

**MEMORANDUM**

To: Affiliated Local Unions, Central Labor Councils, and State Councils

From: Executive Board;  
James Andrews, President;  
MaryBe McMillan, Secretary-Treasurer

Subject: **60th Annual Convention Call – ELECTION YEAR!!**

Date: Thursday, June 1, 2017

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Pursuant to the authority vested by the Constitution of the NC State AFL-CIO, the Executive Board hereby notifies you that our 60th Annual Convention will be held at the Doubletree by Hilton Oceanfront Hotel in Atlantic Beach (2717 W Fort Macon Rd) on **Wednesday, Thursday, and Friday, September 13-15, 2017**. Registration will begin at 7:00pm on Tues. (9/12) and continue at 8:00am on Wed. (9/13). The Convention will convene at 9:00am on Wed., (9/13).

Hotel rooms cost \$129 (oceanview) or \$169 (oceanfront) per night plus tax. **The cutoff date for placing reservations is August 18, 2017.**

**Use group code “AFL” when you register online (best option) at [bit.ly/2017ncaflhot](http://bit.ly/2017ncaflhot) or by phone call to (252) 240-1155. Reserve NOW - you can always make changes later!**

Look for credentials to arrive soon in a separate mailing. If you have received this letter but do not receive credentials by July 1, please check with the person or office that receives our monthly statements or call Jeremy at 919-833-6678.

**The registration fees are: \$100 for each Delegate; \$60 for each Guest/Alternate; \$40 for retired guests.** Registration fees must accompany each credential when mailed to the NC State AFL-CIO, along with a list of any retirees and guests also to attend. Pre-register by Friday, August 18 and take 10% off. **This discount will NOT be available to delegates who register on-site.**

**RESOLUTIONS must be submitted at least 15 days in advance, so by Tues., August 29.**

**\*\*\*NOTE: THIS IS AN ELECTION CONVENTION\*\*\***

This year is an election year for our state federation, so your FULL participation is more important than ever! Both officers and all vice presidents (board members) will stand for election to new 4-year terms. Read on for important info about delegates, the convention process, and the new “caucus system” for nominating vice presidents.

## **ELIGIBILITY**

Only bona fide functioning organizations affiliated with the North Carolina State AFL-CIO will be seated at the Convention. Only members in good standing of an affiliated organization will be seated as delegates.

### **1. ARTICLE IV - MEMBERSHIP AND DELEGATES**

SECTION 1. Membership in the North Carolina State AFL-CIO shall consist exclusively of such of the following organizations within the geographical limits of North Carolina as shall conform to the membership requirements of this organization: (1) local unions directly affiliated to the AFL-CIO and local unions of national and international unions and organizing committees affiliated with the AFL-CIO; (2) Central Labor Councils/Area Labor Federations chartered by and in good standing with the AFL-CIO; (3) local, district and state councils chartered by an international union or by a trade or industrial department of the AFL-CIO; (4) to the extent that participation is authorized by the AFL-CIO Executive Council, subordinate bodies of the Alliance for Retired Americans shall be permitted to affiliate; and (5) State chapters of AFL-CIO constituency groups, as defined in the Rules Governing AFL-CIO State Central Bodies, that are chartered by a national AFL-CIO constituency group. If a constituency group has one or more chapters in the state, but no statewide chapter, a local chapter designated by the national constituency group may be admitted as an affiliate.

Chapters may be created if the state federation and Central Labor Council/ Area Labor Federation determine that an organizational presence is needed in a specific geographic area within its jurisdiction. Chapters shall have no right of representation or involvement in the affairs of the state federation or Central Labor Council/Area Labor Federation. Chapters may be authorized to enact by-laws consistent with the state federation's Constitution; elect a chapter President and Secretary-Treasurer; hold meetings of delegates from local unions within the chapter's geographic jurisdiction and make recommendations to the state federation or Central Labor Council/Area Labor Federation for their consideration. Chapters may not assess a per capita or membership fee. In accordance with the endorsement procedure of the state federation the chapter may endorse candidates running for local office within the chapter's geographic jurisdiction and may screen, interview and recommend to the state federation or Central Labor Council/ Area Labor Federation candidates for state and federal legislative office.

SECTION 2. Affiliated local unions in good standing shall be entitled to representation and votes in conventions of the North Carolina State AFL-CIO. Such representation shall be based upon the average number of members on whom per capita tax has been paid for the twelve-month period ending June 30 of the year in which the convention is held. Local unions affiliated for less than twelve (12) months shall have their average membership proportionately reduced by dividing the per capita tax paid for the months affiliated by twelve (12).

The schedule of delegate representation shall be as follows:  
100 members or less: 2 delegates  
101 to 300 members: 3 delegates  
301 to 500 members: 4 delegates  
501 to 700 members: 5 delegates  
701 to 1,000 members: 6 delegates

Local unions having more than 1,000 members shall be entitled to one (1) additional delegate for each additional five hundred (500) members or major fraction thereof.

Local unions which are not in good standing (that is three (3) months or more in arrears in the payment of per capita tax at convention time), shall not be entitled to any delegates or votes at the convention.

SECTION 3. Except on roll call votes, each delegate shall be entitled to one (1) vote. Voting shall be by voice or division of the house (show of hands or standing vote) unless a roll call vote is properly demanded by the required number of delegates as provided in Section 8 of this Article. No delegate shall be permitted to cast the proxy of another delegate.

SECTION 4. On roll call votes, each local union shall be entitled to a number of votes equal to the average membership of the local union as determined in the manner set forth in Section 2 of this Article.

## **IMPORTANT INFO FROM THE BY-LAWS:**

- 1. DELEGATE SELECTION**
- 2. CONVENTIONS**
- 3. THE PRESIDENT AND HIS/HER DUTIES**
- 4. NOMINATIONS AND ELECTIONS**

SECTION 5. Each central body or other subordinate bodies referred to in Section 1 (2) and (3) of this Article, in good standing, shall be entitled to the maximum number of 3 delegates and 3 votes. Subordinate bodies of the Alliance for Retired Americans as referred to in Section 1 (4) of this Article, in good standing, shall be entitled to one (1) delegates and one (1) vote. Each constituency group, as referred to in Section 1 (5) of this Article, shall be entitled to one (1) delegate and one (1) vote.

SECTION 6. The votes of an organization shall be apportioned equally among the registered delegates from that organization and any votes left over shall be discarded. Each delegate present shall be entitled to cast only his/her assigned number of votes; however, the delegation from an organization may agree that one of its delegates may be permitted to cast the total vote of the delegation. In no case shall fractional votes be allowed.

SECTION 7. The apportionment of votes of each organization shall be included in the report of the credentials committee and shall not be changed except upon further report of the credentials committee.

SECTION 8. Upon the request of thirty percent (30%) of the delegates present at the convention and voting on the questions, the chairperson shall order a roll call vote.

SECTION 9. All delegates to the convention must be members in good standing of a local union affiliated with the North Carolina State AFL-CIO, unless the delegate is a district, state, national or international union representative regularly servicing such affiliated local union, or unless the delegate was selected to represent local bodies chartered by the trade and industrial departments of the AFL-CIO, or state or local chapters of AFL-CIO constituency groups within the geographic limits of the council that are chartered by a national AFL-CIO constituency group. No delegate shall be seated to represent more than one (1) organization.

SECTION 10. Each affiliated organization may designate one alternate delegate for each regular delegate to which it is entitled. The alternate delegate shall become a regular delegate representing his/her organization, in case a regular delegate is unable to serve, by registering with the credentials committee as a regular delegate.

SECTION 11. The President of the North Carolina State AFL-CIO, if elected as a delegate from an affiliated organization, shall have the number of votes as determined for all such delegates.

SECTION 12. No person will be eligible to serve as a delegate who holds a salaried position, or any other position of administrative or executive authority in a union or any subordinate branch of a union which has been suspended, disaffiliated, or expelled from the AFL-CIO.

SECTION 13. The North Carolina State AFL-CIO shall not reject any credentials presented by a duly elected or appointed delegate who is eligible to be a delegate under the provisions of this Article.

### **2. ARTICLE V - CONVENTIONS**

SECTION 1. Regular conventions of the North Carolina State AFL-CIO shall be held annually in the month of September or October at a time and place designated by the Executive Board. The President shall issue the call for the regular convention not later than sixty (60) days preceding the convention.

SECTION 2. Special conventions may be called by the President with the concurrence of two-thirds (2/3) of the Executive Board, or they may be called by the Executive Board on its own motion, two-thirds (2/3) of the Board concurring. The President shall call a special convention upon written request of one-fourth (1/4) of the affiliated local unions representing at least one-third (1/3) of the membership on whom per capita tax is paid to the North Carolina State AFL-CIO setting forth the purpose or purposes for which they wish the convention called. The Executive Board shall fix the time and place of a special convention and shall cause at least thirty (30) days' notice to be given all affiliated organizations. The President shall issue the call that shall state the

particular purpose or purposes of the special convention and no other business shall be transacted.

Representation at special conventions shall be the same as for regular conventions and shall be calculated as set forth in Article IV, Section 2, except that the last day of the third (3rd) month prior to the month in which the special convention is to be held shall be substituted for June 30th where it appears in said Section.

SECTION 3. Blank credentials in duplicate shall be sent out to each affiliated organization with the Convention Call. One copy of the credential shall be returned to the President with the name and address of the delegate duly certified thereon, at least fifteen (15) days prior to the opening of the convention if the delegate is to be considered for appointment to a convention committee. The other copy of the credential shall be presented to the Credentials Committee by the delegate at the time of registration; in the absence of credentials on the official form, the Credentials Committee may accept duly certified credentials which to it appears to be valid.

SECTION 4. Each delegate's credentials shall be accompanied by a registration fee when sent to the President, such fee to be set forth by the North Carolina State AFL-CIO Executive Board to cover convention expenses.

SECTION 5. The President shall appoint a corps of Sergeants-At-Arms to assist in maintaining order and decorum at the convention. The President shall have the authority to appoint such committees as may be needed to expedite the work of the convention. Resolutions shall be referred by the President to the appropriate committee according to subject matter, unless otherwise ordered by the convention.

SECTION 6. Resolutions for consideration of the convention may be submitted by an affiliated organization, by a duly certified delegate, or by the Executive Board and shall be sent to the President at least fifteen (15) days prior to the date for convening the convention. No other resolutions shall be in order for consideration by the convention unless accepted by consent of two-thirds (2/3) of the delegates present and voting.

SECTION 7. Sectarian religious questions shall not be proposed, considered, acted on, or discussed in meetings of the North Carolina State AFL-CIO.

SECTION 8. A quorum for the transaction of the business of the convention shall consist of a majority of the registered delegates.

### 3. ARTICLE VI - THE PRESIDENT AND HIS/HER DUTIES

SECTION 1. The President and the elected Vice-Presidents shall constitute the Executive Board of the North Carolina State AFL-CIO. The convention credential report will be used to determine the number of dues paying members of each international. The Vice-Presidents shall be elected to seats on the Board as follows:

(a) Any international union with local affiliates paying monthly per capita dues to the North Carolina State AFL-CIO on 6000 or more members shall be entitled to three seats on the Board. A caucus of the delegates from each such international union shall nominate three of its members to the full convention for election.

(b) Any international union with local affiliates paying monthly per capita dues to the North Carolina State AFL-CIO on 1500 or more members shall be entitled to two seats on the Board. A caucus of the delegates from each such international union shall nominate two of its members to the full convention for election.

(c) Any international union with local affiliates paying monthly per capita dues to the North Carolina State AFL-CIO on 1000 or more members shall be entitled to one seat on the Board. A caucus of delegates from each such international union shall nominate one of its members to the full convention for election.

(d) Those international unions with local affiliates paying monthly per capita dues to the North Carolina State AFL-CIO on less than 1000 members shall together be entitled to three seats on the Board. A caucus of delegates from those international unions shall nominate three of its members, no two from the same international union, to the full convention for election.

(e) The Central Labor Councils/Area Labor Federations, the Building Trades Council and constituency groups shall each be entitled to one seat on the Board. A caucus of the Central Labor Council/Area Labor Federation advisory council set out in Art. VIII, Sec. 7, shall nominate one representative to the full convention for election; a caucus of all constituency group chapter presidents shall nominate one representative to the full convention for election; and a caucus of Building Trade Council delegates shall nominate one representative to the full convention.

(f) Any member may run for the Board, provided that he or she is a member of and is nominated by a delegate from the international union in 1.a.-1.c., one of the International Unions in 1.d., or one of the groups in 1.e. that he or she seeks to represent. No more than one member of the same international union shall hold a seat described in 1.d.

(g) The North Carolina State AFL-CIO will undertake all reasonable efforts to ensure diversity of representation at every level.

(It is the intent of this Constitution that, to the extent practicable, that Executive Board members represent their unions' interests and that a majority of the Executive Board represent those unions with the larger memberships in the state, while maintaining a balance with unions with smaller membership and representing different sectors, and that the Executive Board reflect diversity, particularly with regards to race, gender and geography found in the membership of the North Carolina State AFL-CIO.)

SECTION 2. The President shall be the sole officer of the North Carolina State AFL-CIO.

The Executive Board shall be granted the authority to expand, temporarily, its size when locals from an international with substantial membership join the organization. Temporary board seats shall remain in effect until the next regularly scheduled election of the North Carolina State AFL-CIO.

SECTION 3. The President and members of the Executive Board shall, at all times during his/her term of office, maintain membership in a local union affiliated with the North Carolina State AFL-CIO. Failure to comply with this requirement shall cause the Executive Board to declare his/her position vacant.

SECTION 4. The President and members of the Executive Board shall hold office for their respective terms and until their successors have been duly elected and installed. An out-going president or Executive Board member shall transfer all property in their custody and possession to their successors(s), and all records and accounts shall be duly audited.

SECTION 5. The Executive Board and President-elect shall assume office at the conclusion of the convention just prior to adjournment. They shall assent to the following obligations before entering upon their duties:

*"I (name) do hereby promise to faithfully perform the duties of the office to which I have been elected to the best of my ability and to the benefit and honor of the North Carolina State AFL-CIO; and, in the event of resignation or removal from office or at the expiration of my term, I promise to deliver to my successor all property in my possession belonging to this organization. I further promise to protect and defend the American Federation of Labor and Congress of Industrial Organizations and to vacate my office and surrender all property to the president of the AFL-CIO upon his official demand. I take this obligation with the full knowledge that to violate this pledge is to stamp me a person without character and devoid of honor."*

SECTION 6. The President shall be the presiding officer of the convention and of the Executive Board. In addition to the duties regularly pertaining to the presiding officer and those elsewhere enumerated in this Constitution or he/she shall make a report to the Annual Convention of the actions of the Executive Board and of his/her activities, together with any recommendations he/she may wish to make and shall exercise general supervision over the official activities of employees of the North Carolina State AFL-CIO. The President shall appoint an Ethics Committee pursuant to the Ethical Practices Code for AFL-CIO Officers and Representatives.

SECTION 7. Any vacancy in the office of any vice president shall be filled by the Executive Board consistent with Section 1. The President shall appoint an Executive Board member to serve in his/her stead in the event of his/her temporary unavailability. In the event of a permanent vacancy of the office of

President or permanent incapacity of the President, the Executive Board, in consultation with the state federation's counsel shall have the authority to designate a replacement for the remainder of the President's term. The Chair of the Audit and Finance Committee shall immediately call a meeting of the Executive Board within 15 days of such vacancy or permanent disability, in person or by telephone, for the purpose of making such a designation. Until that designation is made, the Executive Board member appointed to serve during a temporary unavailability of the President shall serve in his/her stead.

SECTION 8. (a) The President shall be the chief financial officer of the North Carolina State AFL-CIO and shall receive and collect all monies due to the North Carolina State AFL-CIO and shall deposit said monies in a bank or banks designated by the President. The President shall pay all bills. All checks shall require two (2) signatures as approved by the North Carolina AFL-CIO Executive Board. The Executive Board will designate one (or two) members to be signatories on the state federation accounts. The President shall maintain proper and adequate financial records to show the standing of all affiliated organizations and of the source and disposition of all funds in his/her care.

(b) The President shall be in charge of and preserve all monies, properties, securities, and other evidences of investment, books, documents, and effects of the North Carolina State AFL-CIO which at all times shall be subject to inspection by the Executive Board.

(c) The President shall issue the Call for Conventions and act as secretary at conventions and shall cause the proceedings of all conventions and all sessions of the Executive Board to be recorded. The President shall make a financial report to the Executive Board.

(d) The President shall, from time to time, but not less than annually, provide for an audit of all books, accounts, records, and financial transactions of the North Carolina State AFL-CIO by a certified public accountant designated by the Executive Board. Copies of such audits shall be forwarded to the Secretary-Treasurer of the National AFL-CIO, Executive Board, all affiliates, and to the annual convention and its delegates.

(e) The President shall be the COPE Director. He/she shall assist local unions and local AFL-CIO central labor councils/area labor federations to set up local Committees on Political Education and shall assist these local Committees on Political Education to function properly. He/she shall have such other duties as the Executive Board may assign.

(f) The President, any Executive Board member and all other employees with financial duties shall be bonded for an amount equal to no less than 10 percent of its revenue in the prior fiscal year. The cost of the bond shall be paid by the North Carolina State AFL-CIO.

SECTION 9. The President of the North Carolina State AFL-CIO shall not use the prestige of his/her office to promote or advocate any public issue or advance the cause of any political party or candidate except in conformity with the policies of the North Carolina State AFL-CIO, the National AFL-CIO, or their political arms.

SECTION 10. No officer, Executive Board member, delegate, or employee of the North Carolina State AFL-CIO shall release any list of affiliates or members of affiliates in his/her possession to any person or organization, unless such release has been duly authorized by the North Carolina State AFL-CIO and the appropriate officers of the affiliate or affiliates involved.

SECTION 11. The President of the North Carolina State AFL-CIO shall not hold, or be a candidate for, elective public office upon which they depend for a livelihood nor shall they hold appointive public office upon which they depend for a livelihood and violation of this provision shall be cause for immediate removal from office.

SECTION 12. In accordance with the AFL-CIO Ethical Practices Code, no person who is convicted of any felony involving the infliction of grievous bodily injury, any crime of dishonesty or any crime involving abuse or misuse of such person's position or employment in a labor organization or an employee benefit fund shall serve as the President or managerial employee of the North Carolina State AFL-CIO.

#### 4. ARTICLE VII - NOMINATIONS AND ELECTIONS

SECTION 1. The election of the President and Executive Board members shall take place in every other odd-number year and shall be for a four-year term. The nomination of all officers and Executive Board members shall take place as the first order of business of the afternoon session of the second day of the convention. The election of the President and Executive Board members shall take place as the first order of business of the morning session of the last day of the convention.

SECTION 2. No person shall be eligible to serve as President, a member of the Executive Board or committee or other governing body of, or any other committee of, or as a delegate from, or as a representative, agent or employee of any state labor council whose activities and policies are consistently directed towards the achievement, the programs, or the purposes of authoritarianism, totalitarianism, terrorism or other forces that suppress individual liberties and freedom of association.

SECTION 3. No person shall be eligible to serve in any of the capacities enumerated in Section 1 of this Article, who holds a salaried position or any other position of administrative or executive authority in a union, or any subordinate branch of a union, which has been suspended, expelled, or disaffiliated from the AFL-CIO, except organizations with a Solidarity Charter.

SECTION 4. No less than 45 nor more than 120 days prior to a regularly scheduled convention, the state federation shall compile and notify each affiliated organization of the availability of a list containing the following information: (i) the name and mailing address of each of the state federation's Executive Board members; (ii) the name and mailing address of each organization presently affiliated with the state federation; (iii) the name of each of the affiliated organization's principal officers; (iv) each organization's projected per capita voting strength and delegate entitlement at the convention; and (v) to the extent available, the names and mailing addresses of the delegates who will be entitled to vote at the convention. In any year in which there is not a regularly scheduled convention, the state federation shall, during the same month as the last convention was held, compile and notify each affiliate organization of the availability of an updated list containing the information set forth in the first three parts of the preceding sentence, and if the state federation's constitution provides for per capita voting between conventions, the per capita voting strength each affiliated organization is entitled to in such a vote at the time the list is prepared. Officers of the organizations affiliated with the state federation shall also be entitled at the place where the records are kept to inspect, and to make their own notes concerning, the most current underlying records relating to the information included in the lists provided for above.

SECTION 5. The election for contested officers (President and Vice-Presidents) shall be by roll call and printed ballot. The election for uncontested officers shall be by acclamation. Each ballot must clearly show the name, organization, and number of votes of the delegates casting the ballot. Such ballot shall become part of the records of the North Carolina State AFL-CIO and shall be preserved and available for examination by any delegate or officer of an affiliated organization for a period of six (6) months following the election.

A majority of all votes cast is required for election.

Where there are more than two (2) candidates for the Presidency or the same Vice-Presidency, at every unsuccessful balloting, the candidate receiving the lowest number of votes cast shall be dropped and the voting shall continue until one candidate has secured a majority.

SECTION 6. The President shall appoint an Election Committee consisting of five (5) delegates from (5) different national or international unions, whose duty it shall be to safeguard the honesty of the election, count the ballots, and announce the results of the election in a signed statement. The Election Committee shall cause appropriate ballots to be taken from the adopted Credentials Committee report.