

National Treasury Employees' Union

Chapter 23 By-Laws

**As amended 07/15/2009**

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**CONSTITUTION AND BY-LAWS**  
**CHAPTER 23-NTEU**

**PART I**  
**CONSTITUTION**

The Constitution of the National Treasury Employees Union, (NTEU), as amended at the last National convention is hereby adopted as the Constitution of this Chapter. The By-laws of this Chapter set forth rules for the local administration and functions of this Chapter.

**PART II**  
**NAME. HEADQUARTERS. JURISDICTION AND FISCAL YEAR**

**Section 1. NAME**

The organization shall be known as the National Treasury Employees Union, (NTEU), Chapter 23 Massachusetts.

**Section 2. HEADQUARTERS AND JURISDICTION**

The headquarters of Chapter 23 shall be maintained in Boston, Massachusetts and will have jurisdiction concurrent with the-jurisdiction granted in the Charter issued pursuant to the National Constitution. The headquarters will serve as the Chapter President Post of Duty for commuting purposes while conducting Chapter business on Union Bank time.

**Section 3. FISCAL YEAR**

The Fiscal year of this Chapter shall be October 1 through September 30.

**PART III**  
**MEMBERSHIP**

**Section 1. ELIGIBILITY**

Any person who is presently employed within Chapter 23's jurisdiction as defined in Part II, Section 2, or any former employees, or any retired employee of the Internal Revenue Service, is eligible for membership in this Chapter, regardless of race, creed, sex, age or religion.

**Section 2. MEMBERSHIP**

A member of chapter 23 is one who is eligible for membership and who has timely remitted an appropriate dues payment or who has authorized withholding of duties from his compensation and notice of such authorization has been provided to Chapter 23

**Section 3. CLASSIFICATION OF MEMBERS**

(A) Active employee member – any member presently employed by the Internal Revenue Service.

- (B) Retired member – any member formerly employed by the Internal Revenue Service who has been retired and is drawing an annuity under any Federal Retirement System and who was a member of this organization the date of his retirement.
- (C) Former employee member – a member formerly employed by the Internal Revenue Service who left before he was eligible for retirement and who was a member of this organization when he was separated

**PART IV**  
**DUES AND FUNDS**

**Section 1. REVENUE**

- (A) How Prescribed – The revenue of Chapter 23 shall be obtained from the membership dues paid by each member and from other activities as may be authorized by the members of the Chapter Executive Board.
- (B) Amount of dues –
  - (1) Effective the first full pay period following January 1, 2010, the per capita dues payment shall be at the following rate for each Chapter 23 member: 10% of the National dues per biweekly pay period rounded up to the nearest whole cent.  
  
This Chapter per capita dues payment will be in addition to the National per capita dues as established by the National Convention.
    - a) There will be no change in dues from 07/15/2009 to 12/31/2009.
  - (2) Retired and former members' dues shall be set as established at the National Convention. All such dues will be billed and collected by the NTEU National Headquarter Officer per annum. A portion of such will be remitted by NTEU National to the Chapter.
- (C) Proration of dues – In the case of a new member who elects to pay the annual dues on the cash basis, the annual per capita dues, including the National per capita dues, will be prorated for the fiscal year in which the employee becomes a member, so that the member will pay dues for only those months (a fraction of a month will be counted as a full month) remaining in the fiscal year.

**Section 2. INCREASE IN DUES**

- (A) Except as stated above: An increase in dues will be voted upon concurrently with the election of Chapter officers. Reasonable notice of at least thirty (30) days in advance shall be given all members when a referendum item will appear on the ballot concerning an increase in dues. The notice shall state the amount and the effective date of the proposed dues increase and shall be by letter to all members at their last know address.
- (B) The dues increase shall be levied only after a majority vote by secret ballot of the members of the Chapter.

**PART V**  
**CHAPTER MEETINGS**

**Section 1. ANNUAL MEETING**

The Chapter shall hold an annual business meeting in the vicinity of the headquarters office in October.

**Section 2. SPECIAL MEETINGS**

- (A) The Chapter shall hold mini business meetings at various posts of duty outside the Chapter headquarters.
- (B) The meeting place will be designated by the President and notice given to the members at least fifteen (15) days prior to the meeting date.
- (C) Additional special meetings of the Chapter may be convened by:
  - (1) Written call by the President;
  - (2) Written call by a majority of the Executive Board or;
  - (3) Written call signed by fifteen (15) of the members of this Chapter.

**Section 3. VOTING.**

- (A) Each member present shall be entitled to one (1) vote at any regular or special meeting.
- (B) In case of challenge of the right to vote by a member, the Chapter President shall rule on the member's right to vote at said meeting. The member shall have a right to challenge this decision pursuant to the applicable provisions of the NTEU Constitution.

**Section 4. QUORUM.**

A quorum at any meeting of Chapter 23 shall be a minimum of fifteen (15) members as defined in Part III Section 2 of these By-Laws unless otherwise specified.

**PART VI**  
**CHAPTER EXECUTIVE BOARD**

**Section 1.**

The Chapter Executive Board shall be composed of the President, Executive Vice-President, Treasurer, two (2) Divisional Vice-Presidents, (Officers), and all Site Stewards elected by the membership in accordance with the Labor Management Reporting and Disclosure Act (as amended).

The Officers and Stewards will be elected in accordance with the Labor Management Reporting and Disclosure Act.

## Section 2.

- (A) All Stewards who are to serve on the Executive Board shall be elected in compliance with the Labor Management Reporting and Disclosure Act. Said elected Steward shall remain for a term of three years. Other Stewards may be appointed by the President on an as needed basis. These appointed Stewards will not serve on the Executive Board.
  - 1. The term of elected Stewards will begin April 1 of each election year, starting with the 1998 election year.
  - 2. Appointed Stewards will serve for the duration of the appointing President term of office.
- (B) The President shall have the authority to suspend and/or remove a Steward pending ratification of said action by a majority vote of the Executive Board. The President will call for a meeting in accordance with PART V Section 2, within 5 days of said action.

## Section 3.

The Chapter Executive Board shall have jurisdiction over all matters not specifically reserved to the members, and shall have the authority to:

- (A) Authorize necessary Chapter expenditures and establish procedures for payment of authorized Chapter expenditures. Approve purchase and/or payment of any non-budgeted item in excess of \$400.00;
- (B) Fill any vacant Officer's position deemed necessary by a majority vote of the board;
- (C) Appoint the Chairperson of all standing committees except the membership committee;
- (D) Distribute the numbers of authorized Stewards between the Boston office and outside posts of duty according to the number of members. Select which post of duty will be covered by a Site Steward;
- (E) Identify the principal geographical area representation by Site Stewards in the outside posts of duty and
- (F) Prepare agenda for annual business meetings.

## Section 4.

In addition to the above, the members of the Chapter Executive Board duties shall be:

- (A) Co-ordinate the activities of the membership drive in their immediate areas of responsibility and endeavor to build membership to the highest possible level;
- (B) Report directly to either Vice-president any and all problems of the members in their areas and keep them informed as to the progress in solving these problems;

- (C) Distribute information and assist the President as his spokesperson in their respective areas and
- (D) Attend all Executive Board meetings.

Section 5.

The Chapter Executive Board shall convene for regular quarterly meetings at a date and place designated by the President.

Section 6.

Special meetings of the Executive Board may be convened by written call of the President or written call of a majority of the Executive Board. Such special meetings must be convened within fifteen (15) days after receipt of the request by either the President or the Board members.

Section 7. ORDER OF BUSINESS

- (A) At each quarterly meeting of the Executive Board, the following order of business shall be observed:
  - (1) Call to order
  - (2) Roll call
  - (3) Reading of minutes
  - (4) Report of the President
  - (5) Report of the Treasurer
  - (6) Report of Executive Vice-President
  - (7) Report of Chairperson of Standing Committees
  - (8) Unfinished old 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 shall set forth the business to be transacted and the order of it.

Section 8.

A quorum for the purpose of an Executive Board meeting shall consist of a simple majority.

Section 9.

All actions of the Executive Board will be recorded in a minute book and reported 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 the By-Laws, but not including Union Stewards.

**Section 2. QUALIFICATIONS**

Any current or retired member of the bargaining unit represented by this Chapter who is also a member in good standing of the Chapter may be elected to any office.

**Section 3. TERM OF OFFICE**

(A) The term of office for all officers shall be three years, beginning July 1 of each election year, starting with the 1997 election year.

(B) The term of office for all elected stewards shall be three years, beginning April 1 of each election year, starting with the 1998 election year.

**Section 4. DUTIES OF OFFICERS**

(A) The President's duties shall be to:

- (1) Direct the operations of Chapter 23 in accordance with the provisions of the National Constitution and the Chapter's By-Laws;
- (2) Appoint the Chief Steward/Assistant Chief Steward in accordance with the provisions of the current NTEU/IRS National Agreement;
- (3) Issue proper notice and provide agenda for meetings of the Chapter and the Executive Board;
- (4) Preside at all regular and special meetings of the Chapter and the Executive Board;
- (5) Promptly inform the Board of actions affecting major policy;
- (6) Issue written notice fifteen (15) days prior to the date and place of regular meetings of the Chapter the Executive Board;
- (7) Identify the organization segment to be represented by Stewards assigned to the Boston office;
- (8) Select and arrange for election of stewards within the Boston office;
- (9) Appoint all committee members and maintain ex officio of each;
- (10) Represent and act as spokesperson for the Chapter in all matters;
- (11) Sign all documents pertaining to official business of the Chapter,
- (12) Name one of the Vice-presidents as Chairperson of the Membership Committee;
- (13) Edit and publish the Chapter Newsletter, any electronic newsletter and help to maintain the Chapter Internet web site;
- (14) Arrange for the democratic election of Site Stewards in outside post of duty as needed and
- (15) Perform all other duties as are necessary to protect and advance the interest of all the membership.



- (B) The Executive Vice-President's duties shall be to:
  - (1) Perform the duties of the President during the President's absence or inability to serve;
  - (2) Serve as an assistant to the President;
  - (3) Develop the Chapter's publicity, handle special projects as directed by the President and assist with the printing of the Chapter's Newsletter;
  - (4) Serve as Steward in area including his/her post of duty and
  - (5) See and promote ways and means of obtaining additional revenue, devise plans and arrange for all social functions and present same to the Executive Board for approval.
  
- (C) The Vice-Presidents' duties shall be to:
  - (1) Serve as Chairperson of the Membership Committee on an alternating basis;
  - (2) Serve as a member of the Negotiating Committee on an alternating basis;
  - (3) Serve as members of the joint NTEU/IRS committees
  - (4) Serve as Steward in areas including their own post of duty;
  - (5) Inform the President of progress being made in resolving problems in their area of responsibility and
  - (6) Assist the President as his spokesperson in their respective areas.
  
- (D) The Treasurer's duties shall be to:
  - (1) Receive and deposit all funds of the Chapter in a depository approved by the Executive Board;
  - (2) Make payments from funds as authorized by the Executive Board. Secure the co-signature of the Chapter President on all checks over \$400.00;
  - (3) Review and complete Forms 1187 signed by new members and distribute to NTEU National Headquarters. Retaining a copy for Chapter records and providing a monthly report of the names of new members to the Chapter President;
  - (4) Submit quarterly financial reports and other such reports as requested by the Executive Board and/or Chapter President;
  - (5) Maintain custody of all books, records, papers and effects of the Chapter, submit the Chapter books and accounts for audit on demand of the Executive Board, and transfer all these items to the successor at termination of tenure in office;
  - (6) Furnish a surety bond to the Chapter, the premium of such bond to be paid by the Chapter;
  - (7) Prepare and file all Federal, State and DOL forms or report required to be filed by the Chapter and
  - (8) Keep an accurate and current record of all receipts and expenditures of the Chapter, according to accepted accounting practices.

#### Section 5. ADMINISTRATIVE ASSISTANT

In addition to the Chapter Officers designated in Part IV, Section 1, an Administrative Assistant may be appointed by the President to serve at the pleasure of the Executive Board. The Administrative Assistant must be a member as defined in Part III, Section 2 of these Bylaws.

- (A) The duties of the Administrative Assistant shall be to:
- (1) Conduct such correspondence as may be necessary or as the President shall direct, and maintain copies in a permanent file;
  - (2) Maintain control of grievances in central file;
  - (3) Copy and distribute minutes of meetings, financial statements, correspondence from NTEU National Headquarters, and other documents to Executive Board Members;
  - (4) Distribute literature, copies of documents and other communications to the Chapter members;
  - (5) Maintain files of committee reports and
  - (6) Perform any other duties as directed by the President.

## **PART VIII**

### **COMMITTEES**

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

#### **Section 1. MEMBERSHIP COMMITTEE**

The Chairperson of this Committee will be one of the Vice-Presidents appointed by the President and the Committee shall consist of at least two additional members, for the purpose of increasing and retaining the number of active employee members, and shall:

- (A) Devise a program of membership and insurance recruitment of all employees in Chapter 23's jurisdiction in order for an effective membership drive to be conducted at least once annually;
- (B) Instruct and organize membership recruiters in each post of duty within chapter 23's jurisdiction;
- (C) Accept and promptly forward to the Treasurer the Forms 1187 secured from new members;
- (D) Report to the President the status of the membership program and
- (E) Distribute and accept membership applications, requests for transfers of membership from other Chapters or to other Chapters, assist with the execution of Forms 1187 for dues withholding.

#### **Section 2. NOMINATING AND ELECTION COMMITTEE**

This committee shall consist of a Chairperson and two other members for the purpose of conducting a democratic election for officers as provided in the NTEU Constitution (as amended). Their duties shall be in accordance with Department of Labor regulations (as amended) pertaining to Union elections. They will make a written report of election results to the NTEU National Headquarters.

### Section 3. NEGOTIATING COMMITTEE

This committee shall consist of the Executive Vice-President as Chairperson, one Vice-President and one other member of the Executive Board. The duties of this committee shall be:

- (A) Negotiate impact and implementation of policy change at the National Office level;
- (B) Negotiate substance, impact and implementation of changes in personnel policies, practices and matters affecting working conditions at the local level;
- (C) Once NTEU learns that a change has taken place or is about to be implemented, the chairperson will notify management of :
  - (1) Intent to negotiate
  - (2) Request date to begin negotiations
  - (3) Chapter 23 proposals in writing

### Section 4. AUDIT COMMITTEE

This committee shall consist of a Chairperson and one other member, neither of which is an Executive Board Member. The duties of this committee shall be to audit the records of the finances of Chapter 23 and report their findings in writing to the Executive Board. Such audit shall be made within 180 days of the end of the fiscal year. In the event of a change in Treasurers during the fiscal year, a separate audit shall be made. Report of the Audit Committee will be provided to the National Office in accordance with NTEU's National Constitution.

### Section 5. OTHER COMMITTEES

The President may designate other such committees as are deemed necessary to accomplish the aims of Chapter 23. The number of members shall be the number considered practical and necessary by the President. Such appointed committees shall serve until discharged by the President or until the end of the current term of the President.

## **PART IX** **DELEGATES AND PROXIES**

### Section 1. DELEGATES TO NATIONAL CONVENTION

- (A) The Chapter President, Executive Vice-President, Vice-President, Collection and Taxpayer Service and the Vice-President, Examination and Resources Management, by virtue of their election to Chapter office, automatically qualify as delegates to a National Convention which occurs during their terms of office.
- (B) Delegate expenses will be paid by Chapter funds as provided in Part X Section 7 of these By-Laws.
- (C) The Chapter's vote entitlement will be in accordance with the Schedule in Article VIII, Section 2, of the National Constitution and Part II, Section 5(A) (1) (b) of the National By-Laws (as amended).

- (D) The chairperson of the delegation will be the President or, in his/her absence, the highest ranking officer who is a delegate.

## Section 2. DELEGATES TO DISTRICT CONFERENCE/TRAINING SESSIONS

- (A) All members of the Executive Board shall attend the annual training sessions unless exceptions are made by a majority vote at a previous quarterly meeting.
- (B) The Executive Board by a majority vote may invite others to attend the training sessions if they determine it to be in the best interest of the Union.
- (C) Expenses of those included in (A) and (B) above will be paid by Chapter funds as provided in Part X, Section 7 of these By-Laws.
- (D) For the purposes of a National vice-presidential election at the District Conference, the Chapter's vote entitlement will be in accordance with the schedule in Article VIII, Section 2 of the National Constitution and Part III, Section 5 (A) (1) (b) of the National By-Laws (as amended).
- (E) The vote for the National Vice-President will be cast by those officers indicated in Section 1(A) above.

## Section 3. PROXIES

For the purposes of representation at the National Convention, Chapter 23 may designate by proxy any member or members of NTEU in accordance with Part V, Section 4 (A) of the National By-Laws (as amended).

# **PART X** **MISCELLANEOUS**

## Section 1. RULES OF ORDER

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

## Section 2. AMENDMENTS

- (A) Amendments to these By-Laws shall be submitted in writing to the Executive Board for their approval. The President will then submit the approved amendment(s) at the next regular or special Chapter meeting for a vote after all members are notified of the amendment(s) at least thirty (30) days before said meeting.
- (B) Approved amendment(s) will be adopted by a two-thirds (2/3) vote of the members at such meeting. A quorum for amendment purposes will be twenty-five (25) members.
- (C) Amendments will be effective at midnight on the day on which they're adopted.

### Section 3. DISTRIBUTION OF BY-LAWS

A copy of these By-Laws will be furnished to the NTEU National office. A copy will be furnished electronically to each new member upon presentation of a signed Form 1187. Additionally an electronic or printed copy will be made available upon the request of any Chapter 23 member. A yearly notice will be published in the Chapter newsletter that a copy of the Chapter By-Laws is available to any chapter member upon request.

### Section 4. CONFLICT OF BY-LAWS WITH CONSTITUTION

When it shall be determined that a Section or sections of these By-Laws is in conflict with one or more Articles or Sections of the National Constitution (as amended), that Section or Sections of these By-Laws in conflict shall immediately become null and void and shall be as if it or they had never existed.

### Section 5. CONFLICT OF INTEREST

- (A) An elected officer shall, for the duration of his/her term of office within the Chapter, hold no other elected or paid position within NTEU. If he/she accepts an elected or paid position of the National or local NTEU organization which requires his/her acceptance during such current term of office in Chapter 23, he/she must resign from the chapter position.
- (B) Officers or Elected/Appointed Stewards shall, for the duration of their term of office or appointment within the Chapter, hold no temporary acting manager position within the agency. If he/she accepts any temporary acting manager position during such current term or appointment in Chapter 23, he/she must resign from the Chapter position.
- (C) If an elected or appointed Steward or elected Officer is transferred to a temporary Non-Bargaining position within the agency, he/she will suspend all Union activities of said office until such time as returning to the Bargaining Unit position.

### Section 6. COMPENSATION

- (A) The salaries, which are for union services performed outside normal duties hours of the individuals paid by Chapter 23, will be as follows:

(1) President	\$2,400.00
(2) Executive Vice-President	600.00
(3) Vice-Presidents	600.00
(4) Treasurer	600.00
(5) Administrative Assistant	600.00
- (B) Compensation will be automatically paid on the 15<sup>th</sup> day of April, July, October and January unless there is a protest in writing to the President by one member of the Executive Board. In the event the compensation will be paid only upon a majority vote of the Executive Board.
- (C) Any change in the above salaries must be approved by the membership by a mail ballot vote of the entire membership.

## Section 7. REIMBURSEMENT

- (A) Chapter Officers, Stewards and the Administrative Assistant will be reimbursed for necessary travel and subsistence expense incurred while conducting any official business on the following basis:
- (1) A daily subsistence expense in an amount determined by the Executive Board not to exceed the GSA reimbursement rate for the location of the travel;
  - (2) A mileage rate in an amount determined by the Executive Board not to exceed the GSA reimbursement rate;
  - (3) Public Transportation cost in excess of any Transit Subsidy received will be reimbursed in full;
  - (4) Actual miscellaneous expenditures to be reimbursed in full.
  - (5) Lodging at actual cost if in excess of GSA rate will be paid when site is directed by National NTEU office.