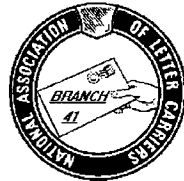


**CONSTITUTION AND BY-LAWS  
OF  
JACK LEVENTHAL  
BRANCH 41, NALC**



**JOHN P. MURPHY, PRESIDENT**

**REVISED**

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## **TABLE OF CONTENTS**

<b>ARTICLE I</b>	<b>Name and Objectives</b>
<b>ARTICLE II</b>	<b>Membership</b>
<b>ARTICLE III</b>	<b>Meetings</b>
<b>ARTICLE IV</b>	<b>Officers</b>
<b>ARTICLE V</b>	<b>Elections</b>
<b>ARTICLE VI</b>	<b>Duties of Officers</b>
<b>ARTICLE VII</b>	<b>Fees, Dues, Fines and Assessments</b>
<b>ARTICLE VIII</b>	<b>By – Law Committee</b>
<b>ARTICLE IX</b>	<b>Convention Fund</b>
<b>ARTICLE X</b>	<b>Payment of Stewards</b>
<b>ARTICLE XI</b>	<b>Member Benefits</b>

# ARTICLE I

## Names and Objectives

### Section 1

*This Branch shall be known as the Jack Leventhal Branch 41 of the National Association of Letter Carriers.*

### Section 2

- A. To provide a forum of education, exchange of ideas, and communication for all the members of Branch 41.*
- B. To provide a meeting place where all members of branch 41 may make personal contact with National, State and branch officers.*
- C. To assist the national Association of Letter Carriers in its effort to improve the conditions of the entire membership.*

# ARTICLE II

## Membership

### Section 1.

*There shall be two (2) types of members in this Branch:*

- A. Regular Members consisting of:*
  - 1. Non-supervisory employees of the Postal Career Service.*
  - 2. Retired members from the Postal Career Service.*

### Section 2

*Members who have been temporarily or permanently promoted to supervisory status may retain their membership but shall be members only for the purpose of membership in the NALC Life Insurance Plan and /or the NALC Health Benefit Plan.*

*These members shall have no voice or vote in any of the affairs of the branch, except they shall have a voice and vote at the Branch level upon matters appertaining to the NALC Life Insurance Plan and/or the NALC Health Benefit Plan, if they are a member thereof.*

*These members are not eligible to be candidates for any State Association, Branch, or National office, or delegates to any conventions.*

## **ARTICLE III**

### **Meetings**

#### **Section 1**

*Branch 41 shall have a General Membership meeting monthly on the second Tuesday of the month, except where that date is a holiday, in which case the meeting shall be held on the third Tuesday of the month.*

*Regular meetings are not scheduled for July and August. The meetings shall commence at 7:00 P.M., or soon thereafter as a quorum of 15 members be present.*

#### **Section 2**

*Special meetings shall be called by the president upon the written request of eight (800) hundred members in good standing, or by a majority vote of the members present at a regular meeting. Notification of such meeting shall be given the members by the Recording Secretary, as directed by the Branch.*

#### **Section 3**

*No business shall be transacted at a special meeting other than for which it may have been called.*

## ARTICLE IV

### Officers

*The position of Vice President shall be eliminated effective January 1, 2014.*

### Section 1

*The officers of the Jack Leventhal Branch 41 are as follows:*

- 1. President*
- 2. Executive Vice President*
- 3. Secretary/Treasurer*
- 4. Financial Secretary*
- 5. Recording Secretary*
- 6. Sergeant-at-Arms*
- 7. Director of City Delivery*
- 8. Director of Safety and Health*
- 9. Health Benefits Representative*
- 10. Trustees (3)*

### Section 2

- A. The office of the President shall be full time and paid by Jack Leventhal Branch 41, the same as an EAS Level Twenty, at maximum step plus three thousand dollars per year for expenses. He/she shall receive any and all cost of living adjustments the same as a full time letter carrier.*
- B. In addition to the salary, he/she shall receive the same Health Benefits Retirement and group Life Insurance as a full time regular carrier in top step, including payment of annual leave and sick leave. He/she shall have the same carry over annual leave provisions as a letter carrier or he/she may request payment of unused annual leave at the end of each year. He/she must be scheduled to use at least fifteen (15) days per year. The above fringe benefits shall be paid wholly by the Jack Leventhal Branch 41 and shall be non-contributory.*
- C. The office of Executive Vice President shall be paid the same level as an EAS Level Eighteen at maximum step, as outlined in sections 2A and 2B above.*
- D. Effective 1/1/2015 the salary of the Secretary/Treasurer shall be paid by Jack Leventhal Branch 41 the same as an EAS Level 16 at maximum step. The office of the Secretary/Treasurer shall be entitled to the benefits as outlined in section 2B.*

*E. Full-time officers and employees of branch 41 who complete one thousand (1,000) or more hours of service either during the first 12 months following employment or installation or during any fiscal year (July – June 30) shall be enrolled in the “Annuity Trust Fund.” This will be paid wholly by the Jack Leventhal Branch 41 and shall be non-contributory.*

### **Section 3**

*Any officer sitting in the absence of the President shall be paid eight (8) hours of the hourly substitute carrier’s rate of whatever the top salary will be at the time.*

### **Section 4**

*All Candidates for office or delegates must be present at the meeting when nominated.*

### **Section 5**

*For the faithful performance of these duties, the officers of branch 41 shall receive an annual salary of:*

<i>Chief Steward</i>	<i>\$10,000.00</i>
<i>Sergeant-at-Arms</i>	<i>\$1,200.00</i>
<i>Director of City Delivery</i>	<i>\$1,500.00</i>
<i>Director of Safety &amp; Health</i>	<i>\$1,200.00</i>
<i>Health Benefits Representative</i>	<i>\$1,200.00</i>
<i>Director of Retirees</i>	<i>\$ 500.00</i>
<i>Trustees (3)</i>	<i>\$1,000.00</i>

*Changes will be effective 1/1/2015*

*In addition to the above salaries:*

*The Chief Steward shall be reimbursed for any expenses incurred during the performance of his/her duties*

*The Director of City Delivery shall be reimbursed for any expenses incurred during the performance of his/her duties*

*The Director of Safety and health shall be reimbursed for any expenses incurred during the performance of his/her duties.*

### **Section 6**

*The President shall appoint an Election Committee, from the Board of Officers, as Chairman of laws Committee, whose duty it shall be to keep a record of the approval of any by-laws, or amendments, or alterations to the by-laws, submitting the same for publication in Brooklyn Letter Carrier, official publication of Branch 41 NALC.*

## **Section 7**

*The office of the Chief Steward shall not be an elected position. The appointment of the position of the Chief Steward shall be solely at the option of the President of Branch 41. The appointed Chief Steward shall not retain the status of Branch officer and will not serve as a member of the Executive Board.*

*The office of the Editor shall not be an elected position. The appointment of the position of Editor shall be solely at the option of the President of Branch 41. The appointed Editor shall not retain the status of Branch officer and will not serve as a member of the Executive Board. The Editor will perform such tasks as may be assigned by the President. Reimbursement for lost time shall be at the same rate of pay as that of a Letter Carrier Level 6 Grade 2 at maximum step.*

*The office of Director of Retirees shall be appointed at the option of the President of Branch 41. He/she shall receive an annual salary of five hundred dollars (\$ 500.00). The Director of Retirees shall not retain the status of Branch officer and will not serve as a member of the Executive Board. 6*

## **ARTICLE V**

### **Elections**

#### **Section 1**

*The provisions of the Article shall govern the election for all branch officers or other elected Branch positions*

#### **Sections 2**

*All regular members shall be eligible to hold any office or position in the Branch, except that a member who voluntarily or otherwise, holds, accepts, or applies for a supervisory position in the Postal Career Service for any period of time, whether one (1) day or a fraction thereof, either detailed, acting, probationary or permanently, shall immediately vacate any office held, and shall be ineligible to run for any office or other position for a period of two (2) years after termination of such supervisory status. Upon nomination, the candidate must verify that he/she has not served in a supervisory capacity for the (24) twenty four months prior to nomination.*

### Section 3

*All regular members shall be entitled to one vote for each office or position to be filled. However, Shop Stewards shall be elected only by the regular members within the station or area they represent.*

### Section 4

*Nomination of candidates for elective office shall be made at the regular meeting in October. No less than (45) days before the October meeting, the Recording Secretary shall have published in the Postal Record, notice of the election, stating the time, place and manner for nomination and election.*

### Section 5

*Every regular member shall have the right to nominate a candidate for any office or position to be filled. All candidates for office must be in good standing.*

### Section 6

*Elections shall be by secret mail ballot. When there are two or more candidates for any office, the election shall be by ballot and plurality of all votes cast for such office shall be necessary to elect. There shall be no write-in votes for candidates not officially on the ballot. Any such write-in shall not be counted, but will not invalidate the rest of the ballot. Each eligible regular member shall be entitled to one vote for each position to be filled. When there is but one candidate for any office, the President may delegate that such person has been elected. Adequate safeguards to insure a fair election shall be provided, including the right of any candidate to observe the counting of the votes.*

### Section 7

*Not less than 21 days before the election, a committee, including a chairman, shall be appointed for the conduct of the election. Such appointment will be made by the Branch President. No candidate for office shall be appointed to the election committee.*

### Section 8

*The number of ballots shall equal the number of eligible voters, plus 5% additional ballots for spoilage. The total number of ballots shall be stated on the register.*

### Section 9

*The Election Committee shall retain a non-partisan election agency to certify the results of the election. To be valid, ballots must be post marked by the time and date specified by the Election Committee.*



## Section 10

*The last date on which ballots must be received in order to be counted shall be considered the date of the election.*

## Section 11

*Installation of branch officers shall take place at the first or second meeting of the Branch following their election, and shall be by such ceremony as the branch may provide.*

## Section 12

**The provisions of this section shall govern the election of delegates to National and State Conventions.**

- A. By virtue of their elected office, all officers shall be considered elected as delegates to the National and State Conventions.*
- B. Nominations for delegates shall be taken at the November Branch Meeting. Election of all delegates shall take place at the December Branch meeting, and shall be by secret ballot cast at the meeting hall.*
- C. In order to qualify as a paid delegate, a member will have had to attend a minimum of 80% of the regular meetings (16) during the period between conventions. This period of time shall begin with the month that nominations are called for and shall go back for a period of twenty-four (24) months. This provision can be waived in unusual situations where unanimous consent of the Executive Board is given. For the purpose of recording Branch meeting attendance, a sign in sheet will be at each meeting and handled by the Sergeant-at-Arms.*
- D. The number of paid delegates for National Conventions that convene outside the continental United States shall not exceed twenty five (25).*
- E. A paid delegate as referred to in paragraph (C) of this section shall be defined as being entitled to travel and lodging at the expense of the Branch. The Branch will conduct the business of making arrangements for such travel and lodging. Any delegate who chooses to travel or lodge independently shall be reimbursed at a rate not to exceed the cost incurred for the other Branch 41 delegates.*

*F. Any delegate to any convention whether paid or otherwise that travel as a group with branch 41, will be required to submit a deposit in advance, on a date designated by the branch, that amount equal to one (1) night's lodging and the cost of travel. Only paid delegates will have this money refunded at the convention. Any delegate that cancels or decides not to attend the convention will be responsible for obtaining any refunds.*

### **Section 13**

**The provisions of this section shall govern the election of Shop Stewards during the month of September.**

- A. Stations/Sections will elect Shop Stewards during the same years as designated for election of officers.*
- B. Shop Stewards shall be elected by plurality vote of active members in good standing of their respective stations. No phone ballots will be accepted. Members on light/limited duty, on loan to another station, will be eligible to vote only in their station of assignment.*
- C. Candidates for Shop Steward must meet the criteria of Section 2 of this Article.*
- D. A nominating committee shall be appointed by Branch President, or his designee, of not less than three (3) members in good standing. The committee shall have the duty of receiving nominations and shall post the names of those nominated for three (3) concurrent workdays. On any given day subsequent to the posting, the committee shall designate a vote taken by secret ballot.*
- E. The Station vote for Shop Steward shall not be for less than five (5) days.*
- F. The ballots shall be in the charge of the committee, who will count and declare the nominee receiving the plurality of the votes cast, elected. The committee shall then notify the Branch President of the results in writing.*
- G. The term of office of the elected Shop Steward and the installation of successful candidates shall be concurrent with the dates established for branch Officers.*
- H. In the event that a station fails to elect a Steward, the Branch president shall be empowered to appoint a Steward of said station.*
- I. The President of branch 41 shall retain the right to conduct elections of Shop Stewards by mail ballot in each carrier section. The Branch will oversee the mailing of ballots and conduct a count upon return of such ballots. The vote would then be recorded.*

## ARTICLE VI

### Duties of Officers

#### Section 1

*The President shall preside at all meetings of the branch; preserve order; sign all warrants on the Secretary-Treasurer ordered drawn by the Branch, and all other papers drawn by the Branch; have general supervisory powers over the Branch; see that officers perform their duties; enforce the constitution, by-laws, Rules and Regulations of the branch; appoint all committees not otherwise provided for; give the deciding vote when a tie occurs; examine and announce the result of all balloting and other votes. He shall, by virtue of his office, be the chief steward for the Branch, and may delegate such authority. The President and/or his/her designee(s) at their option, shall attend any and all NALC seminars, rap sessions, and committee of Presidents meetings. All travel, lodging expenses and per diem to be paid by Branch 41. The President, at his/her discretion, shall have the authority to designate a temporary chief steward to assist in the filing, processing, and adjudication of grievances. The designee shall be paid at the same hourly rate as a Letter Carrier Level 6, Grade 2 at the top step. The temporary chief steward shall not be utilized more than two (2) days per week.*

#### Section 2

*The Executive Vice president shall preside in the absence of the President, and in case of death, resignation, disqualification, refusal or neglect of the President to discharge the duties of the office, the Executive Vice President shall then perform all the duties incumbent upon the president for the remainder of the term of office.*

#### Section 3

*The Secretary-Treasurer will retain a fluid sum of moneys commensurate with the continuing fluctuating expenses of conducting a full time Union office. He shall keep a correct record of the proceedings of the Branch, on a book to be kept for that purpose; notify applicants for membership in writing of their election or rejection; receive, receipt for; and disburse all moneys of the Branch, and keep a regular account thereof; pay all warrants drawn by the branch and signed by the President, and have all accounts receipted upon payment of the same.*

#### **Section 4**

*The Financial Secretary shall keep a record book showing the names of members, when admitted and place of residence, collect dues and all other moneys due the Branch. Keep a regular account thereof; solicit payment from all members in arrears, and on the day of an election and before a ballot is taken, furnish the President with a list of members not entitled to vote.*

*The Financial Secretary shall semi-annually furnish the National Secretary-Treasurer with a list of names of all the members of the Branch in good standing and shall notify the National Secretary-Treasurer monthly of the election of new members, also those suspended, expelled, deceased or resigned. The Financial Secretary shall be part time. He/She shall be paid at the hourly rate for city carrier grade 1 step O. He/She shall be paid 16 hours, 2 days per month.*

*The Recording Secretary shall attend to all correspondence of the Branch, and properly mark and file all papers ready for inspection at any time, and notify the members of special meetings when ordered. The Recording Secretary shall be obligated to this Branch for three (3) hours per month. Any time used in excess of (3) hours shall be at the discretion of the President.*

#### **Section 5**

*The Sergeant-at-Arms shall preserve order in the meeting under the instruction of the President. It shall be his/her duty to see that only members are present at the meetings unless directed by the President or a vote of the Branch.*

#### **Section 6**

*The Editor shall edit and publish the Branch newspaper and flyers when necessary, and maintain all advertisements entailed in the publication of the branch newspaper. The Editor of the Branch shall be obligated for five (5) hours per month. Any time used in excess of (5) hours shall be at the discretion of the President.*

#### **Section 7**

*The Director of City Delivery shall be in charge of organizational activities relating to City Delivery Service, including but not limited to, the preparation of materials for training programs. The Director of City Delivery shall supervise the branch Route Evaluation and Inspection team.*

## **Section 8**

*The Chief Steward shall be responsible for the filing and processing of grievances and any and all paperwork pertaining to the same. He/she shall be designated as the union advocate for grievances subject to adjudication by arbitration. The Chief Steward, at the option of the president, may be designated as the Step A Official in accordance with any Dispute Resolution Process. He/she shall perform such other duties as may be assigned by the President. The Chief Steward shall be obligated to this branch for nine (9) hours per month. Any time used by the Chief Steward in excess of (9) hours shall be at the discretion of the President.*

## **Section 9**

*The Trustees shall examine and report to the branch the conditions of the books of the officers at least once every six months, compare the vouchers and records and see that they correspond with all collections and disbursements. The Board of trustees shall be known as the Trustees of Jack Leventhal Branch 41 of the National Association of Letter Carriers of the United States of America.*

## **Section 10**

*The Health Benefits Representative shall perform such duties as the Constitution and laws of the National Association of Letter Carriers Health Benefits Plan require. The HBR shall assist in the preparations of forms when members request it; shall prepare and submit to the National Secretary of all current membership enrolled in the Health Plan; shall be available on a designated day at the Branch office for any assistance that may be needed. The Health Benefit Representative shall be obligated to this branch for three (3) hours per month. Any time used in excess of the (3) hours shall be at the discretion of the President.*

## **Section 11**

*The Director of Safety & Health shall, upon request by the President conduct safety inspections on all carrier stations. He/she shall report his/her findings to the President. He/she shall upon request of the President sit on any safety and health committees appointed by the employer.*

## **Section 12**

*In addition to the duties assigned to each officer, he/she shall perform such other duties as the President may, from time to time, direct.*

### **Section 13**

*Any officer sitting in the absence of the President shall be paid eight (8) hours of the hourly substitute carrier's salary rate of whatever the top salary will be at that time.*

### **Section 14**

*All elected officers shall compile the Executive Board and are required to attend all Regular and Executive Board meetings. All appointed officers shall attend Regular and Executive board meetings, but shall act only in an advisory capacity at Executive Board meetings. Any Executive Board member, who is absent other than due to illness, vacation, or other such good cause, shall be subject to discipline of the Branch, including forfeiture of salary.*

- A. Meetings of the Executive Board will be called by the President of the Branch.*
- B. A quorum of the Executive Board will consist of a majority of its members.*

### **Section 15**

*Shop Stewards shall act as coordinators for all Union activities within the offices to which they are assigned. As minimum requirements of the position, Stewards shall be expected to: attend Branch meetings; organize at least one station meeting each year; monitor their assigned station to insure that the work environment is safe and clean, and take necessary action to correct unsafe conditions or housekeeping problems; sign up non-members or new employees for N.A.L.C. membership; personally contact each new member to insure that he/she is familiar with his/her representative, and offer assistance; actively participate in the grass roots legislative program, which includes contacting Representatives and Senators when requested by the legislative telephone network; aggressively police the National Agreement, and handle all grievances in a timely manner; participate in such other N.A.L.C. activities as may be directed by the membership and/or Executive Board of the Branch.*

## **ARTICLE VII**

### **Fees, Dues, Fines and Assessments**

*In addition to the universal dues structure established in Article 7 Section 2a of the Constitution of the National Association of letter Carriers the following shall apply. Active members of branch 41 shall pay one (1) dollar and twenty (.25) cents per pay period. This increase will be utilized to provide a Dental Plan for members in good standing. This increase shall take effect on January 1, 2006 and remain in effect until, which time the members of branch 41 will determine as to whether the increase will remain in effect or be eliminated.*

*A member thirty (30) days in arrears in the payment of dues, fines and/or assessments shall forfeit his or her membership. The thirty (30) day grace period may be extended an additional sixty (60) days.*

*A former member whose membership has been forfeited may be reinstated by the payment of reinstatement fee of one year's current dues, in advance, at time of reinstatement.*

*The dues of retired members shall be \$12.00 per year, payable effective January 1, 1982.*

*In the event that sickness, disability, or military duty causes any member in good standing to be placed into a non-pay status for a period of thirty (30) days or more he/she may be excused from the payment or assessment of back dues for a period not to exceed one (1) year, by providing a written request to the branch 41 Secretary-Treasurer stating the facts therein.*

*This provision shall not apply to any member receiving payments, or due to receive payments from the Office of Workers Compensation for an accepted claim.*

## **ARTICLE VIII**

### **By-Law Committee**

*The President shall appoint a By-law committee, consisting of three (3) members, including a chairperson. The committee will be responsible for reviewing any proposed by-law changes. Any and all by-law changes must be submitted to the committee, not less than ten days prior to the regular January meeting. At said meeting, the committee chairman shall read all proposed by-law changes. The Chairman shall rule whether said amendment(s) are in order. When said amendment is found to be in order, it shall be voted upon at the regular march meeting. The committee shall make a recommendation of approval, or disapproval before the vote of each proposed by-law change. Only members described in Article II of the Branch By-Laws shall be eligible have the power to petition the by-law committee in order to submit proposed changes outside of the prescribed time frame. This petition shall be subject to the approval of the by-law committee.*

## ARTICLE IX

### Convention Fund

#### Section 1

*A separate convention fund will be established in the following manner. Two dollars (\$2.00) per active member per month shall be allocated from the general fund. The maximum amount of the convention fund shall be a total of fifty thousand dollars (\$50,000). This account will be replenished as needed.*

*This will be used to cover the expenses of sending delegates to both the National and State Conventions. These expenses shall include Transportation and Lodging. Only the President or Executive Board will have the authority to expend convention money for the purpose of making the above arrangements.*

#### Section 2

*The convention fund for the national and State convention shall be shared by those 50 delegates who obtain the greatest number of votes, and those who have met the criteria in Article V Section 12 of these by-laws. This number of delegates shall be inclusive of those delegates described in Article V section 12 A.*

## ARTICLE X

### Payment of Stewards

*For the faithful performance of their duties, Branch 41 shop stewards shall be paid the sum of eighty five (.85) cents per member, per month. This payment will be made annually.*

*Branch 41 shop stewards shall be paid the sum of thirty (\$30) dollars for each General Membership Meeting they attend. Steward(s) that attend the September meeting shall receive credit for the months of July and August. The payment shall be made semi-annually.*



## **ARTICLE XI**

### **Member Benefits**

#### **Section 1**

*Jack Leventhal Branch 41 shall set up a college scholarship in honor of Jack Leventhal to be named, "Jack Leventhal Memorial Scholarship"*

#### **Section 2**

*Scholarship awards will consist of three (3) scholarships, each scholarship valued at one thousand dollars (\$1000.00), to be paid as an annual stipend in the full amount.*

#### **Section 3**

*The Jack Leventhal Memorial Scholarship Fund shall be funded by Branch 41. The amount of three thousand dollars (\$3000.00) shall be transferred from the General Fund and deposited in the scholarship fund annually.*

*Checks will be signed by two (2) members, the President of Branch 41 and the Chairperson of the scholarship committee.*

#### **Section 4**

*The scholarship chairman and committee will be selected by the President of branch 41 and said committee will determine eligibility requirements and make the awards.*

#### **Section 4a**

*The chairman and the committee will be paid an eight (8) hour stipend.*

#### **Section 5**

*All active members in good standing and dependents shall be entitled to receive optical benefits one (1) time every twelve (12) months. The member shall receive a voucher for said benefit upon submitting a completed application to the branch office.*

*For the purpose of clarification a dependent is identified as a spouse or child up to the age of eighteen (18) or the age of twenty two (22) if a full time student.*

*All eligible retired members in good standing shall be entitled to receive optical benefits one (1) time every twenty four (24) months. The member shall receive a voucher for said benefit upon submitting a completed application to the Branch office.*

## **Section 6**

*All active members of branch 41 in good standing and any dependents shall be entitled to participate in the Dental Plan.*

*Upon enrollment in the NALC, the members will be eligible to enroll in the Dental Plan. Upon the member's request, information pertaining to the Dental Plan will be provided.*

*The Dental Plan will provide a "Network of Dental Services" at a reduced fee and the Dental Plan is a "Fee for Service Plan." The member will be responsible for any fees he/she may incur.*