American Federation
Of
Government Employees
LOCAL 3725
U.S. Border Patrol
Miami, New Orleans, and Ramey Sectors

Constitution & Bylaws

APPROVED BY THE MEMBERSHIP ON:
_____
Date

CONSTITUTION

Local 3725 is governed by the Standard Local Constitution, which is found in Appendix B of the AFGE National Constitution and may only be amended in accordance with Article XXVIII of the National Constitution. Section 1 of Article I is included below to fill in the blanks that appear on the version in Appendix B.

ARTICLE I - NAME

SECTION 1. This local union will be known and designated as the American Federation of Government Employees, Local No. 3725, AFL-CIO, U.S. Border Patrol, Miami, New Orleans, and Ramey Sectors, as set forth in its charter.

BYLAWS

ARTICLE I - HEADQUARTERS

SECTION 1. HEADQUARTERS AND MAILING ADDRESS

1.1. The Local's headquarters and mailing address will be designated by the Executive Board.

ARTICLE II - MEMBERSHIP

SECTION 1. JURISDICTION

1.1. All bargaining unit employees assigned to the U.S. Border Patrol Miami Sector, New Orleans Sector, and Ramey Sector are eligible for membership in Local 3725.

1.2. Any member of Local 3725 in good standing who retires from federal service while assigned to one of the sectors listed above is eligible for retired membership in Local 3725.

ARTICLE III - OFFICERS AND DUTIES

SECTION 1. ELECTED OFFICERS

1.1. The elected officers of this Local shall consist of: President, Vice President Miami, Vice President New Orleans, Vice President Ramey, and Secretary-Treasurer.

1.2. Candidates for a Vice President position shall be nominated and elected exclusively by the members of the sector represented by the office sought. Only members assigned to that sector are eligible as candidates.

1.3. Elected Officers will serve three-year terms.

1.4. Elected Officers are responsible for assisting each other with the overall operation of the Local and the Executive Board.

1.5. Any officer who relocates beyond the jurisdiction of the Local during the term of office, or who ceases to maintain membership in good standing, shall automatically vacate the office. Any resulting vacancy shall be filled pursuant to Article IV, Section 2.

1.6. Elected Officers must disclose any potential conflict of interest. An officer with a conflict of interest may not vote on the matter, serve as a vendor or purchaser of products or services, or enter into any financial transaction on behalf of the Local in connection with that matter.

1.6.1. For purposes of this provision, "interest" includes a personal interest; an interest as a director, officer, member, stockholder, shareholder, partner, manager, trustee, or beneficiary of any concern; and an immediate family member holding such an interest in any concern.

1.6.2. "Concern" means any corporation, association, trust, partnership, limited liability entity, firm, person, or other entity other than the organization.

SECTION 2. PRESIDENT'S DUTIES

2.1. In addition to the duties specified in the Constitution, the President will preside at meetings. If the President is not present, then the presiding officer will be determined using the Order of Succession.

2.2. Although the President is designated as the executive officer of the Local, this does not grant the President ultimate control or authority over the Local, the Executive Board, or any issue not specifically provided by the Constitution or Bylaws.

SECTION 3. VICE PRESIDENTS' DUTIES

3.1. The Vice Presidents will assist the President and other board members in the performance of their respective duties and perform other duties designated by the Executive Board.

3.2. The Vice Presidents will take turns serving as the Sergeant-at-Arms during meetings. As Sergeant-at-Arms, they will ensure that no one enters the meeting without proper authority, assist the presiding officer in maintaining order, welcome and introduce guests, record each member's presence in a log, provide the membership roll if individual votes must be recorded, and perform other duties assigned by the presiding officer.

SECTION 4. SECRETARY-TREASURER'S DUTIES

4.1. The Secretary-Treasurer will perform duties specified in the Constitution and other duties designated by the Executive Board.

4.2. In the absence of the Secretary-Treasurer or the President, the Order of Succession will be used to designate an alternate officer to countersign checks.

4.3. The Secretary-Treasurer will perform duties specified in the Constitution for Treasurer and Secretary, and other duties designated by the Executive Board.

4.4. The Secretary-Treasurer will maintain an inventory of and custody or assignment over Local property and equipment.

4.5. When the Secretary-Treasurer vacates the position, that person is responsible for completing the year-end financials for the period served, including LM/990 and related financial reports and statements. The departing Secretary-Treasurer must transfer all related files and documents to the newly elected or appointed Secretary-Treasurer. The departing Secretary-Treasurer must also provide training and orientation regarding the duties and responsibilities of the position.

ARTICLE IV - EXECUTIVE BOARD

SECTION 1. RESPONSIBILITIES

1.1. The Executive Board will be the steering committee of the Local during the interim between membership meetings.

1.2. The Executive Board will meet at the date, time, and place it designates.

1.3. The Executive Board will determine the duties of the respective offices in addition to those identified in the Constitution.

1.4. Executive Board members are expected to work collaboratively, respect the roles of others, and carry out their respective responsibilities in support of the Local and Executive Board as a whole.

1.5. No relative of a certified representative or Executive Board member may serve as an accountant, treasurer, or in any other employed, appointed, or volunteer position involving oversight, auditing, or handling of the Local's funds.

1.6. The Executive Board may establish or abolish appointed positions, make appointments to those positions, certify representatives, and determine the duties of those positions, provided those actions do not conflict with the Constitution or these Bylaws.

SECTION 2. VACANCIES – TEMPORARY APPOINTMENTS

2.1. If an elected officer is unable to perform the duties of office because of illness, leave, TDY, or another reason, the Executive Board may assign the duties to another elected officer in accordance with the Order of Succession.

2.2. If an elected officer is expected to be unable to perform the duties of office for more than three months, the Executive Board may appoint a temporary replacement.

2.3. If a person declines to advance to a position, or if any other vacancy exists, the Executive Board will fill the vacancy for the remainder of the unexpired term in accordance with the Order of Succession. After the Order of Succession has been applied, the Executive Board may appoint officers, union representatives, or members to fill any remaining vacancies.

2.4. In making appointments, the Executive Board should consider seniority as an Executive Board member or union representative, level of participation with Local 3725 or another NBPC Local, and seniority with the U.S. Border Patrol.

SECTION 3. ORDER OF SUCCESSION

3.1. The order of succession will be used to determine vacancies, block-time assignments, and delegate attendance at events where fewer delegates are allotted or funded than authorized.

3.2. If an individual declines an appointment, block-time, or attending an event, the Local will move to the next position in the order.

3.3. The Order of Succession for the Executive Board is outlined below. To determine the order for the vice presidents, refer to Section 3.4.

3.3.1. President
3.3.2. Vice President
3.3.3. Vice President
3.3.4. Vice President
3.3.5. Secretary-Treasurer

3.4. The order of the Vice Presidents will be determined by the number of votes received by each candidate during the election. The Vice President who received the highest number of votes will be the first, the one who received the second-highest number will be second, and the final third.

3.4.1. If candidates are elected by acclamation or there is a tie in the number of votes, the order will be determined by seniority. The tiebreaking criteria, in order of priority, are: service as a Local board member, service as a union representative, length of AFGE membership, and Border Patrol service. The newly elected Executive Board will review and apply these criteria until the tie is resolved.

3.4.2. If a dispute arises regarding the date an individual began serving in any of the positions listed above, the Executive Board will attempt to resolve the dispute. If the Executive Board is unable to reach a determination, the tie will be resolved by proceeding to the next category of seniority.

SECTION 4. BLOCK TIME POSITIONS

4.1. When block-time hours are allotted pursuant to an agreement with the Agency, the Executive Board will make all decisions concerning the assignment of positions to block time using the Order of Succession.

4.2. The Local President has priority for block-time.

SECTION 5. STANDING AND SPECIAL COMMITTEES

5.1. The Executive Board may establish and abolish committees, make appointments to the committees, and establish the duties, responsibilities, and rules for the committees.

5.2. The Secretary-Treasurer or a designated committee member will record the minutes of committee meetings. Copies of those minutes will be retained by the Secretary-Treasurer.

5.3. Committee actions require the approval of the Executive Board.

ARTICLE V - MEMBERSHIP MEETINGS

SECTION 1. REGULAR MEETINGS

1.1. Regular membership meetings of the Local should be held quarterly, at a time and place selected by the Executive Board.

1.2. The Executive Board will provide notice of the date, time, and location of each regular meeting at least 10 days in advance.

SECTION 2. SPECIAL MEETINGS

2.1. Special meetings may be called by the President, two-thirds vote of the Executive Board, or upon written petition of at least ten percent (10%) of the membership.

2.2. No business other than that specified in the notice will be discussed.

SECTION 3. ATTENDANCE AND PARTICIPATION

3.1. Only members in good standing are eligible to attend, participate, and vote in meetings.

3.2. The membership of all attendees, in person and remote, will be verified by an Executive Board member using the most recent membership roster available from AFGE.

3.3. Guests who are not members of the Local may attend Local meetings only if their presence has been approved in advance by the Executive Board. Approved guests may not participate in discussions, make motions, or vote. Approved guests may also be asked to leave the meeting temporarily during discussions, motions, votes, and as determined by the Executive Board.

SECTION 4. MEMBERS IN GOOD STANDING

4.1. To be in good standing, a member must be current in dues (refer to the AFGE Election Manual for detailed information on determining standing).

SECTION 5. QUORUM

5.1. A quorum of the Local consists of 7 members, present at the designated place and time of meeting.

5.2. A quorum of the Executive Board and any committee consists of a majority of the members thereof.

QUESTIONS & DEBATE

5.3. The time allowed for debate shall be limited to ten minutes and for speeches shall be four minutes. The time may be amended by a majority vote of the members present.

5.4. Unless required by law, the Constitution, or these Bylaws, all questions before the Local at a meeting will be decided by vote of the members present. Voting will first be by voice vote and, if necessary, then by a show of hands. For example, 29 CFR § 458.2 requires a secret ballot for changes in dues rates.

SECTION 6. ORDER OF BUSINESS

6.1. The regular order of business will be:

6.1.1. Call to Order
6.1.2. Roll Call of Officers
6.1.3. Reading of the Previous Meeting Minutes
6.1.4. Treasurer's Financial Report
6.1.5. Committee Reports
6.1.6. Old Business
6.1.7. New Business
6.1.8. Good of the Local
6.1.9. Announcements
6.1.10. Adjournment

SECTION 7. ROBERT'S RULES OF ORDER NEWLY REVISED

7.1. The current edition of *Robert's Rules of Order Newly Revised* will govern the meetings of the Local, provided that such rules do not conflict with provisions of the AFGE National Constitution, the National Border Patrol Council's Constitution, or the Local's Constitution and Bylaws.

7.2. Robert's Rules of Order are intended to promote constructive meetings and facilitate the business of the Local. They may not be used to intimidate members or restrict participation.

ARTICLE VI - DUES, BUDGET, AND EXPENDITURES

SECTION 1. INITIATION FEES

1.1. No initiation fees shall be charged.

SECTION 2. MEMBERSHIP DUES

2.1. The biweekly (per pay period) dues for each member of this Local will be $29.00.

2.2. Members are responsible for paying dues on a biweekly basis, normally through payroll deduction.

2.3. Dues shall be increased automatically by the amount by which the AFGE National Convention or National Border Patrol Council increases the per capita tax. All other proposed adjustments will be accomplished in accordance with Article IV of the Constitution.

SECTION 3. DUES FOR RETIRED MEMBERS

3.1. The dues for retired members shall be consistent with the rate set by AFGE and NBPC.

3.2. A member who intends to continue as a retired member must give one month notice of the scheduled retirement date.

3.3. Dues must be paid no later than one month after retirement and annually thereafter.

SECTION 4. DEFAULT IN PAYMENT

4.1. Any member who is in delay or default in payment is subject to removal from the Local.

4.2. If automatic payroll deductions cease due to an employment status change with the Agency, members are responsible for contacting the Secretary-Treasurer to pay dues directly.

4.3. Retired members are also responsible for paying the current AFGE/NBPC annual rate for retirees to avoid a default in payment.

SECTION 5. LOCAL BUDGET

5.1. The Executive Board will prepare an annual budget that ensures, at a minimum, that the Local's revenues are sufficient to meet its financial obligations for the year.

5.2. The Executive Board may present the proposed budget to a Budget Committee for review and approval or will present it directly to the membership.

5.3. If a Budget Committee is appointed to review and approve the proposed budget, it will first present its findings to the Executive Board and then present the budget at the membership meeting, preferably no later than one month in advance of the budgeted year.

5.4. Budget categories will be limited to those listed below:

5.4.1. Professional Services and Fees
5.4.2. Representational Services and Fees
5.4.3. Facilities and Equipment
5.4.4. Meetings, Events, and Travel
5.4.5. Resources, Supplies, and Technology
5.4.6. Organizing and Member Retention

SECTION 6. LOCAL EXPENDITURES

6.1. All expenditures require advance authorization consistent with the policies of the Executive Board.

6.2. No officer or representative of the Local may engage in any business or financial activity that conflicts with their fiduciary obligation to the Local.

6.3. Executive Board members, representatives, and others authorized to make purchases or enter into contracts must seek the best available price and may not agree to pay more than the fair market value.

6.4. All decisions regarding donations require approval by a majority vote of the Executive Board, subject to the availability of funds in the budget.

6.5. All matters presented for arbitration or litigation that require the expenditure of Local funds, resources, or personnel will be decided by the Executive Board, subject to the availability of funds in the budget.

6.5.1. The Executive Board will base its decision on a comprehensive review of the merits of the case, including the applicable laws, rules, regulations, policies, case law, and relevant facts.

6.5.2. The Executive Board's decision is final.

6.6. Two Executive Board members will assist the Secretary-Treasurer with a quarterly reconciliation of the accounts for the preceding quarter.

6.6.1. All financial transactions must be examined to determine whether they are legitimate.

6.6.2. If a transaction is questionable and cannot be verified as legitimate, it must be reported immediately to the Executive Board for review and action.

6.6.3. To strengthen oversight, Executive Board members should assist with this review on an alternating basis.

6.7. All documentation related to equipment or furniture purchases must be presented to the Executive Board. The item must then be entered into the inventory, assigned a serial number, and marked as Property of the Local.

6.8. All items purchased with Local funds are the property of the Local. A person in possession of such items must return them to the Secretary-Treasurer upon ceasing to serve as an officer or representative of the Local, unless the Executive Board approves otherwise. In deciding whether to grant an exception, the Executive Board will consider the length of time since purchase, the condition of the item, and its depreciated value.

SECTION 7. EXPENSE REIMBURSEMENT

7.1. All expenditures, including those made with a Local debit or credit card or by Local check, must be documented on the Local's official expense voucher, whether electronic or paper. The voucher must include enough information to allow the transaction to be reconstructed later, including at a minimum:

7.1.1. Name of person filing the claim and names of those present when the expense occurred.
7.1.2. What items or services were purchased.
7.1.3. When the items or services were purchased.
7.1.4. Where the items or services were purchased.
7.1.5. Why the items or services were purchased (official purpose).

7.2. Every expense voucher must include a corresponding, itemized, legible receipt or invoice. A credit card statement does not satisfy this requirement.

7.3. Reimbursement requests should typically be submitted within 60 days after the expense date.

7.4. Reimbursements for travel-related expenses that were approved by the Executive Board or membership should be consistent with the rules prescribed in the federal travel regulations, unless the Executive Board or membership authorizes exceptions.

7.5. Expense vouchers and corresponding documents must be reviewed and approved by at least two Executive Board members before payment. Approval must be documented either by signature on the voucher or by an email clearly stating that the voucher was reviewed and approved.

7.6. Questionable expenditures must be thoroughly reviewed and may not be reimbursed until the approving officials determine that the expense is legitimate. To strengthen oversight, Executive Board members should assist with this review on an alternating basis.

7.7. In no case should an Executive Board member be involved with the review and approval of his or her own expense voucher, a relative's expense voucher, or any other expense voucher or financial transaction where a potential conflict of interest may exist.

7.8. Signature stamps are prohibited.

7.9. All expense vouchers and corresponding documents must be retained by the Secretary-Treasurer.

ARTICLE VII - ELECTIONS

SECTION 1. GENERAL PROVISIONS

1.1. Elections shall be held every third year with nomination of officers in October, and election and installation in November.

1.2. The election shall be by secret, manual ballot conducted by mail or using secure electronic voting.

1.1. If a runoff election is necessary, it will be held as soon as practicable after the initial election in a manner that provides all members an opportunity to vote.

1.3. New officers shall be sworn in immediately and commence the duties of the office.

1.4. Incumbents will remain in office until their successors have been installed.

1.5. The "Oath of Union Officers" will be administered to all officers.

1.6. Write-in votes are not permitted (See AFGE National Constitution).

SECTION 2. ELECTION COMMITTEE

2.1. The Board will select an Election Committee of three people prior to the start of the nomination procedure.

2.2. The selection of the Election Committee shall take place at a regularly scheduled membership meeting not more than two meetings prior to the meeting when nominations will be considered for that election year.

2.3. The Election Committee will announce the results of the election at the conclusion of the November meeting and any subsequent meeting held to conduct a runoff.

2.4. If a third party is selected to conduct the election on behalf of the Local, the Election Committee will serve as the point of contact between the election contractor, the Executive Board, and the membership.

2.5. No member of the Election Committee may be an incumbent or candidate for any office being filled in the election. If a member is disqualified, a successor will be selected from among Local members who are not incumbents or candidates for any such office.

SECTION 3. DELEGATES

3.1. The Local's delegates to the AFGE National Convention, district caucus, council meeting, and any other meeting to which the Local is entitled to delegates will be those Board members who, by virtue of their election to office, automatically serve as delegates. Others appointed to the Board do not serve as delegates by virtue of office because they were not elected.

3.2. If the Local is allotted more delegates than the number of Board members elected to office, it may either send only those elected Board members or hold an election for additional delegates. Any such election must comply with the AFGE Rules of Conduct for an election. Before doing so, the Local must consider the costs of the election and whether all required notices, procedures, and delegate credential paperwork can be completed by the applicable deadline.

3.3. If funds were not authorized in the annual budget, the membership will vote on the authorization of funds for the delegates to attend the AFGE National Convention, District caucus, NBPC Convention, or any other event that requires delegates.

3.4. If the Local is entitled to fewer delegates than the number of officers, or if it decides to send fewer than its authorized complement of delegates, the Order of Succession will determine which delegates attend.

3.5. If a delegate is unable to attend, leaves early, or the Local authorizes fewer than its full complement of delegates, the Local's votes will be divided equally among the remaining delegates. Any odd or remaining votes will be carried by the President or, in the President's absence, by the highest-ranking officer under the Order of Succession. This is subject to the rules of the authority conducting the event.