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**Constitut on
of the
SUBWAY-SURFACE
SUPERVISORS
ASSOC ATION**

Amend d o 987)



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PREAMBLE

In all human endeavors, the organization of people takes place in order more effectively to obtain and advance individual rights by collective action and group associations. This principle is true in labor, commerce, religion, government and elsewhere.

Accordingly, supervisors engaged in the transportation and allied industries, desiring to improve and advance their interests in the fields of wages, hours, welfare, pension and other working conditions, have become united, and in the interests of conducting a democratic and orderly association and to establish rules and regulations in the management of its affairs, do declare these Articles to be the Constitution of said Association.

ARTICLE I

Name

The name of this organization shall be Subway-Surface Supervisors Association, herein referred to as the "Association."

ARTICLE II

Objectives

The objectives of this Association are to organize all supervisors engaged in the transportation and allied industries in the City of New York and its environs for the following purposes:

- (a) To improve their conditions of employment, their security and welfare, their moral, physical, social, financial and cultural status;
- (b) To provide mutual aid and protection;

(c) To establish and maintain harmonious relations between employees and employers;

(d) To promote efficient services to the public; and

(e) To advance the best interests of the industry in which its members are engaged.

ARTICLE III

Structure and Organization

Section 1. The membership is the highest authority within the Association.

Section 2. The authority of the membership shall be exercised at membership meetings, regular or special, or by referendum, or by delegating its authority as herein provided.

Section 3. Between meetings of the Association the Executive Board shall be the governing body of the Association and have complete authority as may be exercised by the Association.

Section 4. Between Executive Board Meetings, the Staff as hereinafter designated, shall be the governing body of the Association and have complete authority as may be exercised by the Association.

Section 5. Committees shall be established to administer and implement the policies and decisions of the Association as herein set forth.

Section 6. Sections shall be established for each title or group of titles as the Executive Board may determine whose function it shall be to meet and hear reports of the Association and to submit recommendations for action by the Executive Board.

ARTICLE IV

Membership

Section 1. All Supervisors engaged in the transportation industry and kindred fields are eligible for membership in the Association subject to the provisions of this Constitution, without regard to race, religion, color, creed, sex or national origin.

Section 2. There shall be three categories of members in the Association as follows:

(a) Active members: A covered supervisor shall, upon payment of all financial obligations, or the signing of a proper dues deduction authorization, become an active member of the Association with all the rights, privileges and obligations herein set forth.

(b) Retired members: Whenever a member of the Association is retired he shall continue as a member, without the payment of any financial obligations, with full voice but no vote. Members who are retired shall not be eligible to hold office, although a member who is an officer, becomes retired during the above period, shall continue in office until his term has expired.

(c) Honorary members: The Executive Board may designate as honorary members any individuals who merit such membership by virtue of their interest or contribution to the Association. Such honorary members shall be permitted to attend membership meetings with no vote and shall have the right otherwise to participate in the affairs of the Association with the permission of the President but they shall not be eligible to hold office.

Section 3. (a) an applicant for membership shall be required to complete and answer all questions on the application blank furnished by the Association and such application must be accompanied by the applicable initiation fee, if any.

(b) Applicants for membership may be disapproved by the Executive Board. In the event the Executive Board disapproves any applicant, such disapproval shall be submitted to the next membership meeting for final action.

Section 4. Members suspended for nonpayment of dues or for any other reason, shall be reinstated upon the payment of all back dues, and other financial obligations imposed by the Executive Board. Such reinstatements must be approved by the Executive Board, subject to final action by the membership.

Section 5. In addition to the duties set forth by the governing authority of the Association, it shall be mandatory for all members to do the following:

- (a) To participate in any and all programs authorized by the Association.
- (b) To conduct themselves at all times when participating in the affairs of the Association in an orderly and disciplined manner.
- (c) To accept committee assignments.
- (d) Not to use, or permit the use of, or cause to be used the title of the Association or any part of it for any purposes other than the Association's official business, unless written consent is first obtained from the Association, upon approval of its Exec-

utive Board. This provision shall not be construed to prohibit the use of the Association's name or parts thereof on literature used solely for election purposes, provided, however, that such use shall not be made to appear as an official action of the Association.

- (e) To keep the affairs of the Association within the members of the organization, unless the Executive Board otherwise approves.
- (f) To abide and carry out all the decisions and policies of the Association.

ARTICLE V

Finances

Section 1. The monthly dues of the Association shall be fixed by the membership. There shall be no increase in the dues except on prior notice to the membership and upon a secret ballot of the membership present and voting at a membership meeting, regular or special.

Section 2. No assessments shall be imposed upon a member without prior notice thereof and approved by the membership, by secret ballot, of those present and voting at a membership meeting, regular or special.

Section 3. Dues are payable on the first of every month. A member who is in arrears for more than two (2) months shall be suspended and shall not be reinstated until all of the dues delinquencies are paid and his reinstatement is approved by the Executive Board and the membership, upon terms set by either.

ARTICLE VI Meetings

Section 1. There shall be a minimum of four regular membership meetings per year. The dates, times and places for such meetings shall be determined by the Executive Board or the President. Notices of such meetings shall be mailed to each member postmarked at least five (5) calendar days prior to the meeting.

Section 2. Special meetings shall be called by the President or the Executive Board or upon the written petition of 10% of the members in good standing, with at least five signatures from six of the covered supervisory titles within Sections represented by the Association. No business other than that for which the special meeting is called shall be transacted at that meeting. Notice of special meetings shall be given by mail, postmarked no later than forty-eight (48) hours before the date of the meeting or by posting of notices on the bulletin boards at least forty-eight (48) hours beforehand and such notice shall contain the purpose of said special meeting.

Section 3. Section meetings may be called by the Section Vice-President, the President, the Executive Board or upon a written petition of 10% of the members within that particular Section. Where a Petition is presented to the President, such Section meeting shall be called within fifteen (15) calendar days following the presentation of such Petition, unless circumstances require an additional period not to exceed one (1) calendar week.

Section 4. A quorum for the conduct of business for the Executive Board shall be a majority thereof; for membership meetings,

regular or special, fifteen (15) members at an A.M. meeting and twenty-five (25) members at a P.M. meeting; no quorum shall be required for the conduct of business in any Section meeting.

Section 5. The order of business at regular meetings shall be as follows:

- (1) Call meeting to order.
- (2) Pledge of Allegiance and moment of silence for departed members.
- (3) Roll call of Officers and Executive Board.
- (4) Reading of minutes of previous meetings.
- (5) Financial Report.
- (6) Communications.
- (7) Reports of Officers, Executive Board and Committees.
- (8) Unfinished business.
- (9) New business.
- (10) Good and welfare.
- (11) Adjournment.

Section 6. No regular meeting may be adjourned without completing the above order of business, except when authorized by a two-third (2/3) vote of those present and voting.

Section 7. Roberts Rule of Order shall govern the conduct of all meetings except as herein otherwise provided.

ARTICLE VII

Elections and Nominations

Section 1. The following officers shall be elected: President, Executive Vice-President, a Vice-President for each of the Sections established by the Executive Board, Secretary/Treasurer. The Executive Board shall consist of all elected officers in addition to one member for each hundred (100) members or major portion thereof within each Section after the first hundred members. All officers except Vice-Presidents from each particular Section and Executive Board members from each particular Section, shall be elected by the membership at large. Vice-Presidents from each particular Section and Executive Board members from each particular Section shall be elected by the members within that particular Section.

Section 2. (a) At the regular membership meeting in January, every three years after 1985, nominations shall take place for all elected officers except Section Vice-Presidents and Executive Board members. Nominations for Section Vice-Presidents and Section Executive Board members shall take place at the regular membership meeting in the following February after the tally of the votes for the other elected officers.

2 (b) (1): Nominations for the office of President, Executive Vice-President and Secretary/Treasurer shall be made and then seconded by five (5) members other than the nominator, each from different sections; for Section Vice-Presidents and Section Executive Board members by three (3) seconds, in addition to the nominator, all from the particular section involved.

2 (b) (2): Nominations may also be made for President, Executive Vice-President and Secretary/Treasurer by a petition of five (5%) percent of the membership; nominations for Section Vice-Presidents and Section Executive Board members may also be made by a petition of ten (10%) percent of the section members involved.

2 (b) (3): Nominating petitions shall be available in December preceding each election year at the office of the Secretary/Treasurer and must be filed with the Secretary/Treasurer no later than five (5) calendar days prior to the nominations meetings of the respective officers.

2 (b) (4): Candidates nominated from the floor must be present at the nominations meetings when the candidate is nominated or signify acceptance in writing to the Secretary/Treasurer prior to the nominations meeting.

2 (c) No member shall be nominated for more than one (1) office. However, any candidate defeated for the officers nominated in January may be nominated for any office which nominations are held in February.

Section 3. Elections for the offices of President, Executive Vice-President and Secretary/Treasurer shall take place on the day of the regular meeting in February of each election year from the hours of 7:00 A.M. to 6:00 P.M. Elections for the offices of Section Vice-President and Section Executive Board members shall take place on the day of the regular March meeting of each election year from the hours of 7:00 A.M. to 6:00 P.M.

Section 4. All officers shall be elected by secret ballot, except those who are unopposed and they shall be deemed unanimously elected.

Section 5. The regular terms of the elected officers, namely, President, Executive Vice-President and Secretary/Treasurer shall end as of March 1, of each election year and that of the Section Vice-Presidents and Executive Board members as of April 1, of each election year.

Section 6. The terms of all appointed officers or committees shall coincide with and be of the same termination date as that of the elected officers, namely, March 1, of each election year.

Section 7. The Vice-Chairman and Secretary of the various sections shall be nominated and elected at the Section meeting following the general election of officers.

ARTICLE VIII

Duties of Officers

Section 1. President:

- (a) Shall preside at all meetings of the Association and shall see to it that orders of the Executive Board and of the Association are faithfully executed.
- (b) Shall see that all officers of the Association fulfill the duties of their offices, and whenever he deems it necessary, shall direct the action not fulfilled by an officer to be performed by another.
- (c) Shall appoint all committees not otherwise provided for in this Constitution and be an ex-officio member of all committees.
- (d) Shall, with the approval of the Executive Board, hire all the necessary clerical help or personnel the Association may require.

- (e) Shall be allowed expenses for the execution of his duties as President to be approved by the Executive Board.
- (f) Shall be bonded in the amount recommended by the Financial Committee from time to time but must not be less than the sum of Ten Thousand Dollars (\$10,000).
- (g) Shall be one of the co-signers of checks.
- (h) He shall be a full time officer.
- (i) Shall be one of the Trustees of all funds in which the Association is a participant, and perform all the necessary duties entailed therein.

Section 2. Executive Vice-President:

- (a) Shall assist the President whenever necessary and, in the absence of the President shall assume all his duties and responsibilities.
- (b) Shall succeed the President in the event of his resignation or death.
- (c) Shall be the chief grievance officers of the Association.
- (d) Shall be an ex-officio member of all standing committees.
- (e) Shall be one of the Trustees of all funds, and perform all the necessary duties entailed therein.
- (f) Shall be one of the co-signers of checks.
- (g) Shall be bonded in the amount recommended by the Financial Committee from time to time but must not be less than the sum of Ten Thousand Dollars (\$10,000).
- (h) Shall be a full time officer.

Section 3. Section Vice-Presidents:

- (a) Shall act as Chairman of his particular Section.
- (b) Shall be the chief grievance officer of his particular Section.
- (c) Shall perform all duties for his Section under the direction of the President and/or Executive Vice-President.
- (d) Shall be entitled to twenty (20) days off annually, paid by the Association, as approved by the President, in consultation with the Executive Vice-President and the Section President involved, for the purpose of conducting Association work.

Section 4. Secretary/Treasurer:

- (a) Shall keep a correct record of all the minutes of all meetings of the Association.
- (b) Shall handle all the correspondence of the Association.
- (c) Shall read the minutes of the previous meeting and, when approved, shall permanently enter them in the minute book of the Association.
- (d) Shall have the responsibility of sending out whatever notices that may be required by the Association.
- (e) Shall have the responsibility for maintaining an attendance record of all Executive Board meetings and shall maintain a record of votes of the Executive Board on all matters where the vote is not unanimous.

- (f) Shall issue membership cards, and keep a proper membership book showing the date and number of certificate of membership, to whom issued, the facts and forfeiture or cancellation, if any; and notify all delinquent members, keeping a record of such notices.
- (g) Shall be responsible for monies received, from dues collection or elsewhere, and the prudent disbursement of monies due and payable.
- (h) Shall be authorized to make disbursements in accordance with direction of the President or membership.
- (i) Shall be responsible for a proper, well ordered set of books showing all income and disbursements, be the custodian of financial records, shall submit all records for inspection annually to the finance and audit committee, and to the members upon the request of any five (5) members in good standing.
- (j) Shall have compiled all reports relating to the financial status of the Association, and shall have submitted all records to an auditor at such times as directed by the President or membership, and in compliance with legal requirements.
- (k) Shall make reports to the membership of all monies received and paid out by him, and present annual audited financial reports on all funds to the membership.
- (l) Shall be one of the co-signers on all checks issued by the Association.
- (m) Shall be bonded in the amount recommended by the Financial Committee from

time to time but must not be less than the sum of Ten Thousand Dollars (\$10,000).

- (n) Shall be a full time officer.
- (o) Shall be one of the Trustees of all funds in which the Association is a participant, and perform all the necessary duties entailed therein.
- (p) Shall be an ex-officio member of all standing committees.
- (q) Shall perform duties as assigned by the President.

Section 6. Sergeant-at-Arms:

He shall be appointed by the President for each meeting and shall be responsible for maintaining order, and, at the direction of the President shall expel any member who does not conduct himself in an orderly manner.

Section 7. Executive Board:

The Executive Board shall meet monthly, except for the months of July, August and December. The Executive Board shall be the governing body of the Association between meetings.

Section 8. Section Vice-Presidents:

Section Vice-Presidents shall preside at all Section meetings, be members of the Executive Board and members of the Negotiating Committee. They shall be the chief grievance representative for all of the members in their respective Sections.

Section 9. Staff:

- (a) Shall consist of all full-time elected officers.
- (b) Shall act for Union between meetings of the Executive Board.

Section 10. Field Representatives:

- (a) Shall be appointed and removed by the Executive Board.
- (b) Shall assist the President and Executive Vice-President in the performance of their duties.
- (c) Shall be on a paid full time basis.
- (d) No more than one (1) from any designated Section.
- (e) Must be an Executive Board member or a rank and file member.
- (f) Must resign each time the full-time officers' elections take place.

ARTICLE IX Standing Committees

Section 1. In addition to all other committees, there shall be established the following Committees:

- (a) Finance and Audit Committee
- (b) Sick and Welfare Committee
- (c) Entertainment Committee
- (d) Education Committee
- (e) Trial Committee

Section 2. The Finance and Audit Committee shall be composed of no less than three (3) members and the Secretary/Treasurer, who shall have the authority to check any and all financial records of the Association. It shall examine and audit the financial books of the Association annually and make a report of same to the membership, annually, at the regular meeting of each year following receipt of the accountant's annual report. It shall process and report back recommendations to the Executive Board any proposals for increases of salaries to the paid full time officials.

Section 3. The Sick and Welfare Committee shall consist of no less than four (4) members, and the Secretary/Treasurer, who shall act as Chairman. It shall have full authority to investigate sick and death cases and make compensation therefore as approved by the Executive Board.

Section 4. The Entertainment Committee shall be composed of no less than six (6) members who shall be in charge of all entertainment and social functions conducted by the Association.

Section 5. The Education Committee shall be composed of no less than five (5) members and shall conduct the educational work of the Association.

Section 6. When it becomes necessary to provide a Trial Committee, the committee shall be elected by the Executive Board, which shall have the duty of sitting as a Trial Board to determine whether or not any member shall be punished for conduct unbecoming an Association member. The following procedure shall be adopted:

(a) Any member who desires to accuse a brother member shall present a complaint in

writing to the President, or the Executive Vice-President, if the President is involved. The Chairman to be designated by the Executive Board must inform the person accused, in writing of the charges in detail, at least four (4) days prior to the meeting of the Committee. The accused shall then be given an opportunity to present before the Committee such testimony, either written or oral, as he may desire, and shall also be permitted to call in any witnesses he may deem necessary to substantiate his defense. The accused shall then be confronted by the complainant and shall have the right to cross-examine him and those testifying on behalf of the complainant. The accused shall have the right to be represented by counsel of his own choice.

(b) The Trial Committee shall then, after a trial, make known its decision not later than five (5) days after the termination of hearings. No decision shall be made except after a trial. If, however, after proper and due notice has been given to the accused, the accused shall fail to appear or present sufficient and proper excuse for non-appearance, the Trial Committee may reach its decision on such evidence as it has before it.

(c) The Trial Committee shall have no power to punish, only to recommend.

(d) The Trial Committee shall make known its decision to the Executive Board who will then decide upon a just punishment. If, however, the punishment is suspension or expulsion, the Executive Board shall submit such decision to the Association's membership at the next regular meeting for approval.

(e) Violation by a member of his obligations to the Association or of any of the rules and regulations thereof deliberately impairing harmonious

relations within the Association or of his duty or obligation to a fellow member may be the cause of a complaint against him.

(f) If any of these charges are sustained, the penalty may be fine, suspension or expulsion.

ARTICLE X

Negotiations

Section 1. The Negotiations Committee shall be composed of the President, Executive Vice-President, Secretary/Treasurer, Legal Counsel, all the Vice-Presidents in charge of Sections and Field Representatives who shall have voice but no vote.

Section 2. The Negotiations Committee shall have the power to negotiate with the employer in connection with wages, hours, welfare, pension and working conditions generally.

Section 3. Proposals for a new agreement shall be submitted to the membership for consideration and action. When negotiations are concluded, a report shall be given to the Executive Board and thereafter to the membership, with appropriate recommendations. Any labor agreement with the employer must be approved by a majority of the membership by a secret ballot at a special meeting called for that purpose.

ARTICLE XI

Removal of Officers

Section 1. If any officer shall fail to discharge the duties of his office for three (3) consecutive meetings, the office may be declared vacant by the Executive Board unless sufficient excuse therefore is furnished.

Section 2. An officer may be removed from office after due trial by the Trial Committee upon charges preferred against him in writing and sustained by a two-thirds (2/3) vote of the membership of the Association present and voting at a special meeting called for the purpose of considering the charges. The officer subject to the charges shall be given at least seven (7) days' notice of the nature of the charges preferred against him, in writing, and shall be entitled to call witnesses on his behalf, cross-examine hostile witnesses, be confronted by his complainant and to be represented by counsel.

ARTICLE XII

Vacancies

Section 1. In the event of death, resignation or removal of any officer or member of the Executive Board, rendering such office vacant, temporary replacement shall be appointed by the President subject to the approval of the Executive Board, to take effect until the next regular meeting of the membership of the Association or Section meeting as the case requires, at which time the membership may ratify the appointment or order a new election.

Section 2. In the event of the office of President becomes vacant for any reason, the Executive Vice-President shall assume all of the duties and powers of the President and the vacancy of the office of Executive Vice-President thereby created shall be filled in accordance with ARTICLE XII, Section 1.

ARTICLE XIII

Compensation

Section 1. All members of the Association who, because they are performing work for the Association, are required to lose time or income shall be compensated by the Association in a sum equal to that lost by virtue of such work, together with any legitimate expenses approved by the Executive Board.

Section 2. Compensation of officers, personnel and attorney shall be determined by the Executive Board. However, no officer shall suffer a reduction in compensation during his term of office.

Section 3. Unless otherwise herein provided, the Executive Board can not vote compensation for itself, whether fixed or otherwise. Such compensation must be approved by a secret ballot of the membership at a regular or special meeting called for that purpose.

ARTICLE XIV

Amendments

These By-Laws may be amended by submission to the Secretary/Treasurer of a written proposal to be read and explained at the next following regular membership meeting; debated and voted upon at the next succeeding meeting and passed by a three-quarters ($3/4$) vote of the members present and voting at such meeting.