

BYLAWS

American Federation State County Municipal Employees Local 4041
Revised January 2018

The purpose of the Bylaws is to augment, supplement, and/or clarify the Constitution. Whereas, the Constitution spells out broad policy and direction only, it is therefore necessary to develop a more detailed and complex index of internal regulations, which begin, where the Constitution ends.

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Chapter I

STAFF

The American Federation State County Municipal Employees Local 4041 (AFSCME Local 4041) is a private enterprise and although it attempts to parallel its operation to the procedures and regulations of the State of Nevada in some ways, it is not possible to comply with all state procedures, nor is it desirable to do so.

Notwithstanding the provisions of the Bylaws, all employees are "at will employees" which means that they may be terminated at any time with or without cause without subjecting AFSCME Local 4041 to a claim for breach of an employment contract.

- A. OFFICE HOURS: The Administrative Office of the AFSCME Local 4041 will be open from 8:30 am to 5:00 pm, Monday through Friday, except on authorized holidays. The office will be open between 12:00 noon and 1:00 pm.
- B. CLASSIFICATION AND SALARIES: Salaries will be set up on the recommendation of the Chief of Staff and approval of the Executive Board.
- C. CLASSIFICATION CHANGES: Job classification changes of staff positions shall be made only on recommendation of the Chief of Staff and approval of the Executive Board.
- D. EVALUATION: The immediate supervisor will formally evaluate Staff members at least annually. The Chief of Staff shall maintain performance records for all employees and report performance periodically to the Executive Board.
- E. FLEXTIME: AFSCME Local 4041 Organization will actively support flextime where it is reasonable and practical to do so and where operational needs will not be adversely affected.
 - 1. Definition of Flextime: Flextime is a work schedule which allows employees to work hours that are not within the standard 8:30 AM to 5:00 PM range, while maintaining a high level of service during the organization's peak operating hours 10:00 AM to 3:00 PM. With a flextime schedule, non-exempt employees are still subject to all requirements of the Fair Labor Standards Act. Employees who are exempt from FLSA are expected to work whatever number of hours is required in order to accomplish their duties and may be permitted to set their own schedules.
 - 2. Aims and Objectives: AFSCME Local 4041 is committed to equality of opportunity for its entire staff regardless of the number of hours worked. In order to facilitate this, the AFSCME Local 4041 may create working arrangements, to retain the valuable skills of existing employees who no longer want to work full-time or who may want to work full time but with an alternative schedule, and enable staff to retain career development opportunities.
 - 3. Eligibility: Because services within the organization vary, not every employee in will be able to work similar flextime schedules. Therefore, the Chief of Staff will have to carefully examine the flextime schedules, which their employees request, so that they can coordinate work schedules, which ensures ample employee coverage during peak hours.

4. **Managing Flextime:** It is the responsibility of the Chief of Staff to verify and ensure performance of employees with flextime schedules. Flextime schedules will need to be placed in a central location so that all employees stay aware of who is covering department services. Good relationships between everyone involved are important for a successful flextime policy. Trust is a big factor; Chief of Staff must feel confident that employees will not abuse the benefits that are inherent in a flextime schedule. Flextime is a privilege, not a right, and, if abused, can be taken away at the discretion of the Chief of Staff.
 5. **Flextime Schedules:** There are three types of flex schedules from which to choose: Peak-Hour Flex-Time, Adjusted Lunch Period, and Compressed Work Week. Once an employee signs up for a particular flextime, the individual is expected to work that schedule in a consistent manner. However, the Chief of Staff can change schedules.
 - a. **Peak-Hour Flextime:** This flextime schedule shifts daily work hours while still working an 8-hour day. For instance, instead of the normal 8:30-5 day, an employee could work from 7-4, 7:30-4:30, 9:00-6:00, etc. Working any arrangement of hours within an 8-hour day constitutes a valid workday. It is important to remember that the level of service must be maintained during peak hours, which are from 10:00 to 3:00. Therefore, The Chief of Staff will need to coordinate the schedules of all flextime participants to ensure ample coverage during these hours.
 - b. **Adjusted Lunch Period:** This flextime schedule allows employees to adjust the length of their lunch period, while still working an 8-hour day. An employee can take a minimum of 30 minutes and a maximum of two hours for lunch. For instance, an employee might want to go to the gym everyday from 11-1 and consequently leave work at 6:00 rather than 5:00.
 - c. **Compressed Work Week:** To maintain this flextime arrangement, an employee works a full 40-hour workweek in less than five days. For instance, an employee may work 4 10-hour days, or on a two-week rotating basis; one-week employee's work a regular 8:30-5, five-day week and the next they work a compressed schedule, which is four, 9-hour days and one 4-hour day.
- F. **OVERTIME:** On occasion hourly staff members will be asked to work overtime. Overtime should be held to an absolute minimum and must be authorized by the Chief of Staff and entered on the employees' payroll record. Employees will earn compensation for overtime at the rate of time and one-half. Overtime provisions must be in accordance with the Fair Labor Standards Act. No comp time in excess of 120 hours may be carried forward to the next calendar year.
- G. **SUPPLEMENTARY BENEFITS:** AFSCME Local 4041 insurances and discount benefits offered to the membership will be available to all staff members. It is impossible for a small employer, such as AFSCME Local 4041, to offer benefits identical to those enjoyed by the membership but similarity will be maintained. In light of this, AFSCME Local 4041 staff shall have the same: Annual Leave, Sick Leave, Civil Leave and Bereavement Leave. AFSCME Local 4041 will provide health, life, dental and vision insurance equivalent to that provided by the State. AFSCME Local 4041 staff will pay the same amount for dependent coverage as provided in the State plan.
1. Employees of AFSCME Local 4041 hired before January 1, 2000 who obtain ten or more years services with the Union, who leave the Union's employ at age 55 or later, may retain the Union's health, life, vision and dental insurance as "retired" employee. Employees hired after January 1, 2000, who obtain fifteen or more years of service with the Union, which leave the Association's

employ at age 62 or later, may retain the Association's health, life, vision and dental insurance as "retired" employee. If such continuation is compatible with the policy of insurance held by AFSCME Local 4041. If such continuation is not allowed by the policy of insurance, the payment provided in (2) below will be made to an insurance plan of the employee's choice. Once a retired employee chooses to cease such coverage, they may not rejoin the program.

2. The Union will participate in the payment for retired employees' insurance to the same extent as the State contributes for retired employees.
3. Employees and retired employees who attain the age of 65 must participate in both parts A & B of Medicare and the AFSCME Local 4041 health plan will be supplemental to Medicare.

- H. PROFESSIONAL ORGANIZATIONS: Staff members are encouraged to belong to professional organization and where dues are paid, the Executive Board will consider such payment. Time to attend regular meetings of such groups will not be charged against an employee's leave time, but no overtime may be earned as part of such attendance.
- I. LEAVE TIME: The Chief of Staff shall cause to be maintained a schedule of accumulated leave for all staff. Each staff member will be notified semi-monthly of such accumulation.
- J. MEETINGS AND TRAINING: The Chief of Staff will provide for the training of staff members as required for the performance of their duties. Attendance at out-of-state and in-state meetings, seminars and workshops will be authorized at the discretion of the Chief of Staff within the budget.
- K. APPEALS: AFSCME Local 4041 staff members, other than the Chief of Staff, shall have the right to appeal personnel decisions made by the Chief of Staff. Such appeals may be from salary determinations, classification or disciplinary actions. Such appeals shall be directed to the President who shall attempt to determine the facts and act as a mediator. If unable to resolve the matter, the President shall promptly convene a meeting of the Executive Board who shall hear testimony in an informal hearing. Their decision shall be final and binding on all parties. Such hearings shall be closed to all but involved parties.
- L. APPEARANCE: Staff members will be expected to dress neatly and present a clean appearance. Attire should be such as to place others at ease and provide for the staff to comfortably perform their duties.

Chapter II

CHIEF OF STAFF

- A. BASIC RESPONSIBILITY: The basic responsibility of the Chief of Staff is to coordinate and administer the affairs of the Union as directed by the Executive Board. He shall assign the workload in a manner he deems proper. Chief of Staff may delegate his duties regarding representation as necessary. The procedure of hiring or termination of a staff employee shall be at the full discretion of the Chief of Staff only after consultation with the Executive Board and within the budget.

- B. SALARY REVIEW: The Chief of Staff shall prepare and present to the Executive Board annually or as the need arises, his recommendations for salary review for members of the staff. The Executive Board makes changes in the salaries.
- C. CLASSIFICATION CHANGES: The Chief of Staff shall recommend to the Executive Board any change in classification either to upgrade or downgrade or otherwise change the present status of a staff member.
- D. MEETINGS: The Chief of Staff shall attend Annual Convention, regular and special Board meetings and as many Chapter meetings as possible.
- E. WORK SCHEDULE: Due to the nature of the position and the irregular and unusual demands made on the Chief of Staff, he shall not be subject to a set workweek or hourly schedule. Since the Chief of Staff does not receive overtime compensation, he will have to use his own judgment as to compensating time off.
- F. TERMINATION: The Chief of Staff shall give the Executive Board thirty days (30) notice of any resignation. The Executive Board must approve all involuntary terminations in advance.

Chapter III

FISCAL PROCEDURES

- A. BOOKKEEPING FORM: A double entry system of bookkeeping and a chart of accounts will be used by the bookkeeper.
- B. PURCHASES: The Chief of Staff with the Secretary Treasurer may negotiate purchases authorized by the Executive Board allowed for in the budget. The Executive Board must approve anything in excess of established limits or budget.
- C. CHECKS: AFSCME Local 4041 checks shall normally be signed by two out of three assigned Executive Board members; the President, Secretary-Treasurer or the Vice-President. Two signatures shall be required on all accounts.
- D. INVESTMENTS:
 - 1. The funds of the Union will be invested so far as practicable, in interest bearing accounts. This includes those funds in checking.
 - 2. Funds not necessary for immediate use may be invested and administered to assure the highest return consistent with safety in accordance with accepted investment practices.
 - 3. Union funds may be invested in credit unions, savings, and loan associations, banks and other funds such as mutual funds, money market funds, certificates of deposit and other issues in which prudent persons would invest their own funds.

- E. TRAVEL: All travel will be done in accordance with the AFSCME Local 4041 Travel and Reimbursement Policy

Chapter IV

MEETINGS

- A. CHAPTER: Each Chapter must attempt to meet monthly. A sign in sheet of the meeting attendee, minutes, and treasurers' report must be filed monthly in order for the chapter to receive a chapter rebate even if no quorum is present. Note in the minutes no quorum under roll call.
- B. EXECUTIVE BOARD MEETING:
1. Meetings of the Executive Board shall be held in accordance with the Constitution and Bylaws.
 2. Meetings by Electronic Means of Communication will be allowed. Members of the Board, any committee of the Board, any Chapter, and any Chapter committee may conduct any regular or special meeting by use of any electronic means of communication provided, (1) all participating may simultaneously hear and/or read each other's communications during the meeting or (2) all communication during the meeting is immediately transmitted to each participant and each participant is able to immediately send messages to all other participants. Before the commencement of any business at a meeting at which any Directors do not participate in person, all participating Directors shall be informed that a meeting is taking place at which official business may be transacted. Participation in such manner shall constitute presence in person at such meeting for the purposes of these Bylaws.
 3. The formal agenda shall be adopted by the Board as one of the earliest items of business of the meeting. Once adopted, deviation will only be allowed by two-thirds (2/3) vote of the Board present and voting.
 4. It shall be the duty of the Regional Vice Presidents to make known the concerns of their respective chapters to the AFSCME Local 4041 Executive Board. Timely reports of Board action and a verbal report of AFSCME Local 4041 budget along with copy to be looked at but not to be given out to both Chapter Board and General Membership meetings.
- C. BIENNIAL CONVENTION:
1. AFSCME Local 4041 will send the Department of Personnel a request for Administrative leave 30 days before Biennial Convention. It will include requests for leave for those delegates and board members whose names were received by the AFSCME Local 4041 office no later than the day before. The addition of alternates will be accommodated where possible.
 2. The amount of Administrative Leave requested will be as follows:

- a. The maximum requested for any one person will be 32 hours; as outlined in NAC 284.589, 2 (a).
- b. The amount requested for members of the Executive Board will be 24 hours plus travel time.
- c. The amount requested for delegates will be 16 hours plus travel time.
- d. Travel time will be afforded on the basis of 8 hours for those traveling more than 250 miles one way; 4 hours for those traveling more than 150 miles but less than 250 miles.
- e. Administrative leave will be awarded in hours for those employees who work a non-standard work week.

Chapter V

MEMBERSHIP SERVICE

- A. INSURANCE: A secondary goal of AFSCME Local 4041 is to provide benefits to its membership that is not available to state employees generally. In furtherance of this goal, the Union will and has entered into agreements with insurance companies to provide a variety of insurance to members on a payroll deduction basis.

Where feasible, the Union will provide group plans with the purpose of lowering insurance cost to the individual member.

No effort is made to limit the types of insurance offered.

AFSCME Local 4041 Executive Board is responsible for the bidding, purchasing and overseeing of all such insurance programs.

The Executive Board must review any requests for AFSCME Local 4041 endorsement of Insurance programs where the final decision will be made.

- B. LEGAL SERVICES: The primary function of AFSCME Local 4041 is the representation of all members. To that end and in order to insure the expenditure of the dues, money and funds of AFSCME Local 4041 consistent therewith, AFSCME Local 4041 is not obligated to provide legal representation for any individual member. Rather, legal representation will be provided on an individual basis only upon the terms and conditions provided in this section. AFSCME Local 4041 may further deny legal representation to any member on the basis of lack of funds.
1. AFSCME Local 4041 will provide legal assistance to individual members in the following cases and under the following conditions and circumstances:
 - a. In those cases where AFSCME Local 4041, through its Chief of Staff agrees to accept a grievance and to represent the member.

- b. In those cases where, in the considered judgment of the Chief of Staff, or the AFSCME Local 4041 Executive Board, the services of a lawyer are necessary to resolve a grievance.
 - c. AFSCME Local 4041 shall not be obligated to pursue any grievance should the grievance advance to the next level. The decision to withdraw legal representation under this subsection (c.) may be made either by the Chief of Staff, legal counsel or the AFSCME Local 4041 Executive Board.
 - d. AFSCME Local 4041 shall select and retain the attorney through whom legal services are to be provided. AFSCME Local 4041 will not, under any circumstances, be obligated for the legal fees of an attorney not selected by it.
 - e. The legal services to be furnished under this section shall, except as hereinafter provided, be confined to cases involving: suspension, demotion, dismissal, involuntary transfer, and on-the-job injuries where in the judgment of the Chief of Staff the case is beyond the capability of other staff members. Legal services may be furnished in other cases where, in the considered judgment of the Executive Board, such services are necessary to protect the joint interests of the members of AFSCME Local 4041.
2. Each AFSCME Local 4041 member being represented by the AFSCME Local 4041 attorney or Chief of Staff in a case involving an administrative hearing, Personnel Commission hearing, or judicial review, may be required to sign a contract:
- a. Stipulating that AFSCME Local 4041 shall be reimbursed for all costs involved if the employee voluntarily withdraws from the case before its completion or refuses to return to work (if appropriate) after successful completion of the case.
 - b. Stipulating that AFSCME Local 4041 shall be reimbursed for all costs involved in representing the member, but not more than one-third of any settlement, in cases of successful completion of a case involving back pay or other economic matters.
 - c. In special cases the AFSCME Local 4041 Legal Counsel and Chief of Staff may cause other types of contracts to be executed and special arrangements may be made in cases involving groups of appellants.
- C. GRIEVANCE: The following will be the official internal Grievance procedure of the AFSCME Local 4041.

This policy is adopted in order to assure that members' Grievances are handled in a professional, effective and confidential manner.

The AFSCME Local 4041 believes that grievances should be kept to a minimum and that this can best be accomplished through effective agency internal communications and progressive working conditions.

It shall be the policy of AFSCME Local 4041 to protect the employee from exposure to gossip and from reprisal by his supervisor; resolve a grievance at the lowest possible level; follow proper, established channels when they are consistent with good personnel practices, and to keep the matter as confidential as possible.

Unless unusual circumstances dictate otherwise, AFSCME Local 4041 does not generally handle a grievance until the aggrieved employee has discussed it with his or her supervisor. AFSCME Local 4041 can handle grievances prior to the aggrieved employee speaking to the supervisor if the circumstances warrant it. Grievance means a formal complaint by an employee concerning any aspect of the employment relationship. Law requires some grievances to be heard by the Personnel Commission hearing Officer (such as dismissals, demotions and suspensions). Other grievances are heard by the Personnel Department, the agency involved or the Employee Management Committee.

Problems or complaints are less formal and involve a number of areas. In most instances they can be cleared up without resorting to the full grievance procedure.

Classification and salary appeals do not necessarily follow the full grievance procedure.

Unless there are extraordinary circumstances, which would be for the good of State employees, AFSCME Local 4041 will generally not assist in any grievance, which arose prior to the time the employee became a member of AFSCME Local 4041. The Grievance Committee, Executive Board or Chief of Staff can approve representation prior to membership.

1. The aggrieved employee shall first discuss the matter with his immediate supervisor. If this does not resolve the dispute the employee may contact the AFSCME Local 4041 Administrative Office.
2. The aggrieved may discuss the grievance with the AFSCME Local 4041 staff before going further. If the aggrieved wishes to utilize AFSCME Local 4041 facilities for processing the grievance they shall put the grievance in writing.
3. Following discussion with the employee, the Chief of Staff (personally or operating through another staff member) may refuse to represent a member if he feels that there is no merit to the case. The member may appeal this decision to the Executive Board. The Executive Board shall meet promptly to determine whether the Union should take the case.
 - a. Any appeal to the Executive Board of AFSCME Local 4041 denial of representation shall be made, in writing, within 10 days of such written denial of representation except that the Executive Board may, in its discretion, extend or wave such time limits for reasons that are just and equitable.
 - b. Any member who appeals to the AFSCME Local 4041 Executive Board on the denial of representation by an employee representative or legal counsel must agree in writing to waive any and all privilege that may otherwise apply to the said member's previous communication to such employee representative or legal counsel regarding the case for which representation is being

sought. Such waiver of privilege shall apply only to legal counsel's or employee representative's communication to the AFSCME Local 4041 Executive Board.

The AFSCME Local 4041 Executive Board shall adopt regulations providing for such waiver and setting forth procedures for appeals. Such regulations shall provide that the Board shall not consider the appeal of any member refusing to waive privileges set forth herein.

4. Since the fundamental purpose of the Probationary Period is an extension of the examination process necessary to determine if the employee is able to meet the high standards of State government, employers should have latitude in terminating probationary employees who indicate the probability that they will be unable to perform. However, termination or disciplinary action against a probationary employee should be based on established job standards. A probationary employee who feels his termination was based on arbitrary or capricious action should have the full rights of appeal.
5. AFSCME Local 4041 will supply a form that all aggrieved members shall sign after being denied representation, either orally or in writing, which will inform them of their rights to appeal to the AFSCME Local 4041 Executive Board and clearly and completely outline the steps necessary to effect such an appeal. The original copy of the form will be kept as part of official AFSCME Local 4041 records and a copy given to the AFSCME Local 4041 member involved.
6. If the grievant signs a waiver as to confidentiality, it will not be deemed a violation of the confidentiality of the AFSCME Local 4041 Grievance Policy to publicize the grievance.

D. AFSCME LOCAL 4041 STEWARD

1. The individual must be a permanent classified employee, a member of AFSCME Local 4041 for at least 90 days and be informed and willing to become informed of AFSCME Local 4041 objectives, policies and goals.
2. Any AFSCME Local 4041 member who wishes to be designated as an AFSCME Local 4041 Steward must:
 - a. Attend a formal AFSCME Local 4041 Training Program
 - b. Receive the approval of the President
 - c. Be re-designated on an annual basis.
3. Appointment of AFSCME Local 4041 Stewards can be made by the President upon the recommendation of the appropriate Regional Vice-President and/or Chief of Staff.
4. AFSCME Local 4041 Stewards will receive appropriate certificates.
5. AFSCME Local 4041 Steward will be responsible for:

- a. Recruiting new members, promoting AFSCME Local 4041 objectives, distributing information such as posters, newsletters, brochures, etc.
 - b. Assisting members in reaching and talking to the appropriate person(s) regarding retirement, insurance, personnel matters, etc.
 - c. Referring members to AFSCME Local 4041 staff when appropriate.
 - d. Relaying member concerns and attitudes to the nearest AFSCME Local 4041 staff office.
 - e. Provide assistance and information to members concerning their possible grievances.
 - f. Advise and/or represent other members in grievances at the first formal level... AT SUCH TIME AS THE LOCAL STAFF EMPLOYEE REPRESENTATIVE IS SATISFIED THAT THE AFSCME LOCAL 4041 STEWARD IS CAPABLE.
6. AFSCME Local 4041 Stewards are encouraged to bring resolutions to staff and chapters on an ongoing basis. When AFSCME Local 4041 Stewards bring resolutions to staff, it will be determined whether they can be handled by grievance or other forms of representation or whether they should be sent on to the appropriate chapter. The staff member will assist the AFSCME Local 4041 Steward in writing the resolution but may not terminate the resolution.
7. There will be a special publication for AFSCME Local 4041 Stewards. Such a publication should discuss grievances in such a way that it adds guidance for the AFSCME Local 4041 Stewards.
8. Each staff member will be assigned certain AFSCME Local 4041 Stewards and meet with them periodically.
- E. AWARDS: The Biennial Convention in biennial session shall have the power to award the “Member of the Year” recognition and the “Jerry Cianci Award” in keeping with the following guidelines:
- 1. Only one “Member of the Year” and one “Jerry Cianci Award” may be presented at any given General Council.
 - 2. Each chapter may nominate any one AFSCME Local 4041 member or former member for the Jerry Cianci award. Such nomination must be submitted, in writing, 45 days prior to the convening of Biennial Convention by a written report of the candidate’s activities over the entire period of state employment and AFSCME Local 4041 membership. The President presiding over the annual convention is not eligible for the award.
 - 3. Each chapter may nominate any one AFSCME Local 4041 member for the Ellen Steiner Member of the Year award. Such nomination must be submitted, in writing, 45 days prior to the convening of Biennial Convention by a written report of the candidate’s activities over the entire period of state employment and AFSCME Local 4041 membership. The President presiding over Biennial Convention is not eligible for the award.

4. Any AFSCME Local 4041 member may be nominated for either award based upon the following:
 - a. “Member of the Year” – recognition to a member for particularly outstanding contributions or special project **during the preceding year**.
 - b. “Jerry Cianci Award” – recognition to a member, or former member, for continuing contributions made to the AFSCME Local 4041 **over a long period of years**.
5. All delegates will receive copies of the written nominations at the same time as they received the advance packet of resolutions. No speeches will be made on behalf of the candidates and advertising for award nomination is discouraged.
6. Voting will be the Biennial Convention delegates by secret written ballot at the same time as the State Officer elections on the last day. The recipient of the award will be the person receiving the most votes.
7. Results will be announced and appropriate plaques presented at the closing Biennial Convention banquet session.

F. UNION ACTION:

1. Advertising
 - a. Advertising will be accepted only for the products, which have received the official endorsement of AFSCME Local 4041. No other advertising will be accepted.
 - b. Advertising rates will be set by the Executive Board and made available upon request to companies, which have received the endorsement of AFSCME Local 4041. No agency discounts will be given.
 - c. The size of advertisements may be limited by space availability at the discretion of the Communications Committee.
2. Editorial
 - a. Material included in the UNION ACTION shall be of such nature as to be of interest to state employees.
 - b. Editorial material included in the UNION ACTION shall be primarily concerned with public employees and shall not compete with general circulation newspapers.
 - c. All articles, which express an opinion, including the editorials shall include the name of the author.

- d. The UNION ACTION shall be generally concerned with news of interest to state employees with a minimum amount of propaganda.
- e. The editorial staff of the UNION ACTION shall be guided by the highest standards of journalistic conduct and shall not engage in writing policies, which would bring discredit upon the publication through scurrilous articles.
- f. News and editorial material shall constitute at least 50% of the total space available.
- g. Letters to the Editor must have the signature of the author; however, it will be withheld from publication upon request.

G. DISCOUNTS FOR MEMBERS: Discounts for the membership is not a primary purpose of AFSCME Local 4041, therefore the Union shall be guided by the following policy:

- 1. All discount programs to be available statewide and the Executive Board must approve direct endorsement of AFSCME Local 4041 in advance.
- 2. All discounts must be thoroughly checked out to determine the authenticity of a true discount available only in this manner.
- 3. Discounts should be garnered through the advantage of a large potential group rather than state workers should get preferred treatment.
- 4. Discounts will not get free publicity in the UNION ACTION unless the Executive Board or the Communications Committee approves them. Chapters may publicize local discounts in chapter newsletters, but state endorsement should not be implied.
- 5. Current statewide discounts are:
 - a. Insurance programs endorsed and approved by the Executive Board as follows:
 - AFSCME Advantage
 - Union Plus AFL-CIO
 - Davis Vision Insurance (Supplemental)
 - American Income Life
 - AFLAC
 - b. Group Travel
 - AFSCME Advantage
 - UNION Plus AFL-CIO
 - Aquarium of the Pacific (Long Beach)
 - LegoLand
 - Grand Canyon Train Tour
 - Shamu's Dolphin Club (Sea World)
 - Funseekers Club (Magic Mountain)

Zoofari Club (San Diego Zoo & Wild Animal Park)
Fan Club (Universal Studios)

- H. OFFICER TRAINING: The AFSCME Local 4041 staff will conduct chapter officer training programs as soon as possible after chapter elections and installation of officers.
- I. BENEFITS OF AFSCME Local 4041 CLASSES OF MEMBERSHIP:
1. Employee Member: Entitled to all benefits.
 2. Honorary Member: No dues – no benefits – strictly “Special Recognition”
 3. Life Member: Receives Lifetime Membership Card, the UNION ACTION at no charge, Travel Discount Cards, if requested. Pays no dues.
 4. Retired Member: Those on State Retirement. Retired members may continue their insurance premium payments through payroll deduction (from their retirement checks). Receive the UNION ACTION and Travel Discount cards, if requested. Dues are \$5.00 per month until changed by the Retiree Board of Directors.
 5. Associate Member: Pays full dues and is eligible for insurance programs with premiums payroll deducted. No representation.
 6. Probationary Member: Pays ½% dues and is eligible for all membership benefits except representation for grievances and/or rejection during probationary period. Automatically becomes a regular “Employee Member” upon conclusion of the Probationary Period.
- J. MEMBER FILES: AFSCME Local 4041 member files will be retained of a period of two years from the date of membership terminations except for those members who have information regarding grievances and/or hearings in which case the files will be maintained for six years from the date of membership termination, as outlined in the Record Retention Policy.

Chapter VI

RESOLUTIONS

- A. WHAT IS A RESOLUTION: A resolution is an idea or thought initiated by a member or group of members at the grass roots level and carried to the uppermost levels of government through a simple, but effective process. It is a thought that benefits the working conditions of State employees. A resolution may be uncomplicated such as changing the hours of work from 8:00 a.m. to 5:00 p.m. to 8:00 a.m. to 4:30 p.m., or it can be complicated, affecting not only state employees but other government jurisdictions and the general public.

- B. **SUBMISSION:** Where and to whom should you submit your resolution (idea)? An idea is formulated with a single member or group of members. The idea is reduced to writing and presented at a regular AFSCME Local 4041 meeting.

If the resolution is accepted by the membership at a chapter meeting it is submitted to the Administrative Office in accordance with AFSCME Local 4041 Bylaws, Article IX, Section 5 (1.b):

1. A resolution intended for consideration by the Annual Convention:
 - a. Must be approved at a regular chapter meeting prior to the chapter submitting the resolution to the Administrative Office; AND
 - b. Must be delivered to the Administrative Office in duplicate not less than forty-five (45) calendar days prior to the convening of the session of the Annual Convention; OR
 - c. May be presented by a chapter president to the Executive Board at the Pre-Council Board Meeting after his or her chapter has approved it for submittal to the Convention. The chapter president will provide one hundred and fifty (150) copies of the resolution and give an oral explanation as to why the resolution is submitted late. The Executive Board will approve or disapprove introduction of the late resolution to the Convention on the merits of the resolution's untimely submittal; OR
 - d. May be submitted by the Chairman of a Union Standing Committee of which the Resolution pertains (Bylaws Article IX, Section 5 (1.d) to the Executive Board at the pre- Annual Convention Board Meeting. The Executive Board will approve or disapprove introduction of the resolution to Annual Convention on the merits of the resolution's subject matter and it will not be considered untimely.
2. A resolution that requests the Union to conduct a survey must include the cost schedule required to perform the survey.

Upon receipt of the resolution from the Chapter or Board, the Administrative Office corrects any inconsistencies, clerical or grammatical errors. The resolution in final form is coded according to subject matter. It is then reproduced in sufficient quantity to allow each official General Council representative a personal copy.

The finalized resolution is presented to the General Council for consideration.

- C. **HOW TO PREPARE A RESOLUTION:** An idea being prepared as a resolution must be reduced to writing. The "resolution" forms are designed to assist you in preparing a resolution and following through on final action.

NOTE: Forms are available upon request from the Administrative Office.

Procedure for completing Resolution Forms – Page 1

CODE: An alphanumeric code number assigned to the resolution according to subject matter. For example, let's analyze the Code WC-1-66. The two letters "WC: (Working Conditions) represent the category into which the resolution falls. Here is a partial list of such categories:

<u>CATEGORY</u>	<u>CODE</u>
Working Conditions	WC
Retirement	RET
Salaries & Wages	S&W
Constitution & Bylaws	C&B
Insurance	INS
Policy & Planning	P&P
Merit System	MS

The -1- (middle digit) represents the order in which the particular resolutions submitted for presentation to the Annual Convention.

The -66 (last two digits) represents the year in which the resolution originated.

The Administrative Office supplies the CODE.

RESOLUTION: Write the resolution as proposed.

Procedure for completing Resolution Form – Page 2

CODE: Same as Page 1

TOPIC: Same as Page 1

SUBMITTED BY: Same as Page 1

Chapter Comments: Record any comments made at the Chapter level concerning the proposed resolution. Comments should include both "for" and "against" issues.

Committee Comments: This section is reserved for comments made by the Annual Convention Committee assigned the resolution. These comments should be Comprehensive and again depict both "pro" and "con" issues.

D. ACTION: Record any action taken.

1. Page 2 is designed to provide a chronological order of events from the initiation phase of a resolution to the Convention.

E. SUMMARY: A brief explanation of events following the passage of a resolution at the Annual Convention may be valuable if questioned by other members. Following passage of a resolution the Executive Board advises the Chief of Staff on the course of action to follow: (1) If an appropriate resolution is to be presented to the legislature it is drafted into Bill form; (2) If the resolution is an AFSCME Local 4041 housekeeping measure appropriate steps are taken to implement the resolution through Board action; (3) If the resolution pertains to Personnel Commission action the Chief of Staff is

authorized by the Executive Board to take action based upon subject matter and timeliness for presentation to such Commission.

- F. REVIEW AND REPORT: The AFSCME Local 4041 Executive Board shall report annually on what specific action has been taken to accomplish each active Resolution with accompanying recommendations for rescinding active Resolutions that cannot be accomplished; with the approval of Biennial Convention.

(Page 1)

**AFSCME LOCAL 4041
BIENNIAL CONVENTION**

DATE_____

CODE:

TOPIC:

SUBMITTED BY:

REASON:

WHEREAS,

RESOLUTION:

THEREFORE BE IT RESOLVED:

**AFSCME LOCAL 4041
BIENNIAL CONVENTION**

CODE: (Do not write in this space)

TOPIC:

SUBMITTED BY:

CHAPTER COMMENTS:

COMMITTEE COMMENTS:

ACTION: Assigned Committee (Do Pass)_____ (Do Not Pass)_____
(Table)_____

General Council (Do Pass)_____ (Do Not Pass)_____
(Table)_____

Board Action:

Chapter VII

CLARIFICATION & QUALIFICATIONS OF BYLAWS PROVISION

A. CRITERIA REQUIREMENTS FOR GENERAL COUNCIL DELEGATES:

1. Delegates shall be full time classified non-appointed State employees. (Note: This limits delegates for Annual Convention to the Employee-Member class only.)
2. Delegates shall be members of AFSCME Local 4041 for at least six months immediately prior to Annual Convention, excluding involuntary breaks in service not to exceed one year.

Chapter VIII

Nevada Local 4041 Endorsement By-Laws

As unanimously adopted by the Local 4041 Executive Board on January 13, 2018

A. STATE LAW AND LEGISLATIVE COMMITTEE: The State Law and Legislative Committee (“the Committee”) shall be comprised of the Local 4 Executive Board. Any Committee member may designate another Local 4041 member in good standing to take their place of the committee.

B. ADOPTION OF LEGISLATIVE PROGRAM:

1. The Committee shall review all standing resolutions, policy goals, any available surveys, and consider the current political climate and past experience in setting priorities to establish the Union’s program.
2. The Committee shall adopt a legislative program between the November elections in even-numbered years and February 1st of odd-number years.

C. RECOMMENDATION OF POLITICAL CANDIDATES:

1. The Committee shall have jurisdiction to make endorsements for all political elections in Nevada, except that it shall make only a recommendation to the International for federal races. The responsibility for federal endorsements rests with the International.
2. The endorsement of the Committee shall be the only AFSCME endorsement for Local 4041 and all its constituent regions, chapters, sub-chapters, and any other AFSCME affiliate in Nevada, other than retirees.
3. The Committee may consider previous voting records, questionnaires, interviews, viability, other organizations' support, and any other factor in weighing an endorsement. Questionnaires and interviews are not required in all situations, but are recommended.

4. Except in the event of special or recall elections, no endorsement of state legislative candidates, statewide candidates, or county candidates shall be made prior to January 1 of even-numbered years. Timing for all other endorsements may be determined at the discretion of the committee.
5. Endorsements (or recommendations to the International in the case of federal races) shall require a two-thirds vote of the Committee. Attendance and voting may include by telephone or other electronic participation.

Section D: LOBBYING:

1. AFSCME Local 4041's Executive Board shall determine the members of the lobbying team prior to each legislative session, and may include Local 4041 staff, International staff, and/or outside hired lobbyists at the discretion of the Local 4041 Executive Board.
2. The Chief Lobbyist (as designated by the Executive Board) may use the assistance of any AFSCME Local 4041 member in good standing or staff when appropriate and beneficial to AFSCME Local 4041's lobbying activities.
3. No member or staff shall lobby on behalf of AFSCME Local 4041 without the approval of the Executive Board and the Chief Lobbyist.
4. Members and staff shall keep the Chief Lobbyist informed of all pertinent contacts with legislators and/or other elected officials, or their representatives, aides, or assistants.

Chapter IX

AMENDMENTS

These bylaws may be amended when necessary by two-thirds majority of the board of directors. Proposed amendments must be submitted in writing to the President to be sent out with regular board announcements.

CERTIFICATION

These bylaws were approved at a meeting of the AFSCME Local 4041 Executive Board by a two-thirds majority vote:

President Signature

Date