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July 20, 2020

Bradley J. Gallant, President
AFSCME Local 2948
55 Lovell Place
Phillipston, MA 01331

Dear Brother Gallant:

We have completed our review of the proposed amendments to the Local 2948 Constitution, which were submitted by Area Field Services Director Tim Birch on your behalf. The amendments have been approved with the following exceptions and/or revisions:

1. Article IV, Section 3. We have revised the dues-rate language to reflect the local's current rate provided by staff at Council 93.
2. Article IV, Section 4. We have updated this section to comply with Article III, Section 5, of the *International Constitution*.
3. Article VII, Section 1. For clarity, we have revised the proposed language regarding nominations and elections for the four at-large executive board seats to read: **[should there be no willing candidates then for that term the seat shall become at-large, and nominations and elections shall be open to all eligible members within the local]**
4. Article VIII, section 1, second sentence. For clarity, we have added a phrase regarding the president's duties: "He/she, or his/her designee, shall be a member of all committees except election committees."
5. Article XII, Section 3. We have updated your reference to Robert's Rules of Order because the old language is obsolete.

American Federation of State, County and Municipal Employees, AFL-CIO

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Enclosed are two complete copies of the local constitution, as amended, with my signature of approval on the final page. Should the local amend this constitution in the future, please submit the amendments for approval after they have been adopted by the membership.

In solidarity,

A handwritten signature in black ink that reads "Lee Saunders". The signature is written in a cursive style with a large, prominent "L" and "S".

LEE SAUNDERS
President

LS/TP:nd

Enclosures

cc: Mike Sukal, Director, Organizing and Field Services
James Howell, Eastern Regional Director
Tim Birch, Area Field Services Director
Mark Bernard, Executive Director, AFSCME Council 93
John C. Roberts, Secretary-Treasurer, Local 2948

Constitution

for

Massachusetts State Secretariat Office of Energy and Environmental Affairs Employees

Local 2948

Article I Name

The name of this local shall be Massachusetts State Secretariat Office of Energy and Environmental Affairs Employees Local Number 2948 of the American Federation of State, County and Municipal Employees.

Article II Affiliations

This local shall be affiliated with AFSCME Council #93 of the American Federation of State, County and Municipal Employees; the Massachusetts AFL-CIO; and the appropriate central labor council of the AFL-CIO.

Article III Objectives

The objectives of this local union shall be to carry out on a local basis the objectives of the American Federation of State, County and Municipal Employees.

Article IV Membership and Dues

Section 1. Employees of the Commonwealth of Massachusetts in the departments of Conservation and Recreation (DCR State Parks), Environmental Protection, Fire Services, Fish and Game, Transportation (Mass DOT), and dispatchers of both the Environmental Police and the Massachusetts Emergency Management Agency (MEMA), excluding those employees within the jurisdiction of Local 3485, are eligible for membership in this local union subject to the requirements of the constitution of the International Union.

Section 2. Application for membership shall be made on a standard application form. Unless such form includes a valid authorization for payroll deduction of dues, the application shall be accompanied by the current month's dues.

Section 3. The monthly membership dues of this local shall be \$47.56 per member working full time and shall be adjusted annually to reflect any requirements by the International Constitution. Any increase to the minimum shall be decided on a yearly basis by member vote during a general membership meeting.

Section 4. Membership dues shall also be payable monthly, in advance, to the local secretary-treasurer, and in any event, shall be paid not later than the 15th day of the month in which they become due. Any member who fails to pay dues by the 15th day of the month in which they become due shall be considered delinquent, and upon failure to pay dues for two consecutive months shall lose their good standing status and stand suspended. Provided, however, that any person who is paying dues through a system of regular payroll deduction, bank draft, or similar system, shall for so long as such person continues to pay through such deduction method, be considered in good standing.

Section 5. A member suspended under the above section may be reinstated to membership upon payment of all arrearages or upon payment of a reinstatement fee of \$25.00. Long-term seasonals who return to work via recall procedures prior to each season shall be exempt from paying the reinstatement fee.

Article V Meetings

Section 1. General membership meetings of this local shall be held in the odd-numbered months, one in each of the five regions of Massachusetts annually on a rotating basis. In addition, the July meeting shall be designated an annual general membership meeting. The five regions shall be described as follows: North, South, Central, West and General (see the Appendix for a list of facilities in each region). Adequate and proper notice of the time and place of the meetings shall be provided.

Section 2. Special meetings may be called by the local president, the executive board, or by petition filed with the president and signed by one-quarter of the members of the local. Special meetings may also be called by the International President or by an authorized representative of the International President. Adequate notice (at least 15 days) of special meetings shall be provided. All sovereign powers of the local shall vest in the regular and special meetings or in the executive board when such meetings are not in session.

Section 3. The local union executive board shall meet monthly at a time and place to be fixed by the members of the executive board.

Section 4. Special meetings of the local executive board may be called by the president or a majority of the executive board. A special meeting of the executive board may also be called by the International President or his/her authorized representative.

Section 5. A quorum of executive board members at an executive board meeting shall consist of a simple majority of the executive board; a quorum at a general membership meeting shall consist of twenty-five (25) members in good standing.

Article VI Local Union Officers

Section 1. The officers of this local shall be a president, a vice-president, a secretary-treasurer, a recording-secretary, and a sergeant-at-arms.

Section 2. The executive board of this local shall consist of the five officers listed in Section 1 and 4 regional executive board seats consisting of one member from the 4 DCR regions (Central, North, South and West – see the Appendix for a list of facilities in each DCR region) and 4 at-large seats. For the purpose of defining who is eligible to run in each region, the employee work location shall be the determining factor. One at-large seat shall be designated for a representative from the Department of Fish and Game, one at-large seat shall be designated for a representative of Mass DOT and two at-large seats shall be designated for any eligible member. Should there be no willing candidates from the Department of Fish and Game and/or from Mass DOT for their dedicated seat, the seat shall become open to any eligible member.

Article VII Nominations and Elections

Section 1. Nominations and elections for the four at-large executive board seats (which includes one representative designated by and from the Department of Fish and

Game, one representative designated by and from the Massachusetts Department of Transportation MADOT; [should there be no willing candidates then for that term the seat shall become at-large, and nominations and elections shall be open to all eligible members within the local] and two designated to any eligible member of this local union; shall be held in person at the general membership meeting in July of each year in which a vacancy exists and/or at the expiration of an elected term. At least fifteen (15) days' advance notice shall be given to the membership of the time and place at which such nominations meeting shall be conducted. Nominations may be in writing or taken from the floor at the nominations meeting only. Once the nomination meeting is concluded, there shall be no more nominations allowed.

Section 2. Nominations and elections of regional executive board members of this local union shall be conducted by and from the respective region, every two years in the odd-numbered years (or in any year in which a vacancy exists) at the general membership meeting for each region. At least fifteen (15) days' advance notice shall be given to the membership of the time and place at which the meeting shall be conducted. Nominations from the floor as well as in writing shall be permitted at the nomination/election meeting. Elections of executive board members shall be conducted by secret ballot.

Section 3. Nominations of officers shall take place at the nominations meeting in July of each year in which a vacancy exists and/or at the expiration of an elected term. To be eligible for election as an officer or executive board member, a candidate must have been a member in good standing for one year immediately preceding the election.

Section 4. Elections of officers shall take place by secret mail-in ballot to be conducted by a neutral third party in September every three years or when a vacancy exists. Said third party shall be charged with all operations of conducting officer and at-large executive board elections. This shall include but is not limited to obtaining the most recent valid voter list possible of members in good standing from Local 2948 represented by Council 93 within AFSCME.

Section 5. Officers shall be elected by secret ballot vote, and the balloting shall be conducted so as to afford to all members in good standing a reasonable opportunity to vote. At least fifteen days' advance notice shall be given the membership prior to the holding of the election.

Section 6. All matters concerning nominations and elections in this local union shall be subject to the provisions of Appendix D, entitled Elections Code, of the International Union Constitution.

Section 7. Vacancies in office of vice-president, recording secretary, secretary-treasurer or sergeant-at-arms shall be filled for the remainder of the unexpired term by vote of the executive board consistent with the requirements of Article VI, Section 1. In the event the office of president becomes vacant, the vice-president shall become president for the remainder of the unexpired term, and the office of the vice-president shall be filled for the remainder of the unexpired term by vote of the executive board.

Section 8. In the event that an executive board member is elected pursuant to the provisions of Section 5 of this article, to fill a vacancy in the office of vice-president, recording secretary, secretary-treasurer or sergeant-at-arms, and accepts such election, he/she shall resign as executive board member and such vacant office shall be filled by a majority vote of the membership in the region. A member elected to fill such vacancy in the office of executive board member shall be elected for the remainder of the unexpired term.

Section 9. No member may hold two offices concurrently.

Section 10. Every officer shall, upon assuming office, subscribe to the Obligation of an Officer contained in Appendix B of the International Union Constitution.

Section 11. All officers shall be bonded in accordance with the requirements of Article IX, Section 30, of the International Constitution.

Article VIII
Duties of Officers and Executive Board

Section 1. The president of this union shall preside at all general membership meetings of this local union and of the local executive board. He/she, or his/her designee, shall be a member of all local union committees except election committees. He/she shall countersign all checks drawn against the funds of the local. He/she shall appoint all standing committees and all special committees of the local, subject to the approval of the executive board. He/she shall report to the membership regarding the progress and standing of the local and regarding his/her official acts. The president shall, by virtue of his/her office, be an automatic delegate to all conventions.

Section 2. The vice-president of this union shall assist the president in the work of his/her office. In the absence of the president or in his/her inability to serve, the vice-president shall preside at all meetings and perform all duties otherwise performed by the president. He/she may, with the approval of the executive board, be authorized to act as co-signer of checks drawn on the local funds in place of either the president or the secretary-treasurer. The vice-president shall, by virtue of office, be an automatic delegate to all conventions.

Section 3. The recording secretary of this union shall keep a record of the proceedings of all membership meetings and of all executive board meetings. He/she shall carry on the official correspondence of the local, except as the executive board may direct otherwise. He/she shall perform such other duties as the executive board may require.

Section 4. The secretary-treasurer of this union shall receive and receipt for all monies of the local union. He/she shall deposit all money so received in the name of the local union in a bank or banks insured by the Federal Deposit Insurance Corporation, and money so deposited shall be withdrawn for purposes only as are required by the constitution or are authorized by the membership or the executive board. He/she shall prepare and submit the monthly membership report to the International Union office and thereon shall certify that it is accurate. He/she shall see that a check is drawn each month in payment of the local's per capita tax and sent to the International Union. On or before March 1 of each year, he/she shall submit to the International Secretary-Treasurer a statement of assets handled by the local during the previous calendar year on forms to be supplied by the International Secretary-Treasurer. He/she shall keep an accurate record of receipts and disbursements and shall, once each month, submit at the monthly membership meeting a copy of the operating statement of the financial transactions of the local for the previous month. He/she shall be responsible for transferring to his/her successor in office all financial records, retention of which is required by Article IX, Section 31, of the International Constitution. He/she shall act as custodian of all properties of the local union. The secretary-treasurer shall cause to be made annually an audit of the local's finances by an independent auditor approved annually by the executive board and shall report to the membership on the results of such audit as promptly as possible.

Section 5. The sergeant-at-arms shall attend all meetings and act as doorkeeper for the local, allow no person to enter who is not a member in good standing, or to retire during the session without permission from the president, enforce compliance with the rules and regulations, introduce visitors, and assist the president in maintaining order and decorum, and perform such other duties as the local may require.

Section 6. The executive board shall be the governing body of the local union except when meetings of the local union are in session. All matters affecting the policies, aims and means of accomplishing the purposes of the local not specifically provided for in this constitution or by action of the membership at a regular or special meeting shall be decided by the executive board. The board shall meet at the call of the president or of a majority of the members of the board. A report on all actions taken by the executive board shall be

made to the membership at the next following meeting. A majority of the members of the executive board shall be required for a quorum.

Article IX Miscellaneous Provisions

Section 1. This union shall at all times be subject to the provisions of the constitution of the American Federation of State, County and Municipal Employees.

Section 2. Except to the extent specified in this constitution, no officer of the union shall have the power to act as agent for or otherwise bind the local union in any way whatsoever. No member or group of members or other person or persons shall have the power to act on behalf of or otherwise bind the local union except to the extent specifically authorized in writing by the president of the union or by the executive board of the union.

Section 3. The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern this local union in all cases to which they are applicable and in which they are not inconsistent with this constitution and special rules of this local union or of the American Federation of State, County and Municipal Employees.

Section 4. All judicial procedures shall be conducted in accordance with Article X of the International Constitution.

Section 5. The local shall maintain a website and all activities of said website shall be overseen by the executive board. Communication with membership shall be provided by updates to the website; notification of nominations and elections will also be provided by mail.

Article X Amendments

This constitution may be amended, revised, or otherwise changed by a majority vote of the members voting on such proposed change and such change shall take effect only upon written approval of the International President. Proposed amendments to this constitution must be made at a regular or special meeting of the local union and read and voted on at a subsequent meeting of the local union, adequate and proper notice having been given to the membership prior to the date on which the vote is taken. A written copy of the proposed amendment shall be furnished to every eligible voter at the meeting at which the vote is taken.

Approved by:



LEE SAUNDERS
President

Approval date: July 20, 2020

Appendix

Local 2948 Parks by Region

Work locations listed include respective satellite areas.

SP = State Park, SF = State Forest

CENTRAL

Blackstone River and Canal Heritage SP
Brimfield SF
Douglas SF
Dunn SP
Erving SF
Gardner Heritage SP
Lake Dennison Recreation Area
Lake Wyola SP
Leominster SF
Moore SP
Otter River SF
Pearl Hill SP
Purgatory Chasm State Reservation
Quinsigamond SP
Rutland SP
Streeter Point Recreation Area
Wachusett Mountain State Reservation
Wells SP
Wendell SF
Willard Brook SF

SOUTH

Borderland SP
Bristol Blake State Reservation
Cape Cod Rail Trail
Demarest Lloyd SP
Dighton Rock SP
F. Gilbert Hills SF
Fall River Heritage SP
Fort Phoenix State Reservation
Freetown SF
Horseneck Beach State Reservation
Manuel Correllus SF
Massosoit SP
Myles Standish SF
Nickerson SP
Pilgrim Memorial SP
Scusset Beach State Reservation
Shawme Crowell SF
South Cape Beach SP
Waquoit Bay Reserve
Wompatuck SP

GENERAL

Mass Dept. of Fish and Game
Mass Emergency Management
 Agency Dispatchers
Dept. of Environmental Protection
Dept. of Fire Services
Mass. Environmental Law
 Enforcement Dispatchers

NORTH

Ashland SP
Bradley Palmer SP
Cochituate SP
Georgetown Rowley SF
Great Brook Farm SP
Halibut Point SP
Harold Parker SF
Hopkinton SP
Lawrence Heritage SP
Lowell Dracut Tyngsboro SF
Maudslay SP
Nashua River Rail Trail
Salisbury Beach State Reservation
Walden Pond State Reservation
Willowdale SF

WEST

Appalachian Trail
Ashuwillticook Rail Trail
Bash Bish Falls SP
Beartown SF
C.M. Gardner SP
Chester-Blandford SF
Chicopee Memorial
Clarksburg SP
D.A.R. SF
Granville SF
Hampton Ponds SP
Joseph A. Skinner SP
Kenneth Dubuque Memorial SF
Lake Lorraine SP
Mohawk Trail SF
Monroe SF
Mt. Everett State Reservation
Mt. Greylock State Reservation
Mt. Holyoke Ranger SP
Mt. Sugarloaf State Reservation
Mt. Tom State Reservation
Mt. Washington SF
Natural Bridge SP
Norwattuck Rail Trail
October Mountain SF
Pittsfield SF
Robinson SP
Sandisfield SF
Savoy Mountain SF
Tolland SF
Windsor SF
Connecticut River Greenway SP
Great Falls Discovery Center