
| ARTICLE XV..... | MISCONDUCT AND PENALTIES | 18 |
| ARTICLE XVI..... | CHARGES AND TRIALS | 19 |
| ARTICLE XVII..... | AMENDMENTS | 20 |
| ARTICLE XVIII..... | PARLIAMENTARY RULES | 20 |
| ARTICLE XIX..... | QUORUM | 21 |
| ARTICLE XX..... | SAVING CLAUSES | 21 |
| ARTICLE XXI..... | INTERNATIONAL CONSTITUTION | 22 |

ARTICLE I

NAME

The name of this organization shall be the GODDARD ENGINEERS, SCIENTISTS, AND TECHNCIANS ASSOCIATION (GESTA), IFPTE Local 29, hereinafter referred to as "GESTA" or the "Association" or the "local," of the International Federation of Professional and Technical Engineers, AFL-CIO & CLC, hereinafter referred to as "IFPTE" or the "Federation."

ARTICLE II

OBJECTIVES

Section 1. Generally, the objectives of this Organization shall be to represent individuals employed as engineers, scientists or technicians (technical support personnel) at the Goddard Space Flight Center; to promote the general welfare professionally, intellectually, and economically; to promote and cultivate the highest professional ethics and proficiencies; and to collectively and individually represent their interests at GSFC with respect to grievances, personnel policies and practices, and other matters affecting their general working conditions.

Section 2. Specifically, implementation of the general provisions shown above will be made in the following manner:

1. By cooperating with the GSFC-NASA in the execution of its programs;
2. By cooperating with other Center employee organizations having similar purposes;
3. By dealing collectively with management on matters of employee-management relations which are to include, but are not to be limited to, such issues as:
 - a) Protection of the right and obligation to function at all times in the public interest without fear of loss of financial or career status, blacklisting, or harassment;
 - b) Protection of the right to job assignments appropriate to the knowledge and skills of its members and which maximize the use of such talents;
 - c) Protection of the right to refuse to participate in unethical activities without fear of loss of financial or career status, blacklisting, or harassment;
 - d) Protection of the right to compete for advancement opportunities without discrimination due to age, sex, creed, race, color, physical handicaps, religion, national origin, physical appearance or any other factor not pertinent to performance;

- e) Protection of members from narrow competitive levels, improper job descriptions, and other artificial barriers to internal or external job mobility;
- f) Protection of the right to participate in the generation of job standards and goals;
- g) Protection of the rights of members involved in improper performance evaluation, improper potential evaluation, and other unfair practices such as blacklisting, poison-pen recommendations, and other violations of federal labor law, to fair compensation for career damage, remuneration for costs and punitive damages;
- h) Protection of the rights to proper remuneration, status, environment, resources appropriate for responsibility of assignment;
- i) Protection of the right and obligation to publicize activities that are illegal or contrary to the public interest such as waste without fear of loss of financial or career status, blacklisting, harassment or any other act of reprisal;
- j) Protection of the right to be fully informed of employment status, career status, working conditions, technological advancement, and other advancement opportunities without such illegal discrimination as delineated in “d)” above;
- k) Protection of the right to practice profession or skill after proper qualification without discrimination due to any reason itemized in “d)” above;
- l) Protection of the right to refresher training for skills not being utilized without fear of financial or career loss, harassment or blacklisting;
- m) Protection of the right to seek challenging work of technical or managerial nature depending upon individual talent and desire without any fear itemized in “i)” above;
- n) Protection of the right to attend professional meetings, seminars, symposia in areas of professional activity without any fears itemized in “i)” above;
- o) Protection of the right to receive further technical training to maintain proficiency in an advancing technology without fears itemized in “i)” above;
- p) Protection of the right to proper representation at proceedings held to resolve violations of fair employment practices or to resolve issues that are in violation of the public interest;
- q) Protection of the right of members to equal access to data available to management pertinent to any grievance. This is to include promotion board minutes, payroll data, grievance transcripts, qualification records, qualification evaluations or any other management documentation deemed by grievants or their representatives as necessary to resolve any area of dispute;

- r) Protection of the right of members to full wage compensation, COLA and comparability adjustments independent of performance appraisal; and,
 - s) Protection of members from misutilization of professional skills and the right to fair compensation and punitive damages if such misutilization should occur.
4. Promoting broader knowledge among members by means of employer refunded educational activities;
 5. Protecting the integrity of the civil service retirement system;
 6. Preventing any infringement of job rights by excessive contracting of technical efforts, work force adjustments, and non-competitive hiring;
 7. Publicizing the accomplishments of Association members;
 8. Offering special services to Association members;
 9. Fostering the public interest by maintaining the Center in the forefront of technological endeavor;
 10. Engaging in any other lawful business as approved by the Association membership; and,
 11. By affiliating: This Association may join with other organizations with similar aims targeted at improving the membership's professional standing. Affiliation must be approved in accordance with provisions in the GESTA Constitution and Bylaws and in accordance with the IFPTE Constitution as well as prevailing regulations and laws.

ARTICLE III

MEETINGS

Section 1. It shall be a primary duty of the officers of this Local to hold at least one General membership meeting on the first Thursday of each month at 12:00 noon at a convenient place of assembly on Center. It shall be the duties of the entire Association to abide by and uphold the rules and regulations noted in these Bylaws and in the Constitution of the Federation; and to abide by all decisions of the Executive Council when adopted by a majority vote of the members present and voting at a regular prescribed meeting.

Section 2

- a) A special membership meeting shall be called upon written application of seven (7) or more members in good standing.

- b) No business shall be transacted other than that for which the meeting has been called, except that when such special meeting coincides with a regular meeting, the business of the regular meeting shall be conducted after that for which the special meeting was called.
- c) Any such special meeting shall be scheduled no sooner than four working days from the date of the call.

Section 3. It shall be the duty of this organization to encourage (and it may sponsor) technical meetings, seminars, and classes of interest to the members for the purpose of developing and maintaining their technical expertise and professional advancement.

ARTICLE IV

MEMBERSHIP

Section 1. Any individual employed by the Goddard Space Flight Center (GSFC) in the capacity of Engineer, Scientist or Technician (presently NCC Series 200, 300, and 700) shall be eligible for Regular membership in the Association. Other individuals, such as retirees or employees who have left the bargaining unit, may become Special members by regular payment of dues by check or cash, or Honorary members upon a majority vote of the members present and voting at a general membership meeting. Special or Honorary memberships exclude the right to vote or hold office in this Association.

Section 2. No person shall be admitted to, or retained in membership who knowingly lends support to organizations or movements whose purpose and objectives are to unlawfully overthrow the established government of the United States of America.

Section 3. There shall be no discrimination toward an applicant for membership or the terms and conditions of such membership because of race, color, sex, age, creed, religion, national origin or handicap.

Section 4. Wherever the masculine gender is used in this Constitution and Bylaws it shall be deemed to apply in the same manner to the feminine gender.

ARTICLE V

ADMISSION TO MEMBERSHIP

Section 1. Applicants for membership shall make a written Application on the prescribed form provided for this purpose.

Section 2. The Application shall be accompanied by the Initiation Fee and either one-quarter's dues (or remaining portion of such quarter's dues) or a completed dues withholding form, and shall be submitted to the Secretary. The Secretary shall determine the completeness of the application and then will transmit the fees to the Treasurer and the Application to the Membership Committee Chairman. This collection procedure may be modified by vote of the Executive Council.

Section 3. The Membership Committee shall verify the eligibility of all applicants and advise the Secretary concerning an applicant's acceptance for membership within thirty (30) days.

Section 4. At the next regular meeting, the Secretary shall announce the name of the new member.

Section 5. The Secretary shall notify each applicant of his admission to membership or that he is not eligible for membership. If the applicant is not eligible, all monies paid by the applicant shall be refunded in the same manner as regular disbursements.

ARTICLE VI

MEMBERS IN ARREARS

Section 1. Members whose dues are in arrears two (2) months shall be notified in writing.

Section 2. Members whose dues are in arrears three (3) months shall be automatically suspended.

Section 3. Members who have been suspended for nonpayment of dues may be reinstated upon remitting a reinstatement fee of five dollars (\$5.00) and a fine of five dollars (\$5.00), plus the dues previously owed, which shall be automatically levied against any member so suspended.

Section 4. Any member during his period of suspension shall not be entitled to any rights, privileges or benefits of this local, except for such matters as shall be required under law.

Section 5. Members applying for reinstatement may appeal for waiver of the fine described in Section 3 above. Appeals must be made to the Membership Committee through the Secretary.

ARTICLE VII

RIGHTS OF MEMBERS

Section 1. Each member shall at all times have the right of support of this Organization and shall be defended from any controversy with his employer.

Section 2. Each member shall have the right to vote and seek office in this organization subject to these Bylaws.

Section 3. Any member who has been charged with misconduct shall be accorded rights to trial under ARTICLE XVI.

Section 4. Any member may withdraw his membership or resign office at any time he desires. A member may discontinue membership in good standing for reasons of transfer to employment outside the jurisdiction of the Federation or of this Association. Such members, who left this organization in good standing, may be reinstated without penalty.

ARTICLE VIII

DUTIES OF MEMBERS

Section 1. Every member shall uphold the ideals and principles of this organization and shall abide by the Constitution and Bylaws of this Association and the Constitution of the Federation as well as the laws of the United States of America.

Section 2. All business transacted in meetings (e.g., membership, finances, union strategy, etc.) shall be strictly confidential unless otherwise specified. Unauthorized divulgence of such information shall be subject to disciplinary action in accordance with the provisions of Article XV. It shall be the duty of all members to adhere strictly to this rule except when authorized or legally compelled by a court of law.

Section 3. All members should report to an officer of GESTA the misconduct, as it pertains to these Bylaws, of any member.

Section 4. All members should serve on committees whenever possible.

Section 5. All members shall promptly pay their dues in the manner prescribed by these Bylaws.

Section 6. Members who have knowledge of another member requiring assistance should report such information to the Membership Services Chairman or any GESTA officer.

ARTICLE IX

ELECTION OF OFFICERS

Section 1. Meetings for nomination of officers shall be held at the regular meeting held in January of each election year. Elections shall be held not less than thirty (30) days after nominations have been closed. Installation of officers shall be held at the regular meeting following the election meeting.

Section 2. This Local shall elect its officers by secret ballot for a term of two (2) years. Each officer shall hold office until his/her successor is duly elected, qualified, and installed.

Section 3. At least two (2) weeks prior to the date of the nomination meeting, specific notice of the date, time, and place of the nomination meeting, and the officers involved shall be given in such manner as shall be calculated reasonably to reach all members.

Section 4. Eligibility of REGULAR members:

- a) Every member in good standing (See IFPTE Constitution §18.2 & §18.5, 1997 Version.) shall have the right to nominate, vote for or otherwise support the candidate of his choice. No member whose dues have been withheld by GSFC for payment to the Local pursuant to his voluntary authorization provided for in the GESTA-GSFC Agreement shall be declared ineligible to vote for, or be, a candidate for office by reason of alleged delay or default in the payment of dues by GSFC to the Association.
- b) Criteria for Eligibility to Hold Office:
 - 1. The candidate must be a member in good standing, having been in such continuous good standing for each and every month in the six-month period immediately prior to the date of nominations.
 - 2. The candidate must be otherwise qualified under these Bylaws and the Federation Constitution.
 - 3. A member may not be a candidate for more than one office in any given election.

Section 5. Nomination Meeting

- a) Nominations and the conduct of the election and related questions shall be the first order of business at the Nomination Meeting and minutes shall be kept of the meeting. The Nominating Committee may recommend a slate of candidates. Any member may make nominations from the floor at the Nomination Meeting.
- b) Any questions of the eligibility of candidates nominated at such meeting shall be reviewed by Nominating Committee and reported by them to the Executive Council for action within forty-eight (48) hours
- c) Nominations shall not be closed until a call for further nominations has been made three times by the chair without further nomination being made.
- d) In the event only one candidate is nominated for any office, no election shall be conducted for such office unless required by law, and such unopposed candidate shall be declared elected by acclamation at the Nomination Meeting.

Section 6. Elections

- a) After the nomination meeting, but not less than twenty (20) days prior to the election, specific notice of the date, time, and place of the Election shall be mailed to each member at his last known home address.
- b) Voting shall be conducted by secret ballot among the members in good standing. There shall be no proxy votes. Each member will be entitled to one vote. Absentee voting by mail shall be permitted. Only members who are ill, or who are absent from the city, either on vacation or TDY, and who shall apply for an absentee ballot, shall be entitled to such a ballot. Absentee ballots shall be valid only if they are received by mail no later than 6:00 P.M. on the day of the Election. Absentee voting shall be conducted with all proper safeguards.
- c) Each candidate shall have the right to have an observer at the polls and at the counting of the ballots. Candidates and their observers may challenge the eligibility of voters, and all challenged ballots shall be set aside pending determination as to their validity. All challenges shall be investigated by the Nominations Committee to determine their validity as promptly as possible if the challenged ballots are sufficient in number to affect the result of the election.
- d) All nomination and election records, including the minutes of the Nomination Meeting and the ballots cast, shall be preserved for a period of at least one year.

Section 7. When there are more than two candidates for an office, the candidate receiving the most votes shall be declared elected.

Section 8. There shall be no write-in candidates.

Section 9. Special Election: A special election shall be held for the office of President within four (4) months of the death, removal or resignation of the President. Any other Office which becomes vacant shall be filled, if at all, as a temporary appointment for the remainder of the term; the appointee shall be a consenting volunteer fairly chosen from the list of Members in good standing by the remaining Officers.

ARTICLE X

OFFICERS AND THEIR DUTIES

Section 1. The Executive Council shall consist of the elected Officers of this Local, i.e., President, Executive Vice-President, Secretary, Treasurer, and five (5) Area Vice-Presidents.

Section 2. DUTIES OF THE PRESIDENT

- a) The President shall preside at all meetings, special and regular, preserving order according to *Robert's Rules of Order*, subject to appeal to the body; he shall have the deciding vote in all cases of tie.

- b) The President shall enforce the Constitution and Bylaws of this organization, administer the affairs of the Local, and execute the mandates of the membership.
- c) The President shall sign all purchase orders for the Treasurer authorized by the Local and shall countersign all checks
- d) The President and other members of the Executive Council shall submit nominees for all standing and special committees deemed necessary in conducting the business of the Local, except as otherwise provided for in these Bylaws.
- e) The President shall be an official representative and spokesperson of this Local in public activities. He and the Negotiation Committee shall be the spokespersons in all Union agreements with management officials, or the President may delegate this duty provided he acts in concert with the Negotiation Committee.
- f) The President or the designated representative (See Article XII, §12) shall attend as a delegate all Council Meetings, or other meetings participated in by this Local, by virtue of his office, except for International Conventions.
- g) The President: shall perform such other duties as may be prescribed in these Bylaws.

Section 3. DUTIES OF THE EXECUTIVE VICE-PRESIDENT

- a) It shall be the duty of the Executive Vice-President to preside in the absence of the President and to assist the President in preserving order.
- b) In case of the death, removal or resignation of the President, the Executive Vice-President shall become President until the next regular or special election.
- c) The Executive Vice-President shall perform such other duties as may be assigned by the President.
- d) In all cases involving the absence of both the President and the Executive Vice-President, a member of the Executive Council selected by a majority of the Executive Council attending may preside.

Section 4. DUTIES OF THE SECRETARY

- a) The Secretary shall furnish the Treasurer of the Local and the Federation Secretary with the full names and addresses of all new officers upon their installation into office.
- b) The Secretary shall maintain a correct record of each member with full name, address, and telephone number.

- c) The Secretary shall send a letter to each new member, notifying him of his election to membership. A copy of these Constitution and Bylaws and any other pertinent information shall be enclosed with the letter.
- d) The Secretary shall notify all members of all regular and special meetings.
- e) The Secretary shall maintain all official files and shall maintain other documentation filed within the Local.
- f) The Secretary shall perform such other duties as directed by the President or otherwise defined in these Bylaws.

Section 5. DUTIES OF THE TREASURER

- a) The Treasurer shall receive all money from all sources and make appropriate records of receipts.
- b) The collection of dues, fines, initiation fees, assignments, etc., shall be under the jurisdiction of the Treasurer. He shall issue an official receipt to members for all collections made.
- c) The Treasurer shall notify all members in arrears and, after proper notification, read off the names of those suspended at the next regular meeting.
 - a) The Treasurer shall prepare the monthly per capita tax and report and mail it to the Federation Office each month.
- e) The Treasurer shall prepare a Monthly Financial Report, which shall be read at the next regular meeting. He shall prepare an Annual Financial Report to be read at the Annual Meeting in February. He shall maintain all records open for inspection at any reasonable time by any member in good standing.
- f) The Treasurer shall be the sole custodian of all Local funds.
- g) The Treasurer shall make all disbursements countersigned by the President. All bills shall be paid only by check.
- h) The Treasurer shall make an Itemized Statement at the end of each month of all monies received and disbursed by him. His records shall be open for inspection by any member in good standing at any reasonable time.
- i) When authorized, the Treasurer shall transmit all payroll dues withholding authorizations (SF-1187) to GSFC Financial Management.
- j) The Treasurer shall file any reports required by the Internal Revenue Service or the Department of Labor where records of receipt, disbursement are involved.
- k) The Treasurer shall perform such other duties as may be defined in these Bylaws.

Section 6. DUTIES OF THE AREA VICE-PRESIDENTS

- a) All Area Vice-Presidents (AVPs) will be responsible for the representation of GESTA unit members and for providing advice, counsel and information to all Departmental Representatives.
- b) The AVPs will recommend members for the position of Departmental Representative (DR) when a DR position becomes vacant or additional DRs are required. A current list of all Departmental Representatives in his/her area shall be maintained by the AVP.
- c) AVPs will serve as members of the Executive Council.
- d) AVPs shall assist the DR in resolving grievances or counseling members. They shall see that all Departmental Representatives attend required training courses.
- b) All AVPs are required to promote the image of the organization in a professional manner in their respective areas and to promote the increase in general membership together with the membership Committee, where possible.
- f) AVPs shall perform such other duties as may be defined in these Bylaws.

Section 7. RESERVED

Section 8. No officer of this Local shall appear before a representative of management for the discussion of policies or business unless authorized by the President and majority of the Executive Council. He or she will be accompanied by the President or Executive Vice-President.

Section 9. It shall be the duty of each officer of GESTA to attend all meetings (except meetings of committees of which he is not a responsible member). It shall be the duty of each officer to expedite the responsibilities with which he is charged. Any officer who is unable to attend the prescribed meetings or who procrastinates in the execution of his duties should submit his resignation to the President.

Section 10. Any elected officer who fails to attend either three (3) consecutive meetings or three-fourths of all meetings in any twelve (12) month period, or who fails to properly execute his assigned responsibilities may be suspended. The accused officer shall have the right to a trial as outlined under ARTICLE XVI. Excused absences may be granted by the President, but in no event shall any officer miss as much as fifty per cent (50%) of the meetings without the invoking of the suspension procedure.

Section 11. Any officer who is removed shall be replaced through regular election procedures.

Section 12. Upon the removal of an officer, or during a temporary absence of any officer for any period longer than three months, the President shall appoint a member to fill the vacancy *pro tem*, subject to the approval of the Executive Council.

ARTICLE XI

DEPARTMENTAL REPRESENTATIVES

Section 1. The number of Departmental Representatives (DR) shall be determined by the Executive Council. The Area Vice-Presidents shall recommend members from their area as a DR, and the Council shall appoint the DR. The membership shall then approve the appointment by a simple majority vote.

Section 2. It shall be the duty of the DR to enforce the Negotiated Agreement between GESTA/GSFC within their locations. Each DR shall consult with his/her designated Area Vice-President regarding employee problems and shall coordinate all actions as a GESTA representative with that Area Vice-President.

ARTICLE XII

COMMITTEES

Section 1. The Standing Committees of the Local shall be the Executive Council, Membership Committee, Policy and Review Committee, Grievance and Appeals Committee, Communications Committee, EEO Committee, Membership Services and Educational Program Committee and the Political Action Committee.

Section 2. The Executive Council shall be composed the elected officers of GESTA, i.e., the President, Executive Vice-President, five (5) Area Vice-Presidents, Treasurer, and Secretary.

Section 3. The Policy and Review Committee shall consist of a chairperson and a minimum of two (2) members.

Section 4. The Membership Committee shall consist of a chairperson, and a minimum of four (4) other members.

Section 5. The Grievance and Appeals Committee shall consist of a chairperson and a minimum of three (3) other members.

Section 6. The Membership Services and Educational Programs Committee shall consist of a chairperson and as many other members as he may deem necessary.

Section 7. The Negotiations Committee shall consist of the President and other members, as deemed necessary by the Executive Council.

Section 8. The EEO Committee shall consist of a chairperson and a minimum of two (2) other members.

Section 9. The Communications Committee shall consist of the Chairperson and a minimum of two (2) other members.

Section 10. The Political Action Committee shall consist of the Chairperson and a minimum of two (2) other members.

Section 11. The Nominating Committee shall consist of a Chairperson and a minimum of three (3) other members. This committee shall terminate upon completion of its duties immediately after the election.

Section 12. The Executive Council may appoint such other committees as deemed necessary.

Section 13. Delegates and alternate delegates to the Federation's convention and special conventions shall be elected by the membership. Delegates shall be in number, and credentials shall be handled, as outlined in the calls for the particular convention. Voting for convention delegates shall be by secret ballot.

Section 14. Delegates or committees, elected or appointed, incurring legitimate expenses while in performance of duties shall be reimbursed to the extent of such expenses without further action by the Local upon presentation of bills to, and their approval by, the President.

Section 15. Any and all delegates, alternates, or committees, elected or appointed, shall be individually in good standing on the books of the Treasurer, currently with such election or appointment, before being eligible to serve in such capacity.

Section 16. The current President shall be a nonvoting, ex-officio member on all GESTA Committees.

ARTICLE XIII

DUTIES OF COMMITTEES

Section 1 The Executive Council shall be composed of the President, Executive Vice-President, five (5) Area Vice-Presidents, Treasurer, and Secretary. The immediate past President may serve as an advisory (non-voting) member. The President will be the Chairperson of this Committee.

- a) The Executive Council shall appoint all Committee Chairpersons and shall confirm all appointments to the Committees made by the respective Chairpersons. Where Chairpersons cannot, for good reason, appoint member(s) to their committees, the Executive Council shall appoint committee members.
- b) The Executive Council may create such other Committees as it deems necessary.
- c) The Executive Council shall review any contracts and or agreements negotiated with GSFC management prior to presentation to the membership for ratification.

- d) The Executive Council shall be the highest policy planning and policy making body within this Local. It shall have all powers necessary and implied to carry out these functions, subject to approval of the membership. (See IFPTE Constitution §14.11, 1997 Version.)
- e) The Executive Council shall receive a list of recommended nominees for Chairpersons of Committees from the President together with a list prepared by other members of the Executive Council for these positions. The list shall be discussed during the next Executive Council meeting and the nominees evaluated. Chairpersons shall be appointed in the following week by the Executive Council.
- f) The Executive Council shall carry out any other duties as prescribed by these Bylaws.

Section 2. The Membership Committee shall investigate all applications for membership and make recommendations for action by GESTA in regard to such applications. It shall also be responsible for membership drives, incentives, and all publicity required for same. Membership reports will be made by the Chairman at each regular membership meeting and at Executive Council meetings.

Section 3. The Policy and Review Committee shall be responsible for reviewing all GESTA proposed policy changes. After conducting the research necessary to making an appropriate review, comments, and recommendations shall be made by this Committee and submitted to the President and Executive Council for review and approval. This Committee shall accept proposed amendments and alterations of the Local's Bylaws for proper wording of intent and shall make recommendations on all proposed changes.

Section 4. The Grievance and Appeals Committee shall accept all grievances and appeals referred to it by any Area Vice-President or any DR. It will review each case, conduct a thorough investigation, and make recommendations on the proposed course of action. The Committee will process all appeals from adverse actions, reductions in force actions, and arbitration cases (except those involving Union grievances against GSFC). It will coordinate and process all grievances at the Formal Stage with the appropriate Area Vice-President. Arbitration will be invoked by the Committee with approval of the Executive Council. (Arbitration involving Union grievances against GSFC will be invoked by the President with approval of the Executive Council.)

Section 5. The Membership Services and Educational Programs Committee shall report on any member sick or in distress, unemployed or in need of assistance. This Committee shall make necessary arrangements for all entertainment, meetings, and other affairs held by GESTA. The GESTA Social News will be published as necessary by this Committee. This Committee shall also assist the Membership Committee during special membership drives. This Committee will also be responsible for promoting educational programs with approval by the Executive Council targeted to improve and advance the professional aspirations of its members.

Section 6. The Negotiations Committee shall be responsible for entering into negotiation with management and monitoring and updating the Labor Relations Agreement entered into by the GSFC and GESTA. No single person may enter into negotiation nor make commitments with management.

Section 7. The Nominating Committee shall be constituted and shall convene two (2) months prior to any regular or special election, and shall draft a slate of names for new officers for recommendation at the Nomination Meeting in February of the election year. They shall determine the candidates' eligibility for office in accordance with these Bylaws. They shall publish to the membership, no later than two (2) weeks prior to the Election, the names of all eligible nominees. They shall make up ballots containing the names of all eligible nominees and shall be responsible for distributing, collecting, and counting the ballots. They shall resolve challenged ballots in accordance with Article IX. Members of the Committee shall not nominate themselves for elective office while serving thereon, but they may be nominated from the floor.

Section 8. Delegates to control bodies with which GESTA is affiliated, and to conferences and conventions, shall represent GESTA as directed by the general membership. These delegates shall report on the proceedings and deliberations of these bodies affecting GESTA at regular meetings and a copy of their reports shall be placed on file with the Secretary.

Section 9. The Communications Committee shall publish a bi-monthly newsletter and all press releases. Publicity of all activities shall be shared with the Membership Services and Educational Programs Committee. Publicity of all activities will be drafted for press and Executive Council approval.

Section 10. The Political Action Committee shall contribute to the political activity of the community and to the democratic process. In addition, it will assure that labor's viewpoint will be heard by candidates and officials of the City, County, State and Federal Government. It will encourage and participate in the dissemination of political facts and factors pertinent to this Local's members.

Section 11. The represent Equal Employment Opportunity (EEO) Committee shall generally represent EEO concerns to the Negotiation Committee prior to contract negotiations with management. It is also responsible for the monitoring and evaluation of EEO grievances at GSFC. This Committee shall participate in special membership drives and shall participate in EEO functions. This Committee shall also participate in and keep itself informed regarding governmental developments (e.g., laws, rulings, etc.) which affect EEO. The Committee will keep the membership informed as to its activities and information it may have obtained pertinent to the welfare of the general membership.

ARTICLE XIV

FINANCES

Section 1. The revenue of this Organization shall be derived from initiation fees, dues, fines, assessments as required, and other fund-raising activities that may be authorized by the membership.

Section 2. Initiation Fees for membership in this Organization shall be five dollars (\$5.00). The Initiation Fee may be waived or reduced by the Executive Council in connection with special membership drives.

Section 3. Effective June 1, 1988, the dues for members of this Local shall be set at five dollars (\$5.00) per biweekly pay.

Section 4. An employee who becomes unemployed or financially unable through sickness, etc., shall not be required to pay his dues. Retired members are eligible for lifetime nonvoting membership without paying dues.

Section 5. Special assessments to cover emergencies may be imposed by a two-thirds majority vote of the members present and voting at a regular or special meeting. The members shall be notified, in writing, of a pending assessment at least ten (10) days in advance of the vote.

Section 6. Fines may be imposed as necessary to enforce rules and regulations of the Local by a two-thirds vote of the members present and voting.

Section 7. No money shall be loaned from the funds of this Local.

Section 8. The Fiscal Year of this Local shall begin on the first day of January.

Section 9. The funds of this Organization shall be used only for the conduct of the business of the Local. Disbursements from the Treasury, other than normal operating expense, must be approved by the Executive Council for all financial disbursements less than three hundred dollars (\$300.00). A two-thirds vote of the regular membership attending and voting shall be required for items costing more than three hundred dollars (\$300.00).

Section 10. Disbursements from the Treasury, other than for normal operating expenses, shall be made only on vouchers signed by the President and the Secretary. All checks of the Local shall require the signatures of both the President and the Treasurer.

ARTICLE XV

MISCONDUCT AND PENALTIES

Section 1. Any officer or member who is found guilty of improper conduct or who wrongs or defrauds a fellow member or commits an offense discreditable to the Local may be fined or suspended.

Section 2. Any officer or member who works against the interests of this Local, may be expelled.

Section 3. Any officer or member who furnishes a membership List of this Local to any unauthorized person outside the Local, shall be subject to expulsion.

Section 4. Any officer or member who knowingly acts in violation of these Constitution and Bylaws may be fined or suspended.

Section 5. All fines and penalties shall be levied and approved in accordance with the procedures outlined in ARTICLE XVI, "CHARGES AND TRIALS."

ARTICLE XVI

CHARGES AND TRIALS

Section 1.

- a) All charges must be made in writing and must specify the offense or offenses and the Section of the Federation's Constitution and/or these Bylaws which they are alleged to violate. The charge must be signed by the member or members making the charge.
- b) All charges must be submitted to the Secretary, or to the President or Acting President, in the absence of the Secretary. All such charges must be presented to the Executive Council within two weeks of submittal. If a regular meeting of the Executive Council is not scheduled within the two-week period, a special meeting of the Executive Council shall be called to receive the charges.

Section 2. Any member or officer under charges shall have the right to resign with prejudice.

Section 3. Except in cases of automatic suspension or in an "emergency situation" as defined in Article 17, §17.5 of the Federation's Constitution, the accused may attend meetings until convicted or exonerated of the charges. The Accused shall be furnished a copy of the charges, together with a notice of hearing on such charges before a Trial Board. Such notice shall give the accused reasonable time within which to prepare a defense and appear for trial. The Accused shall be accorded a full and impartial trial, with the right to appear personally and be represented by any member of the Federation, but, whether the accused shall be represented by an attorney in said trial shall be left to the discretion of the trial board.

Section 4. The duly assembled Membership shall nominate two (2) sets of Trial Court Pools each consisting of eleven (11) randomly collected groups of Members in good standing who have been pre-screened; i.e., who are neither parties, witnesses, nor have any other overt interest in the outcome of the dispute. The Charged Party or his representative shall then select one of the Pools to conduct all further Trial proceedings. From the Pool of eleven (11) names, the first five (5) shall be chosen by lottery and shall serve as the actual Trial Court, and the next two (2) selected shall serve as alternates. As an alternative, the accuser and the accused shall strike 3 names from the nominated 11, the last 2 names struck to serve as alternatives. The Accused shall have the right to choose the method of selection. The Trial Board may appoint one of its members, who shall be impartial, to act for it as a trial examiner for the purpose of holding hearings, in which case such examiner shall hold trial under such trial procedure as shall be determined by the Trial Board, shall make findings of fact in respect to such charges, and shall recommend to the Trial Board what disciplinary action, if any is to be taken by the Trial Board, but the Trial Board shall determine for itself what disposition should be made of the charges.

Section 5. The accused shall be notified by registered mail to be present at the trial by the Chairman of the Trial Board and may be represented in person or by counsel (counsel to be a Member of the Federation). He shall be given one (1) month in which to appear and reply. All testimony must be in writing or taken down in writing. Testimony of persons not members is permissible.

Section 6.

- a) When the Trial Court has come to a decision in the case, the Chairman of the Trial Court shall, at the next regular meeting, submit a full report of the evidence and the verdict, in writing, to the Local.
- b) At that meeting, the defendant and accuser shall be allowed to state their case, but debate on or review of the case by the Local shall be limited to the penalty portion (if any) of a verdict.
- c) The findings of the Trial Board shall be final (within the Local) except that, if the Trial board has found that disciplinary action should be taken against the defendant, the defendant shall have the right to request a vote by the membership on whether to impose the penalty. If the defendant requests such a vote, the question of imposing the penalty shall be debated and brought to a vote. A two-thirds majority of members present and voting shall be required to overturn the penalty. If the penalty is overturned, the body must then decide on a reduced penalty (or no penalty), but the penalty may not be increased. Whatever action is taken regarding the penalty, the finding of guilt by the Trial Board may not be debated or changed.

ARTICLE XVII

AMENDMENTS

Proposed amendments to these Bylaws must be submitted to the Chairman of the Policy Review Committee, in writing, and signed by two (2) or more members in good standing, at least two (2) weeks in advance of the Membership Meeting at which the proposers desire the initial reading to be made. The proposed amendment(s) shall not be acted upon or debated until the next General meeting thereafter. A concurring vote of two-thirds of the members present and voting shall be necessary for adoption.

ARTICLE XVIII

PARLIAMENTARY RULES

Section 1. The rules contained in *Robert's Rules of Order (Revised edition)* shall govern the Local in all cases to which they are applicable and in which they are not inconsistent with these Bylaws or the special rules of this Local or of the Federation.

Section 2. The order of business of regular meetings shall be as follows:

- (1) The room shall be cleared of all nonmembers unless it is an open meeting;
- (2) The President calls the meeting to order;
- (3) The Secretary reads the roll call of the Executive Council;
- (4) The Secretary reads the minutes of the previous meeting. (Vote);
- (5) The Membership Committee Chairman (or Committee member) reads the names of applicants for membership. (Vote);
- (6) All new members who are present shall be presented and the oath of obligation shall be present and the oath of obligation shall be administered by the President;
- (7) Reports of committees/delegates;
- (8) The Treasurer reads the monthly report and presents all bills to be approved for payment, (vote);
- (9) Old business: Correspondence pertaining to old business read;
- (10) New business: Correspondence pertaining to new business read;
- (11) Special program presentation(s); and,
- (12) Adjournment.

ARTICLE XIX

QUORUM

Section 1. Ten percent (10%) or 15 of the members, whichever is greater, shall constitute a quorum for the regular or special meetings of the membership.

Section 2. One-half of the total number of members of the Executive Council shall constitute a quorum for Executive Council meetings.

ARTICLE XX

SAVING CLAUSES

Section 1. The provisions of these Bylaws relating to the payment of dues, assessments, fines or penalties, etc. shall not be construed as incorporating into any union security contract those requirements for good-standing membership which may be in violation of applicable law, nor shall they be construed as requiring GSFC to violate any applicable law. However, all financial obligations imposed by or under the Federation's Constitution and these Constitution and Bylaws (and in conformity therewith) shall be legal obligations upon the members and enforceable in a court of law.

Section 2. If any provision of these Bylaws shall be declared invalid or inoperative, by any competent authority of the executive, judicial or administrative branch of federal or state government, the Local's Executive Council shall have the authority to suspend the operation of such provision during the period of its invalidity and to substitute in its place instead a provision which will meet the objections to its validity and which will be in accord with the intent and purpose of the invalid provision, to the extent possible. If any Article or Section of this Constitution and Bylaws should be held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of this Constitution or the application of such Article or Section to persons or circumstances other than those as to which it has been held invalid, shall not be affected thereby.

ARTICLE XXI

INTERNATIONAL CONSTITUTION

The Local acknowledges that the Constitution of the Federation supersedes any provisions of these Bylaws which are inconsistent with such Constitution. The Local thereby re-adopts, as its Constitution, such International Constitution and incorporates herein by reference, as though fully set forth herein, all such provisions of said Constitution, as it may be interpreted, modified or amended from time to time, which are applicable to the Local's matters and affairs.