

BYLAWS

Chapter 128 NTEU

PART I

Constitution

The Constitution of the National Treasury Employees Union as amended at the last National convention is hereby adopted as the Constitution of this Chapter. The Bylaws of this Chapter set forth rules for the local administration and functions of this Chapter. No part of these Bylaws will be in force, if they are contrary to or in conflict with the provisions of the National Constitution and Bylaws.

PART II

Name, Headquarters-Jurisdiction and Fiscal Year

Section 1. Name

This organization will be known as the National Treasury Employees Union, Chapter 128.

Section 2. Headquarters and jurisdiction

The Headquarters of Chapter 128 will be maintained in the greater Washington, DC area and have jurisdiction concurrent with the jurisdiction granted to the Chapter issued pursuant to the National Constitution.

Section 3. Fiscal Year

The fiscal year of Chapter 128 shall be from 12:01 a.m., October 1st until midnight of September 30th next following.

PART III

Membership

Section 1. General

Any person who is presently employed within Chapter 128's jurisdiction as defined in PART II, Section 2, or any former employee, or any retired employee (of Customs and Border Protection or legacy

organizations) is eligible for membership in this Chapter, regardless of race, color, sex, age, religion, national origin, disability, marital status, or sexual orientation.

Section 2. Member in Good Standing

A member of Chapter 128 is defined as one who is eligible for membership pursuant to National Constitution and who has either (1) remitted to the Chapter for remittance to the National Headquarters Office an executed cash application with the total amount of National per capita dues payable as a cash payment on a quarterly or annual basis as set forth in Part I, Section 1 (B)(3) and (C)(1) of the NTEU National Bylaws or (2) has remitted an executed Form 1187 to the Chapter for remittance to the National Headquarters Office, with the intent to remit the total amount of national per capita dues payable pursuant to the dues withholding program, or (3) has remitted a payroll direct debit form transmitting dues to NTEU to the Chapter for remittance to the National Headquarters Office, with the intent to remit the total amount of national per capita dues payable pursuant to the dues withholding program.

Section 3. Classification of membership in Chapter 128 will mean:

- a. *Active employee member* – any member presently employed by CBP
- b. *Retired member* – any member formerly employed by the Treasury Department or CBP who has retired from the Treasury Department or CBP and is drawing an annuity under either CSRS or FERS and who was a member of this organization at the date of his or her retirement.
- c. *Former employee member* – a member formerly employed by the Treasury Department or CBP who left before she or he was eligible for retirement and who was a member of this organization when she or he was separated from the Department.
- d. *New employee member* – a member who has been employed by CBP for one year or less.
- e. *Associate member* – a member who is not otherwise eligible for membership in this organization, and who will not enjoy the privileges of NTEU membership in the National Organization and will not be a voting member on those matters related to the national or local NTEU organization.

PART IV Dues and Funds

Section 1. Revenue

- a. *How prescribed* – The revenue of Chapter 128 will be obtained from the membership dues paid by each member and from other activities as may be determined by the members of the chapter.
- b. Amounts of dues
 - a. Dues withholding member: the per capita payments from each member will be at the percentage rate reflected for each employee in the attached chart (or current edition) shall be withheld from the locality pay each biweekly pay period.
 - b. Retired or formerly employed by the Treasury Department or CBP member's dues will be ~~\$20.00 per annum. This payment does not include the national portion of dues as established by the national convention, determined by NTEU/National.~~
- c. ~~Dues from payroll deduction. The monies due the National Union will be collected by CBP and forwarded to NTEU Headquarters processed~~ per the Collective Bargaining Agreement.

Section 2. ~~Increase in dues~~ Changes in Chapter dues.

- a. ~~Dues in~~ Chapter dues ~~may be raised as per Article XI, Section 3~~ may be changed, per the National Constitution and Bylaws.
- b. Changes in Chapter dues require a majority vote of the membership.

PART V
Chapter Meetings

Section 1. The Chapter will schedule an annual meeting.

Section 2. The meeting place and/or form (such as a teleconference) will be designated by the President and notice given to the members at least fifteen (15) days prior to the meeting date.

Section 3. This notice shall be by letter or through the Chapter website <http://www.NTEUchapter128.org>, ~~Chapter website~~ <http://www.NTEUchapter128.org> which is received by all members and/or by posting the meeting notice on all official bulletin boards.

Section 4. Special meetings of the Chapter may be convened by:

- a. Written call by the President;
- b. Written call by a majority of the Executive Board; or
—Written call signed by a majority (greater than 50%) of the members of this Chapter.
- c.

Section 5.

- a. Each member, except an Associate member, will be entitled to one (1) vote at any regular or special meeting, and in election of officers.
- b. In case of challenge of the right to vote by a member, the Chapter President will rule on the member’s right to vote at said meeting. The member will have a right to challenge this decision pursuant to the applicable provisions of the NTEU constitution.

Section 6. Each member shall be entitled to full discussion at any meeting of the Chapter on those matters relating to the National or local organization.

Section 7. A quorum for the transaction of business at any Chapter meeting shall consist of ~~twenty-five~~ ten ~~(25) members~~ Members present and in good standing, or ten (10) percent of the members, whichever is less. (10)

PART VI
Chapter Executive Board

Section 1. The Chapter Executive Board will be composed of the President, Executive Vice President, Treasurer, and Secretary.

Section 2. The Chapter Executive Board will have jurisdiction over all matters not specifically reserved to the members, and will have authority to:

- a. Authorize necessary Chapter expenditures and establish procedures for payment of authorized Chapter expenditures; ~~and~~
- b. Fill any office vacancy by a majority vote of the Board; and

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- c. Approve by a majority vote any local or supplemental collective bargaining agreement prior to its being signed by the Chapter President on behalf of the Chapter.

Section 3. A quorum for the purpose of an Executive Board meeting will consist of a majority of its members.

Section 4. The Chapter Executive Board will convene for regular meetings at a time and place (or other forum) designed by the President. Notice will be given to each Executive Board member as required by the NTEU Constitution and Bylaws.

Section 5. Special meetings ~~of the~~ Executive Board may be convened by:

- a. Written call of the President; or
- b. Written call by a majority of the Executive Board.

Such special meetings must be convened within thirty (30) days after receipt of the request either by the President or the Board members.

Section 6. All actions of the Executive Board will be reported by Secretary at the next regular meeting of the Chapter.

PART VII Chapter Officers

Section 1. Officer Designations

The officers of this Chapter shall be those designated in PART VI, Section 1 of these Bylaws.

Section 2. Qualifications.

Any member of this Chapter (except an Associate member or an employee who, under the provisions of Executive order 11491 is considered a supervisor and, therefore, ineligible to participate or represent this Chapter as an officer), may be elected to any office.

Section 3. Terms of office for all Chapter 128 officers will be ~~two (2)~~ three (3) years. The election to office of all Chapter officers will take place as provided in the NTEU Constitution and Bylaws in ~~April~~ November; these officers will assume their elected position on the first day of ~~May~~ January following certification of their election by the Chairperson of the Elections and Nominations Committee.

Section 4. Elections.

- a. The Chapter President and Chapter Executive Vice are considered delegates to the National Convention(s) conducted during their terms of office.
- b. The election of any additional delegates to the National Convention will be conducted pursuant to the NTEU Constitution and Bylaws.

Section 5. Duties.

- a. The Presidents duties are:
 1. to perform as administrator to the affairs of Chapter 128 in accordance with the provisions of the National Constitution and the Chapter Bylaws;
 2. to issue proper notice calling meetings of the Chapter and the Executive Board;
 3. to preside at all regular and special meetings of the Chapter and the Executive Board;
 4. to appoint Chairpersons of all standing committees;

5. to appoint all Stewards ~~and including the~~ Chief Steward(s);
 6. to issue fifteen (15) days prior notice of the dates and places of meetings of the Chapter and/or Executive Board;
 7. to appoint all committee members and maintain ex officio membership of each;
 8. to sign all documents pertaining to official business of the Chapter;
 9. to approve all official publications issued by Chapter 128
 - ~~10. to countersign all checks drawn against the funds of the chapter;~~
 10. to authorize payment of any expenditures under \$500.00;
 11. to authorize, with majority vote of the Executive Board, expenditures over \$500;
 - ~~11. payment of expenditures over \$500.00 shall be made with the approval of the simple majority of the Executive Board at a duly called meeting and pursuant to authority granted in Part VI of these Bylaws;~~
 - ~~12.~~12. to perform all other duties as are necessary to protect and advance the interests of the membership; and
 - ~~13.~~13. to authorize website content.
- b. The Executive Vice President's duties are:
1. to temporarily perform the duties of the President during the President's absence or inability to serve;
 2. to serve as an assistant to the President; and
 3. to develop the Chapter's publicity, and to handle special publicity projects as directed by the President.
- c. The duties of the Treasurer are:
1. to receive and deposit all funds of the Chapter in a depository approved by the Executive Board;
 2. to make payment from funds as authorized by the Executive Board, ~~and to maintain a petty cash fund in an amount as determined by the Executive Board;~~
 - ~~3. to remit promptly to the Administrative Controller of the National Headquarters as provided by the National Constitution, the national portion of per capita dues collected from the members of Chapter 128 and to send an accompanying list of those members to be credited with payment of their dues;~~
 - 4.3. to submit annual financial reports, which will coincide with the scheduled Chapter meetings, as provided in PART VI, Section 1 and other reports as requested by the Executive Board;
 - ~~5.~~4. to provide the Secretary with dues information necessary for the Secretary to maintain an updated membership roster;
 - ~~6.~~5. to submit the Chapter books and accounts for audits on the demand of the Executive Board within six (6) months following the end of the Chapters' fiscal year;
 - ~~7.~~6. to ~~furnish~~ ensure that the Chapter maintains a surety bond, pursuant to the National Constitution and bylaws to the Chapter, the premium of such bond to be paid by the Chapter;
 7. to prepare and file Internal Revenue Form 990;
 8. to prepare and file the Department of Labor LM form; and
 9. to keep an accurate record of all receipts and expenditures of the Chapter according to accepted accounting practices.
- d. The duties of the Secretary are:
1. to record and keep minutes on all meetings of the Chapter and the Executive Board;
 2. to conduct such correspondence as may be necessary or as the President shall direct and maintain copies in a permanent file;
 3. to maintain custody of all books, records, papers and effects of the Chapter, and transfer these items to his or her successor at termination of his or her tenure of office;
 4. to aid the Election and Nominating Committee in preparing ballots for officer elections and to inform the members of the results of such elections;

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5. to distribute literature, copies of documents and other communications to the Chapter members;
6. to maintain files of committee reports;
7. to prepare and maintain a calendar of Chapter events for proper planning and coordination with the other Chapter officers and Committee Chairpersons.
8. to maintain a correct and current record of the membership with the name, address and dues status of each member;
9. to read the written report of the minutes from the previous meeting; and
10. coordinate and oversee website content between the Chapter President and Webmaster.

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PART VIII Committees

The President shall appoint, within thirty (30) days after assuming office, a chairperson and the members of the following standing committees, and the President will publish for the information of the membership, the names of the chairpersons appointed by the Executive Board and the members of each committee for the information of the membership. These appointees shall serve for one year.

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Section 1. Classification and responsibilities

- a. The *Committee on Elections and Nominations*.—will consist of three (3) members and a Chairperson for the purpose of conducting a democratic election of officers and provided in the NTEU Constitution, pursuant to PART IV, Section 2 of the National Bylaws.
 1. This committee will count the ballots, and post the results of the election ~~and mail results to all posts of duty on the Chapter website~~. The newly-elected officers will be notified in writing by the Chairman of the Election and Nominating of their election.
 2. The Chairperson shall immediately make a written report on the results of the election to the NTEU National Headquarters.
 3. The Chairperson shall provide suggested candidates to the Executive Board for their considerations in filling officer vacancies which may occur during the fiscal year.
- b. The *Committee on Membership* – The Chairperson of this committee will be appointed by the President and the Committee will consist of two (2) additional members, for the purpose of increasing and retaining the number of active employee members eligible for membership in Chapter 128 and will:
 1. devise a program of membership for all employees in Chapter 128's jurisdiction in order for an effective membership drive to be conducted at least once annually;
 - ~~2.~~ instruct and organize membership recruiters in each Post of Duty within Chapter 128's jurisdiction;
 - ~~3.~~ ~~2.~~ ~~accept and promptly forward to the Treasurer the dues collected along with the name and address of the members;~~

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- 4.3. report to the present the format of the membership program and its status; and
 - 5.4. distribute and accept membership applications, requests for transfers of memberships from other Chapters or to other Chapters, assist with execution of Form 1187 for dues withholding, assist with execution of "cash dues" forms, and promptly forward such items to the Treasurer.
- c. Other such committees as deemed necessary to accomplish the aims of Chapter 128 may be appointed by the President. The number of members will be the number considered practical and necessary by the President. Such appointed committees will serve at the discretion of the president.

PART IX Delegates and Proxies

Section 1. Delegates to National Convention

- A. The Executive Board at a meeting not less than thirty (30) days prior to the National Convention will determine the number of Chapter delegates to the National Convention and the amount of delegate expense that will be paid by Chapter funds. Each delegate must receive an equal amount of reimbursement.
- B. The Chapter President, and Vice Presidents elected in accordance with Part IV of NTEU's National Bylaws are considered ex-officio delegates to District Conferences and National Conventions conducted during their terms of office. If the Executive Board determines that additional delegates may attend, such delegates will be elected pursuant to the NTEU Constitution and Bylaws.
- C. Any member who wishes to attend the National Convention ~~or the District Conference as a delegate~~ at his/her own expense must be elected pursuant to the NTEU Constitution and Bylaws.
- D. The chairperson of the delegation will be the President or in his/her absence, the highest ranking officer who is a delegate.
- E. If no Chapter Officer is a delegate, the Executive Board will appoint the Chairperson and define the succession of authority in the delegation.
- F. A convention report will be submitted to the Executive Board within thirty (30) days following the convention.

Section 2. Proxies

For purposes of representation at the National Convention or the District Conference, Chapter 128 may designate by proxy any member or members of the National organization on

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a form prescribed by the Administrative Controller of NTEU. There will be the statement made that the authority to issue and assign a proxy is given pursuant to a motion duly passed at a regular or special Chapter meeting. The member of NTEU to whom the proxy is assigned shall be named therein and it shall be signed by the President and Secretary of Chapter 128.

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PART X Business Procedure

Section 1. Executive Board – Order of Business

- A. At each regular meeting of the Executive Board as provided by Part VII, Section 4, the following order of business will be observed.
1. call to order
 2. roll call
 3. report of the President
 4. report of the Executive Vice President
 5. report of the Treasurer
 6. report of the Secretary
 7. report of Chairpersons of standing committees
 8. unfinished business
 9. new business
 10. adjournment
- B. The above order of business may be suspended at any time by a majority vote of the Executive Board members present at the meeting. In case of a special meeting of the Board, the President's call for the meeting will set forth the business to be transacted and the order of it.

PART XI Miscellaneous

Section 1. Rules of Order

In the absence of any provision to the contrary in the Constitution and these Bylaws, all meetings of the Executive Board, Committees, and Chapter meetings will be governed by the parliamentary rules and usage contained in the current edition of "Robert's Rules of Order, Revised".

Section 2. Copies of these Bylaws will be distributed to all members of Chapter 128, upon request; [the Chapter website](#); and to the National Headquarters.

Section 3. Amendments.

- A. Amendments to these Bylaws will be submitted in writing to the Executive Board, for consideration by the Executive Board. The President will then report the recommendations of the Executive Board to the next regular or special Chapter meeting which may adopt such amendments by a majority vote, provided notice of the proposed amendment(s) was given in writing at a previous meeting and/or all members were notified at least fifteen (15) days before such meeting.

~~A.~~—These Bylaws become effective at midnight on the day on which they are approved by a majority vote of the Chapter members ~~attending the June Chapter meeting.~~

B.

In the absence of any provision to the contrary in the Constitution and these Bylaws, all meetings of the Executive Board, Committees, and Chapter meetings will be governed by the parliamentary rules and usage contained in the current edition of "Robert's Rules of Order, Revised".

Section 4. Elections

Elections of Chapter officers will be conducted as provided in the NTEU Constitution and Bylaws.

Section 5. Vacancies

- A. Should a vacancy in the office of President of the Chapter occur for any reason, the Executive Vice President will ~~serve as Acting~~ be the President until the President position is filled through the next Chapter election.
- B. Should a vacancy in the office of the Executive Vice President occur for any reason, the Chapter President will ~~appoint~~ appoint (subject to approval by the Executive Board) an ~~Acting~~ Executive Vice President to serve until the Executive Vice President position is filled through the next Chapter Election, subject to approval of the appointment by the Executive Board.
- C. Should a vacancy in the office of the Treasurer occur for any reason, the Chapter President will appoint ~~an Acting~~ (subject to approval by the Executive Board) a Treasurer to serve until the Treasurer position is filled through the next Chapter Election, ~~subject to approval of the appointment by the Executive Board.~~
- ~~D.~~—Should a vacancy in the office of the Secretary occur for any reason, the Chapter President will appoint ~~an Acting~~ (subject to approval by the Executive Board) a Secretary to serve until the Secretary position is filled through the next Chapter Election, ~~subject to approval of the appointment by the Executive Board.~~

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