

CONSTITUTION

New York State

AFL-CIO



*As amended by the Twenty-seventh Constitutional Convention
of the New York State AFL-CIO
August 31 - September 2, 1992*

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PREAMBLE

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ARTICLE II

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ARTICLE III

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PREAMBLE

This Constitution is established pursuant to the agreement to merge, entered into between the New York State Federation of Labor and the New York State Industrial Union Council, and is to be the basic law of the merged organization.

ARTICLE I

NAME

This merged organization shall be known as the New York State AFL-CIO.

ARTICLE II

AFFILIATION

This organization shall be affiliated with the American Federation of Labor and Congress of Industrial Organizations.

ARTICLE III

OBJECTS

The objects of this organization are:

1. To advocate, through united action, such questions as may be for the benefit of working men and women, in order that it may obtain the enactment of such measures by the State Legislature as will be beneficial to the working men and women of the State; to oppose all legislation inimical to their interests, and to secure repeal of all detrimental laws which exist; to use all means consistent with honor and integrity to so correct abuses under which wage earners are laboring as to insure to them their just rights and privileges, and to promote recognition and acceptance of collective bargaining.
2. To help all people who work for a living, irrespective of race, creed, color, national origin or ancestry, to improve their working conditions, and to raise their standards of life;
3. To preserve the right of working people to act in concert for mutual aid, protection and advancement;
4. To further the cause of unionization of promoting the organization of those who are still unorganized into unions of their own free choice, and by bringing to the existing unions the strength that comes from joint counsel and action;
5. To safeguard and promote the expansion of genuine collective bargaining as the best means for dealing with labor relations in a democratic society;
6. To further legislative, executive, administrative, and judicial activities which will safeguard and advance the rights, security and welfare of all the people of the State, and to oppose all such action detrimental to such rights and interests;
7. To safeguard and strengthen civil rights and fundamental human freedoms;
8. To foster democracy, integrity, and responsibility within the labor movement and to help keep it free of corruption and the destructive influence of communism, fascism, or other totalitarian and anti-democratic doctrines;
9. To disseminate knowledge of the labor movement and to increase understanding of its aims and purposes;
10. In order to promote the sale and use of Union made goods and Union services through the use of the Union label and other symbols, to encourage its affiliates to cooperate with and aid such organization or department as may be created for such purpose by the American Federation of Labor and Congress of Industrial Organization.

11. To seek the accomplishment of these objectives through democratic processes, to preserve and fortify these processes in all aspects of American life—economic, social and political—and to combat the forces which are hostile to the principles, traditions and institutions of a democratic society.

ARTICLE IV AFFILIATES

This organization shall be composed of organizations within the State of New York, as follows:

Section 1. (a)

Locals, branches, and organizing committees of any national or international union or organizing committee affiliated with the AFL-CIO, and local unions, branches, organizing committees directly affiliated with or chartered by the AFL-CIO.

(b)

City, county, district, industrial, joint boards, and all other councils composed of locals, branches, or organizing committees and which are chartered by national or international unions or organizing committees that have been chartered by the AFL-CIO, a department thereof, or a national or international union affiliated therewith and State AFL-CIO Retiree Council.

Section 2.

Everybody affiliated either with the New York State Federation of Labor or the New York State Industrial Union Council at the time of the adoption of this Constitution shall thereby automatically become affiliated with and be a member of this organization.

Section 3.

The Executive Council shall have the power to admit to affiliation with and membership in this organization any eligible body coming within any of the classes specified in Section 1 of this Article not already affiliated at the time of the adoption of the Constitution.

Section 4. (a)

No body which is administered, controlled, or dominated by communists, fascists, or other totalitarians, or by persons subscribing to, following, or supporting communist, fascist, or other totalitarian doctrines, or which pursues a course of conduct in sympathy with or in support of communism, fascism, or other totalitarian doctrines, or which either in its admissions to membership or in the management of its affairs discriminates on the basis of race, creed, color, national origin or ancestry, or which comes under corrupt influences, shall be eligible for affiliation with this organization. Such organization, and any other organization affiliated with this Federation, which otherwise engages in conduct or a course of activity hostile or contrary to the best interests of this Federation or contrary to this Constitution may be suspended or expelled on written charges after notice and hearing.

(b)

Any affiliated body which is suspended from the American Federation of Labor and Congress of Industrial Organizations, or whose parent body is so suspended or which is suspended from its parent body, on ten (10) days' notice shall be automatically suspended for like term from this organization, and if any affiliated body or its parent body shall secede from or be expelled by such federation, or if it secede from or be expelled by its parent body, it shall, thereby, on (10) days' notice, automatically secede from or be expelled by this organization, as the case may be.

ARTICLE V CONVENTIONS

- Section 1.** The Convention shall be the supreme governing body of this organization.
- Section 2.** Regular conventions shall be held every four years commencing with the year 1992 at a time and place within the state of New York to be fixed by the Executive Council between May 1 and September 30, except if the Executive Council finds that conditions warrant, then it may set other dates. Written notice of the Convention shall be given by the President and Secretary-Treasurer to all affiliated bodies not later than sixty (60) days in advance.
- Section 3. (a)** Special conventions may be called by direction of a regular convention, or by order of the Executive Council, or on the written petition of local unions, branches, and organizing committees, which together have an individual membership which is not less than one-third of the petition for said special convention.
- (b)** The direction, order, or petition for a special convention, as the case may be, shall designate the time, when, and the Executive Council shall designate the place where such convention is to be held, and the subject or subjects to be admitted for consideration and action.
- (c)** The President and Secretary-Treasurer shall give all affiliated bodies at least two (2) months' written notice of the time and place of a special convention, and of the subject or subjects to be submitted.
- (d)** Representation at a special convention shall be on the same basis as at a regular convention.
- (e)** A special convention shall be governed by the same procedure as a regular convention and shall have all of the power and authority of a regular convention, except that its actions shall be limited to the subject or subjects designated in the call for such special convention.
- Section 4. (a)** Representation at a convention, regular or special, shall be as follows:
- Each affiliated body described in Article IV, Section 1 (a) shall be entitled to delegates on the following basis:
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| For a membership not exceeding 300 | 1 delegate |
| For a membership over 300 but not exceeding 600 | 2 delegates |
| For a membership over 600 but not exceeding 1,000 | 3 delegates |
| For a membership over 1,000 but not exceeding 5,000 | 3 delegates plus 1 additional delegate for each 1,000 or major fraction thereof in excess of the first 1,000 |
| For a membership over 5,000 but not exceeding 29,000 | 7 delegates plus 1 additional delegate for each 2,000 or major fraction thereof in excess of the first 5,000 |

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Each affiliated body described in Article IV, Section 1 (b) shall be
entitled to one (1) delegate except the State Retiree Council which
shall be entitled to three (3) delegates.

- (b) Officers of the American Federation of Labor and Congress of In-
dustrial Organizations, and officers of international and national
unions affiliated with such federation, shall be admitted as fraternal
delegates without vote.
- (c) All members of the Executive Council who are not elected as
delegates shall be ex-officio delegates to the convention with all rights
and privileges of the elected delegates.
- (d) No person shall be seated as a delegate to a convention if he is not
qualified to hold office in this organization.
- (e) This organization, in convention, may as a tribute to distinguished
service in the cause of organized labor by any member of a labor
union, confer upon such person the honor of being a permanent
delegate to all conventions with voice, but without vote unless duly
credentialed as a delegate representing an affiliated organization.
This distinction may be revoked at any convention by a two-thirds
(2/3) vote.
- (f) The Convention shall not reject the credentials presented by a duly
elected or appointed delegate who is eligible to be a delegate as
provided in Rule 11 (a) of the Rules of the AFL-CIO Governing State
Bodies. However, any delegate who is charged with being a com-
munist or a fascist or with subscribing to, following or supporting
communist, fascist or other totalitarian doctrines, or with otherwise
engaging in conduct or a course of activity hostile or contrary to the
best interests of this Federation, or contrary to this Constitution may,
upon conviction, after notice and hearing be expelled or suspended.
Such charges shall be in writing, signed by the charging party or
parties and presented to the Credentials Committee which shall
thereupon serve notice on the delegate against whom the charges are
directed to come before the Committee for a hearing. The Commit-
tee shall report its findings and recommendations to the Convention.
A two-thirds majority vote of the Convention shall be necessary to
suspend or expel a delegate.

Section 5. (a) No body shall be entitled to be represented at a convention or to
participate in its proceedings if such body or any international or
national union or organizing committee, with which it is affiliated,
has seceded from or been suspended or expelled by the AFL-CIO, or
if such body has seceded from or been suspended or expelled by the
international or national union or organizing committee with which
it was affiliated.

- (b) The delegates to a convention designated by an affiliated body which
at the time the convention convenes is in arrears in the payment of
the per capita tax or annual dues due to this organization for a period
in excess of two (2) months, shall not be seated at such convention
nor be permitted to participate in its proceedings.

Section 6. (a) At the time of serving notice of a convention, the Secretary-Treasurer shall inform the affiliated bodies as to the number of delegates each is entitled to have, and shall furnish them with credential forms in duplicate.

(b) Each affiliated body shall promptly furnish the Secretary-Treasurer with the originals of the credential forms, duly completed. The Secretary-Treasurer shall make out a roll of the credentials sent to him and certify the same to the Chairman of the Committee on Credentials one (1) day prior to the convention. The other credential form shall be filled out in a similar manner and be presented at the opening of the convention.

(c) If so ordered by the Executive Council, delegates whose credentials have not been received by the Secretary-Treasurer at least five (5) days before the time fixed for the convening of a convention shall not be seated or permitted to participate as delegates. If the Executive Council so orders, it may waive this requirement in special cases and on good cause shown.

Section 7. (a) The Credentials Committee which shall be appointed by the President in consultation with the Executive Council, shall meet at least one (1) day prior to the opening of the convention at an office provided in the convention city. The Secretary-Treasurer shall certify to said Committee the list of original credentials received by him and the roll of delegates which he has prepared. He shall also advise said Committee of the names of delegates representing organizations which are in arrears, or whose right to a seat in the convention has been protested. It shall be the duty of this Committee to pass on the validity of the designation of delegates and their eligibility to serve as such to hear and decide any contests or disputes that may arise with respect to the designation of delegates or their eligibility, and to prepare and certify to the convention a list of all the delegates duly designated and empowered to participate in the work of the convention, and to vote thereat.

(b) The decisions and other actions of the Committee on Credentials shall be subject to appeal to the convention, but no person whose right to be seated is involved by any such decision or action shall be permitted to vote in the convention on an appeal therefrom.

(c) After a convention has been called into session, the Committee on Credentials shall submit at least a report of its work up to that time, and any appeals therefrom shall be heard. No votes shall be taken by a convention until this has been completed.

(d) Alternate delegates may be certified to the convention in the same manner as heretofore provided for delegates, but may be seated, participate, and vote only in the absence of the delegate to which he is an alternate, and on the certification of the Committee on Credentials of the absence of the primary delegates.

Section 8. (a) Prior to the time fixed for the convening of a convention, and from time to time during the course of its proceedings, the President, in consultation with the Executive Council, and subject to the approval of the convention, shall appoint such committees and officials as he or the convention may deem necessary or desirable for the conduct of the business of the convention. In no event shall any committee appointed hereunder exceed fifty (50) members.

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- (b) Such committee and officials shall have such functions and perform such duties as may be assigned to them by the President, the Executive Council, or the convention.

Section 9. (a) All resolutions and other proposals for action by the convention shall first be submitted to and be considered by the Committee on Resolutions.

- (b) All resolutions and other proposals to be considered by an convention must be received by the Secretary-Treasurer at the office in New York City, one (1) week immediately preceding the opening of the convention; except in instances where such matters have been acted upon and approved at a regular convention, conference, or meeting of a central body, industrial labor council, a council chartered by a department of the AFL-CIO, council or association composed of a city affiliates chartered by a national or international union or AFL-CIO committees chartered by the AFL-CIO, a department thereof, or a national or international union held during this one (1) week period, in which event such resolutions of proposals shall be received up to the opening date of the convention. The Executive Council may waive the requirement of one (1) week prior filing of resolution and proposals with the Secretary-Treasurer in special cases and on good cause shown.

Section 10.

The order of business at a convention shall be as follows:

1. Call of the Convention.
2. Preliminary report of Credentials Committee.
3. Report of the Committee on Rules.
4. Appointment of convention committees and officials.
5. President's report.
6. Report of Officers.
7. Report of the committee on Convention Resolutions and action thereon.
8. Report of other committees and action thereon.
9. Nomination and election of officers and their installation.

The order of business may be changed by vote of the convention.

Section 11. One-fourth (1/4) of the voting delegates seated at a convention shall constitute a quorum for the transaction of business.

Section 12. (a) Voting on all questions coming before a convention, including the election of officer, shall be by division or a show of hands unless a roll call vote is asked for by not less than 30 percent of the voting delegates present.

(b) On a roll call vote:

1. Every organization described in Article IV, Section 1 (a) and affiliated with this organization for one (1) year or more shall have a number of votes equal to the average monthly number on which such body paid the per-capita tax during the twelve (12) calendar months immediately preceding the month in which the convention call was sent out.
2. The average membership on which the number of roll call votes is based for any local union affiliated for less than the base period of 12 months shall be proportionately reduced by dividing by 12 the total per-capitas paid for the number of months affiliated.

3. The votes to which each such organization is entitled shall be divided equally among the delegates designated by it and seated at the convention.
4. Delegates representing organizations described in Article IV, Section 1 (b) shall have one (1) vote each.
5. The Secretary-Treasurer shall prepare and furnish for the use of the convention a list of all the delegates who have been seated with the number of votes each is entitled to cast.

ARTICLE VI LEGISLATIVE CONFERENCE

- Section 1.** In each year there shall be a Legislative Conference to be held in the City of Albany, or such other city within the State of New York, time and place to be designated by the Executive Council.
- Section 2.** The Participants in such conference, which shall be presided over by the President, shall be the Executive Council and no more than three (3) representatives of each affiliated body and such other persons as may be invited by the Executive Council.
- Section 3.** The Secretary-Treasurer shall give all affiliated bodies written notice of the time and place of the Legislative Conference not less than thirty (30) days prior to the day fixed for its meeting.
- Section 4.** Upon the conclusion of the Conference, the Executive Council shall hold a meeting and draw up and adopt with the assistance and advice of the President, the policies and program of the organization to be followed by the President in behalf of the organization at the ensuing Legislative Session.
- Section 5.** The President and the Secretary-Treasurer shall keep a record of the action taken at the Legislative Conference and of the policies and program of the organization as adopted by the Executive Council and the President shall send copies thereof to all affiliated bodies.

ARTICLE VI-A COPE CONVENTION

- Section 1.** Every four years commencing with the year 1994, there shall be a COPE Convention as determined by the Executive Council, to be held within the state of New York at a time and place designated by the Executive Council.
- Section 2.** The participants in such Convention, which shall be presided over by the president, shall be the Executive Council and delegates selected by each affiliate on the formula indicated in Article V, Section 4.(a). Convention Entitlements.
- Section 3.** The Secretary-Treasurer shall give all affiliated bodies written notice of the time and place of the Conference not less than thirty (30) days prior to the day fixed for its meeting.
- Section 4.** The purpose of the convention shall be to endorse candidates for office consistent with the "Rules Governing Committees of Political Education of State Central Bodies" of the AFL-CIO.
- Section 5.** The President may from time to time call area conferences throughout the state to develop educational and other activities and

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programs which will further the political and legislative goals of the organization. In alternating even number years, endorsements shall be made at the regularly scheduled convention.

ARTICLE VII THE EXECUTIVE COUNCIL

Section 1. (a)

There shall be an Executive Council composed of the President, the Secretary-Treasurer and 50 Vice-Presidents; 44 elected at the convention, and six elected by the Executive Council from the membership at large who shall be hereinafter referred to as members-at-large of the Executive Council.

(b) Members-at-large shall be chosen at the same time as the Executive Council selects fifteen vice-presidents to serve on the Executive Committee.

(c) In order to achieve fair representation of minorities and women in decisional policy-making levels of this organization, priority consideration shall be given in the selection of members-at-large to blacks, Hispanics and women without imposition directly or quota levels.

(d) Eligibility requirements for holding office in this organization set forth in Article IX of this Constitution shall apply to the members-at-large.

(e) Members-at-large shall serve without salary or other remuneration except that they shall receive an allowance for expenses of \$150 for each day spent in attendance at meetings and travel time together with transportation costs.

Section 2.

The Executive Council shall be the policy making and governing body of the organization between conventions, and shall have the power to make decisions and to take action necessary or appropriate for such purposes.

Section 3.

In addition to all other powers, duties and functions vested in the Executive Council by the Constitution, or by a convention, the Executive Council shall have the following powers:

(a) To make rules and regulations for the management of the organization, and for the conduct of its affairs not inconsistent with this Constitution;

(b) In the event of a vacancy in the office of the President or Secretary-Treasurer, by reason of death, resignation, or otherwise, the President, or if he is incapacitated, the Secretary-Treasurer shall issue within ten (10) days of the date of the vacancy a call for a meeting of the Executive Council upon ten (10) days' notice for the purpose of electing from those constituting the Executive Council, an officer to fill said vacancy for the unexpired term, which said power is hereby conferred upon the Executive Council. In the event of a vacancy in the office of Vice-President, by reason of death, resignation or otherwise, the Executive Council shall have the power to fill said vacancy for the period of the unexpired term at any of its meetings taking place within six (6) months of the date on which said vacancy occurs;

(c) To provide such personnel as it may find necessary or desirable to conduct the affairs of the organization;

- (d) To adopt the organization's annual operating budget subject to the provisions of Article VIII, Section 3.
- (e) To audit the books of account and other records of the organization not less often than once a year through the services of independent Certified Public Accountants;
- (f) The President, in consultation with the Executive Committee, shall make adequate provisions for the proper conduct of the organization's public relations, and for its research activities;
- (g) No expenditure shall be a charge upon the funds of the organization unless provided for in the annual budget or approved by the two (2) executive officers.

Section 4. The financial affairs of the organization shall be conducted and the records and accounting of its funds kept and maintained in accordance with the principles, standards, and rules promulgated in the "Financial Practices and Proprietary Activities of Unions," and in the "Minimum Accounting and Financial Controls," both embodied in Ethical Practices Code V approved by the Executive Council of the AFL-CIO on May 22, 1957, and any additions and amendments thereto or modifications thereof or any substitution therefor which may at any time hereafter be adopted by said AFL-CIO.

- Section 5. (a)** The Executive Council shall meet upon the call of the President at least two (2) times within each year, at a time and place, within the State of New York, designated by the President. Special meetings of the Council shall be held at the direction of the President with the approval of the Secretary-Treasurer. Such special meetings shall deal only with the subject or subjects specifically stated in the Call.
- (b)** The Secretary-Treasurer shall give the members of the Council written notice of the time and place of any meeting within a reasonable time of such meeting, and in the case of a special meeting, shall accompany the notice with a statement of the subject or subjects to be submitted for consideration at the said meeting.
- (c)** The Secretary-Treasurer shall keep minutes of all meetings of the Council.

Section 6. (a) A majority of the members of the Executive Council shall constitute a quorum for the conduct of its business.

- (b)** Except as may otherwise be provided for in this Constitution, decisions made by the Council and other actions taken, must be concurred in by not less than a majority of the members of the Council present and voting.

ARTICLE VIII

EXECUTIVE COMMITTEE

Section 1 There shall be an Executive Committee composed of the President, the Secretary-Treasurer, and up to fifteen (15) Vice-Presidents to serve at the will of the Executive Council and to be chosen by the Executive Council.

Section 2. The two (2) Executive Officers shall advise and consult with the Executive Committee on policy matters.

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Said Executive Officers shall also after advising and consulting with the Executive Committee authorize funds and finances for (A) Administrative and Legislative activities and (B) Political Education activities.

ARTICLE IX
OFFICERS

Section 1.

The Officers of the organization shall be the President and the Secretary-Treasurer (who shall be the Executive Officers and shall respectively have all the powers, duties and functions as hereinafter provided for) and fifty (50) Vice-Presidents.

PRESIDENT

Section 2. (a)

In addition to all other powers, duties and functions vested in him by this Constitution, or with which he may be charged by a convention or by the Executive Council, the President shall:

1. Serve as the chief executive officer of the organization;
2. Preside at all conventions and at all other meetings except as otherwise provided in this Constitution;
3. Supervise the conduct of the organization's affairs;
4. Sign all official documents and, together with the Secretary-Treasurer, sign all checks and vouchers for the withdrawal or disbursement of any of the funds belonging to the organization;
5. Have the authority to interpret the Constitution between meetings of the Executive Council and his interpretation shall be conclusive and in full force and effect unless reversed or modified by the Executive Council or the Convention;
6. Have the authority to call all meetings;
7. Be an ex-officio member of all committees;
8. He, as well as each of the other Executive Officers, shall have the right and duty within the scope of their respective duties, to visit any of the affiliated bodies as they may find necessary or desirable;
9. Be the delegate to the annual convention of the AFL-CIO, and shall attend its meetings in the interests of this organization;
10. (a) Direct and supervise all legislative activities on behalf of the organization in accordance with the policies and programs adopted by a convention or the Executive Council, the research studies related to such activities and the staff personnel engaged in such activities and studies;
- (b) Represent the organization with respect to legislation before the Legislature, Legislative Committees, and the Executive Officers of the State of New York, and shall act as liaison throughout the year between the organization and its affiliates and Legislative Committees and all State agencies and departments. The Secretary-Treasurer shall cooperate in and advise on the foregoing;
- (c) Notify the affiliated bodies of the status of the legislative policies and programs of the organization and of the various bills affecting labor and the policies and programs;
- (d) Prescribe, with the approval of the Executive Council, such reasonable rules and regulations to be complied with by affiliated bodies who desire the introduction of legislation. Such rules shall

SECRETARY-TREASURER
Section 3.

not, however, preclude any affiliated body from promoting or opposing legislation provided such body either consults in advance with the Executive Officers or the Executive Committee or the Executive Council, or, in the alternative gives written notification of its position together with the reasons therefor to the Executive Officers or to the Executive Committee or to the Executive Council;

- (e) Certify to the Executive Council on the actions of any affiliated body or its representatives who have opposed the legislative policies and programs adopted by the organization;

11. When the Executive Council, by majority vote, have certified that the President is incapacitated, and until the President's incapacity ends, or he becomes available, or the Executive Council cancels its certification, the Executive Council may designate by a majority of all the members of the Council, the Secretary-Treasurer or one (1) of the other Officers to perform the duties and exercise the powers of the President, including signing of all checks and vouchers for the withdrawal or disbursement of fund of the organization. Until the Executive Council has made its designation, the Secretary-Treasurer shall act.

SECRETARY-TREASURER

Section 3. (a)

In addition to all other powers, duties and functions vested in him by this Constitution, or with which he may be charged by a convention or by the Executive Council, the Secretary-Treasurer shall:

1. Serve as the chief financial officer of the organization;
2. Receive and collect and cause to be deposited in the name of the organization all monies due to and received by the organization;
3. Make all purchases on behalf of the organization as provided for in the budget, or as directed by a convention or the Executive Council;
4. Together with the President, sign all checks and vouchers for the withdrawal or disbursement of any of the funds belonging to the organization;
5. Be in charge of all funds, properties, securities, and other evidences of investment, books, documents, records, files and effects of the organization, which he shall at all times hold open for inspection by the President, the Executive Officers, or the Executive Council.
6. Be in charge of the offices to be maintained by the organization and have direction and supervision of all personnel employed in the office of the Secretary-Treasurer;
7. Conduct all correspondence on behalf of the organization relating to his duties;
8. Invest the surplus funds of the organization in such forms as the Executive Council shall direct;
9. Maintain a current list of all bodies affiliated with the organization and of the number on which each is paying the per capita tax;
10. Serve as Secretary of conventions, the Executive Council, and all other meetings except as otherwise provided herein, and make and maintain a record of their proceedings;
11. Make available to the Executive Council at its request the books of account of the organization for purposes of audit;
12. Issue at the written direction of the President calls for conventions;

(b) The Secretary-Treasurer at the expense of the
furnish a bond for the faithful performance of
amount and undersigned by each party to the
shall direct.

At every regular convention each
report of his activities and of the
proceeding.

Section 4. (a) At every regular convention, report of his activities preceding.

(b) Each Executive Officer shall report on his activities and the results thereof to the Council.

[illegible]

(b) The Vice-Presidents are to serve without salary or other compensation except that they shall receive an allowance for expenses of one hundred and fifty dollars (\$150.00) for each day spent at meetings for traveling time, together with transportation to and from the affiliated body.

To be eligible to hold an office, a person must be a member of the affiliated body.

No person shall be eligible to hold an office, to serve as a member of the affiliated body, or to be a delegate to any conference or convention of the affiliated body, unless he or she is a member of the affiliated body.

Section 6. (a) To be eligible to hold an office or position in the affiliated body,

(b) No person shall be eligible for election as an officer of a union, to serve therein, if he is found to be a member of a communist party, any fascist organization, or other totalitarian organization, or found consistently to pursue policies and activities inimical to the interests of the United States, or to follow any path with or calculated to further the program and activities of a communist party, any fascist organization, or other totalitarian organization, or convicted of a felony involving moral turpitude, or guilty of corrupt or other improper practices in the management of any union or council or joint board of management, or guilty of discrimination on the ground of race, color, or ancestry, in the management of unions.

Section 7, (a) Officers shall be elected at the regular convention.

(b) The officers shall be elected by a

(c) Each officer

- (b) The officers shall be elected at the regular convention.
- (c) Each officer shall be elected by a majority of valid votes cast and shall serve until his successor is installed at the next regular convention, unless otherwise provided.

- (c) Each officer shall be installed immediately upon his election and shall serve until his successor is elected and takes office at the next convention, unless he sooner resigns or is removed.
- (d) The election and installation of officers shall be held at the next business meeting after the election of the new board of directors.

(d) The election and installation of officers shall be the last order of business except that if the convention so directs by special order, it may take place sooner in the course of the convention's business.

ARTICLE X COMMITTEES

Section 1.

The President of the organization, in consultation with the Executive Council, shall appoint the following standing committees and other committees as may from time to time be necessary. The

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dent, with the approval of the Executive Council, may combine standing committees.

Section 2. (a) There shall be a Legislative Committee composed of such number as may be fixed by a convention or the Executive Council.

(b) The Committee shall, in accordance with the policies and programs adopted and directions given by a convention of this organization with all matters involving legislation in the State of New York.

(c) The Committee may adopt rules and regulations for the conduct of its business, not inconsistent with this Constitution.

Section 3. There shall be a standing committee on Political Education, composed of the President and Secretary-Treasurer and thirty-seven (37) Vice Presidents of the New York State AFL-CIO. The President and Secretary-Treasurer shall serve as Chairman and Secretary-Treasurer respectively.

Said Committee shall have the powers and duties provided in and conform to all requirements of the Constitution bylaws and rules, which have been duly adopted and promulgated by the National AFL-CIO to the extent that the same apply to State Bodies.

Section 4. There shall be an Advisory Committee to the Committee on Political Education composed of members appointed by the President in consultation with the Executive Council and vested with the responsibility to advise the Committee on Political Education on issues pertaining to sound political education and implementation of the objectives stated in the AFL-CIO Rules Governing Committees on Political Education of State Central Bodies, this constitution and such special bylaws as may be duly adopted by this organization. The President and Secretary-Treasurer shall be ex-officio members of the Advisory Committee. The Advisory Committee shall elect its own chairman and secretary.

Section 5. (a) There shall be a standing committee on Public Employees composed of such members as may be fixed by the Executive Council.

(b) The committee shall function in accordance with the policies and programs adopted by a convention of this organization or its Executive Council to coordinate and consolidate the efforts of all public employee unions affiliated with the AFL-CIO to stimulate trade union activities; to support functions beneficial to the whole labor movement in the state; and to support and promote legislation which would give Public Employees full collective bargaining rights so that they may enjoy the basic rights and protection presently possessed by workers in the private sector.

Section 6. (a) There shall be a standing committee on Community Services composed of such members as may be fixed by the convention or the Executive Council of this organization.

(b) The Committee shall function in accordance with policies and programs adopted by the convention or Executive Council and, through active community participation by members and affiliated unions, shall provide a concern and commitment for improving the quality of life and human fulfillment for all people.

Section 6. (a) At the time of serving notice of a convention, the Secretary-Treasurer shall inform the affiliated bodies as to the number of delegates each is entitled to have, and shall furnish them with credential forms in duplicate.

(b) Each affiliated body shall promptly furnish the Secretary-Treasurer with the originals of the credential forms, duly completed. The Secretary-Treasurer shall make out a roll of the credentials sent to him and certify the same to the Chairman of the Committee on Credentials one (1) day prior to the convention. The other credential form shall be filled out in a similar manner and be presented at the opening of the convention.

(c) If so ordered by the Executive Council, delegates whose credentials have not been received by the Secretary-Treasurer at least five (5) days before the time fixed for the convening of a convention shall not be seated or permitted to participate as delegates. If the Executive Council so orders, it may waive this requirement in special cases and on good cause shown.

Section 7. (a) The Credentials Committee which shall be appointed by the President in consultation with the Executive Council, shall meet at least one (1) day prior to the opening of the convention at an office provided in the convention city. The Secretary-Treasurer shall certify to said Committee the list of original credentials received by him and the roll of delegates which he has prepared. He shall also advise said Committee of the names of delegates representing organizations which are in arrears, or whose right to a seat in the convention has been protested. It shall be the duty of this Committee to pass on the validity of the designation of delegates and their eligibility to serve as such to hear and decide any contests or disputes that may arise with respect to the designation of delegates or their eligibility, and to prepare and certify to the convention a list of all the delegates duly designated and empowered to participate in the work of the convention, and to vote thereat.

(b) The decisions and other actions of the Committee on Credentials shall be subject to appeal to the convention, but no person whose right to be seated is involved by any such decision or action shall be permitted to vote in the convention on an appeal therefrom.

(c) After a convention has been called into session, the Committee on Credentials shall submit at least a report of its work up to that time, and any appeals therefrom shall be heard. No votes shall be taken by a convention until this has been completed.

(d) Alternate delegates may be certified to the convention in the same manner as heretofore provided for delegates, but may be seated, participate, and vote only in the absence of the delegate to which he is an alternate, and on the certification of the Committee on Credentials of the absence of the primary delegates.

Section 8. (a) Prior to the time fixed for the convening of a convention, and from time to time during the course of its proceedings, the President, in consultation with the Executive Council, and subject to the approval of the convention, shall appoint such committees and officials as he or the convention may deem necessary or desirable for the conduct of the business of the convention. In no event shall any committee appointed hereunder exceed fifty (50) members.

CONSTITUTION

New York State AFL-CIO



*As amended by the Twenty-seventh Constitutional Convention
of the New York State AFL-CIO
August 31 - September 2, 1992*

United
United
United Auto
United Food
Commercial Workers
Local
United Steel Workers of
America Local 12460
United University
Professionals