

Constitution

GAO Employees Organization

Local 1921
of the
International Federation of Professional and
Technical Engineers (IFPTE)
AFL-CIO

Exclusive bargaining representation for employees of the
United States Government Accountability Office (GAO)

As ratified [x x, 2008]

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Preamble

In recognition of our common challenges, goals, strengths, and experiences, we, as employees of the Government Accountability Office, establish this union and this Constitution. We establish this union to maintain and improve the staff morale and quality of work life at GAO, to enhance GAO's work and its reputation with the Congress and the American people, to ensure fair and just working conditions, to ensure that all employees are treated fairly and equitably, and to ensure that GAO employees are fully informed and have a voice in determining their working conditions. We establish this Constitution to ensure that our Union adopts all the principles of equal opportunity, inclusiveness, and openness, and operates according to the principles of democracy, diversity, and accountability.

Article I Name and Affiliation

- Section 1: The name of this Organization is the GAO Employees Organization, referred to hereafter as the Organization.
- Section 2: This Organization is affiliated with the International Federation of Professional and Technical Engineers (IFPTE) and is Local 1921 of the IFPTE.
- Section 3: The above provisions notwithstanding, GAO employees are bound by the principles of nonpartisanship and audit independence in their work. Any political endorsement or policy position taken by IFPTE is not on behalf of, and does not represent, the GAO Employees Organization or any of its members, and neither the Organization nor any of its members will be bound or obligated thereby.

Article II Membership

Section 1: Membership in the Organization is voluntary. There are two (2) classes of membership: union membership and associate (nonvoting) membership. Subject to the provisions below, all GAO employees or retirees shall be eligible for either union or associate membership regardless of race, creed, color, sex, age, ethnicity, national origin, religion, disability, sexual orientation, or gender identity. The Union shall keep all membership records confidential.

Section 2: All current GAO employees classified within the designated bargaining unit who elect to join the union and remain current on union dues will be union members. The Membership:

- a. Shall retain all powers and authority not granted to the Officers, Assembly, or Stewards by this Constitution;
- b. Shall discharge the retained powers through membership meetings, using appropriate technology to ensure full participation for field locations;
- c. Shall be entitled to nominate candidates and vote in all union elections as provided in Article IX;
- d. Shall ratify by secret balloting the amount and schedule of dues to be paid to the union, as proposed by the Assembly;
- e. Shall ratify amendments to the Constitution as provided in Article XIII;
- f. Shall remove Officers and Assembly Delegates, as provided in Article XII;
- g. Shall ratify any collective bargaining agreements by a majority of votes cast in a secret ballot of all union members; and
- h. Shall be eligible to serve on union committees as provided elsewhere in this Constitution or by the Assembly.

Section 3 Retired GAO employees and current nonmanagerial employees not in the bargaining unit are eligible for associate membership. Associate members:

- a. May attend general membership meetings;
- b. May participate in committees if authorized by the Assembly;
- c. May receive updates and news from the union; and
- d. Will be assigned a specified dues amount to be specified by the Assembly.

Article III Assembly

- Section 1. The Assembly shall be composed of the Delegates as described in this Article and the Officers as described in Article IV.
- a. Delegates shall be elected by the Membership in particular units:
 1. One (1) Delegate shall be elected by each headquarters team;
 2. One (1) Delegate shall be elected by each field office;
 3. One (1) Delegate shall be elected by Professional Development Program (PDP) staff rotating among teams in headquarters;
 4. One (1) Delegate shall be elected by PDP staff rotating among teams in the field;
 5. One (1) Delegate shall be elected by PDP staff rotating within a team; and
 6. One (1) Delegate shall be elected by the Communications Analysts.
 - b. One (1) Delegate shall be elected at large to represent the interests of Band I employees not in the PDP program.
 - c. Six (6) Delegates shall be elected at large to represent the interests of the entire membership, with a particular focus on one of the six designated diversity groups that have historically faced discrimination in the workplace, respectively:
 1. African Americans;
 2. Asian Americans;
 3. Employees age 40 or greater;
 4. Employees with disabilities;
 5. Gay, Lesbian, Bisexual, and Transgender (GLBT) employees; and
 6. Hispanics.
 - d. The five (5) Officers described in Article IV shall also serve as ex officio voting members of the Assembly.
 - e. Each delegate is elected for a term of two (2) years, except that a delegate elected in the first election under this Constitution shall serve a term ending in the second November after the first election is held.

Section 2. The Assembly shall:

- a. Establish policies for the union, including bylaws;
- b. Establish ad-hoc committees;
- c. Propose amendments for membership approval;
- d. Oversee the Organization's Officers;
- e. Receive reports from the Treasurer on the financial status of the union, formulate and approve the annual budget, and approve all unbudgeted expenditures greater than \$500 or a lower amount as adopted by the Assembly;
- f. Manage its own operation by establishing procedures for the conduct of its meetings and determining regular meeting times and places;

- g. Approve proposed agreements with management for ratification by the membership;
- h. Submit proposals for changes in the dues structure for membership approval; and
- i. Submit proposals for amendments to this Constitution for membership approval.

Section 3. The Assembly shall be chaired by the President.

Section 4. The Delegates to the Assembly shall serve as Stewards.

Article IV Officers

Section 1. There are established five (5) Officers of this Organization, with the responsibility for the administration of this Organization in accordance with applicable laws and regulations, this Constitution, and the bylaws and policies of this Organization as determined by the Assembly. These officers are the President, the Vice President for Grievance and Dispute Resolution, the Vice President for Field Operations, the Secretary, and the Treasurer. All five Officers will be voting members of the Assembly.

Section 2. The President shall:

- a. Serve as the primary representative of the Organization to the Congress and the public, to GAO management, to the membership, and to the bargaining unit;
- b. Coordinate the work of the Officers and ensure their compliance with this Constitution and the bylaws and policies of this Organization as determined by the Assembly;
- c. Lead collective bargaining discussions and negotiations with GAO management; and
- d. Present proposed agreements with management to the Assembly for its consideration.

Section 3. The Vice President for Grievance and Dispute Resolution shall:

- a. Manage and coordinate the process of dispute resolution and ensure compliance with grievance procedures;
- b. Chair the Grievance and Dispute Resolution Committee;
- c. Coordinate the work of the Stewards; ensure that Stewards comply with the requirements of applicable laws, Organization bylaws and policies, and standards of professionalism and confidentiality; and assume primary responsibility for the training of Stewards;
- d. Be responsible for educating members of the bargaining unit on grievance procedures; and
- e. Assume the responsibilities of the President in the event of the temporary absence of the President.

Section 4. The Vice President for Field Operations shall:

- a. Serve as a primary contact and liaison for Organization members in field offices and facilitate communication between headquarters and the field;
- b. Provide input to the President, other Officers, and the Assembly about matters of concern to field offices;

- c. Represent the interests of the field in collective bargaining discussions and negotiations with management; and
- d. Assume the responsibilities of the President in the event of the temporary absence of the President and the Vice President for Grievance and Dispute Resolution.

Section 5. The Treasurer shall:

- a. Serve as the chief financial officer of this Organization;
- b. Track and record all income and disbursements, manage the accounting system, and arrange and oversee periodic financial audits, in accordance with Article X;
- c. Be responsible for receiving and depositing all Organization funds;
- d. Report on the Organization's financial status to the Assembly on a regular basis and as needed; and
- e. Prepare an annual budget for consideration and approval by the Assembly and subsequent publication to the membership.

Section 6. The Secretary shall:

- a. Record the minutes for all meetings of the Assembly;
- b. Maintain all records of the Organization;
- c. Prepare all correspondence to the Membership;
- d. Maintain membership records; and
- e. Coordinate membership recruitment and retention activities.

Section 7. The five (5) Officers will be elected at large by the members of this Organization, except that the Vice President for Field Operations will be elected only by those members who are stationed in field offices at the time of election. All Officers will be elected for a term of two (2) years, except that at the first elections held under this Constitution, the Vice President for Grievance and Dispute Resolution and the Vice President for Field Operations will be elected for terms ending the first November after the first election is held, and the President, Treasurer, and Secretary shall be elected for terms ending the second November after the first election. No Organization member may be elected to the same office more than twice consecutively and no member may serve as more than one officer simultaneously. Elections for Officers will be held at a date to be determined by the Assembly, and under such rules and procedures as may be prescribed by the Elections Committee in accordance with Article IX.

Article V Stewards

Section 1: Delegates to the Assembly shall serve as Stewards. The Vice President for Grievance and Dispute Resolution, with the advice and consent of the Assembly, shall determine whether additional Stewards are needed to serve a particular office, team, or group. Each additional Steward shall be a member of the Organization elected to a term of two (2) years by the Organization members in the office, team, or group that the Steward would serve, except for additional Stewards elected during the first election under this Constitution, who shall serve terms ending in the second November after the first election. In the event that an office, team, or group does not elect a Steward, the Vice President for Grievance and Dispute Resolution shall designate a Steward elected by another unit to temporarily serve as a Steward for that office, team, or group until such time as a Steward for that office, team, or group is elected. A Steward designated in this manner may work in a different office, team, or group. The workload and training of Stewards shall be overseen by the Vice President for Grievance and Dispute Resolution to ensure that all Stewards are appropriately trained and that their workloads are reasonable.

Section 2: Stewards shall:

- a. Advise and assist bargaining unit employees on matters pertaining to their rights—including as related to adverse actions and potential and actual grievances—as established by a collective bargaining agreement, Government Accountability Office regulation, or law;
- b. Coordinate with the Grievance and Dispute Resolution Committee and the Vice President for Grievance and Dispute Resolution about potential and actual grievances brought by bargaining unit employees;
- c. Observe meetings under specified circumstances;
- d. Serve as the Organization's point of contact for members or bargaining unit employees that have questions or concerns related to the Organization; and
- e. Assist the Organization in enlisting bargaining unit employees as members of the Organization.

Section 3: The Vice President for Grievance and Dispute Resolution shall determine the optimum number of Stewards to ensure adequate and accessible representation for all bargaining unit employees and specify the number to be allocated to each team, office, or group with approval from the Assembly. In sensitive matters where a Steward may be needed to represent a bargaining unit employee, the Vice President for Grievance and Dispute Resolution may assign a Steward from outside the employee's office, team, or group to better ensure independence and confidentiality.

Article VI

Grievance and Dispute Resolution Committee

Section 1: There is established a Grievance and Dispute Resolution Committee to be comprised of elected Stewards. Members of the Grievance and Dispute Resolution Committee will be appointed to two-year terms by the Vice President for Grievance and Dispute Resolution and confirmed by majority vote of the Assembly. The total number of members shall be determined by the Assembly and specified in the Organization's bylaws. The Vice President for Grievance and Dispute Resolution shall serve as chair of the Grievance and Dispute Resolution Committee and ensure that sensitive matters are handled appropriately to preserve members' privacy.

Section 2: The Grievance and Dispute Resolution Committee shall:

- a. Ensure that members of the GAO Employees Organization comply with the terms of any collective bargaining agreement;
- b. Review compliance of GAO management with the terms of any collective bargaining agreement;
- c. Evaluate grievances and have the discretion to recommend to the Assembly the arbitration of grievances, in accordance with the following:
 1. The committee shall consider both members' interests and the prudent use of union resources; and
 2. A decision by the Grievance and Dispute Resolution Committee not to recommend the arbitration of a grievance may be appealed to the Assembly by the affected bargaining unit member or members.
- d. Adjudicate disputes between members of the Organization; and
- e. Ensure that Stewards receive initial and ongoing training, in coordination with the Vice President for Grievance and Dispute Resolution.

Article VII Elections Committee

Section 1: There is established an Elections Committee to be comprised of members of the Organization who are not currently serving, or seeking, elected positions in the relevant election cycle. Members of the Elections Committee shall serve for two-year terms upon appointment by the Assembly. The total number of members shall be determined by the Assembly and specified in the Organization's bylaws. The chair of the Elections Committee will be appointed by the Assembly.

Section 2: The Elections Committee shall:

- a. Administer elections for Officers, Delegates, and Stewards;
- b. Prepare and distribute election materials;
- c. Create and manage balloting procedures;
- d. Tabulate and announce results to the membership; and
- e. Schedule and administer off-cycle elections as called for by the Assembly or petition by the Membership as established in articles XI, XII, or XIII.

Section 3: Members of the Elections Committee who wish to run for an elected position shall resign their position on the Elections Committee at least three (3) months in advance of the upcoming election in which they plan to run.

Article VIII Additional Committees

Section 1: The Assembly may establish additional committees not specified in this Constitution to ensure the effective and efficient operation of the Organization. Any committee may establish subcommittees or designate task teams as needed. Purpose, composition, leadership, and terms of service may be determined by the Assembly.

Article IX Election Process

- Section 1: Regular elections shall be held each calendar year, to be concluded October 31 with those elected taking office by November 15 of the same year. For each election cycle, the Assembly shall determine the specific dates when elections will be held and when those elected will take office.
- Section 2: Regular elections will determine the Officers, Assembly Delegates, Stewards, and any position not filled by special election.
- Section 3: Elections will take place in three (3) rounds, as follows:
- a. Round 1 will be a GAO-wide election for all members of the Organization to select Officers;
 - b. Round 2 will be a GAO-wide election for all members of the Organization to select Delegates to the Assembly; and
 - c. Round 3 will be unit-specific elections for all members within each team, office, or unit to select Stewards.
- Section 4: Any member in good standing shall be eligible to run for and hold elected office, in accordance with the following:
- a. Any member may run for any at-large position, including diversity seats;
 - b. Members seeking to represent a particular team, office, or unit must be currently assigned to that team, office, or unit;
 - c. Members seeking the Vice Presidency for Field Operations must be assigned to a GAO field office; and
 - d. Members must be nominated for a specific position by themselves or by another member. Nominations may be withdrawn in advance of the election by notification to the Elections Committee.
- Section 5: Voting shall take place as follows:
- a. At large positions: Each member may vote for one candidate for each at-large position (including the Band I Delegate, diversity Delegates in the Assembly, and Officers, with the exception of the Vice President for Field Operations).
 - b. Unit-specific Assembly positions: Each member may vote for one candidate only for the Assembly position that is elected to represent his or her specific team, field office, or unit. Only members assigned to field offices may vote in an election for the Vice President for Field Operations.
 - c. Communications Analysts: Only communications analysts vote for the Delegate representing communications analysts, and communications analysts

do not vote for the Delegate representing the team or field office to which they are assigned.

- d. Stewards: Each member may vote for the Stewards standing for election to represent his or her team, field office, or unit. The Vice President for Grievance and Dispute Resolution will designate the number of Stewards for each team, field office, or unit, with approval from the Assembly.
- e. Every member will be eligible to vote for one and only one Delegate to represent their unit, including teams, field offices, communications analysts, and PDP. The Elections Committee shall make a determination about which unit a member may vote with if there is any ambiguity as to which unit that member is assigned.

Section 6: Elections for offices where more than two candidates are running shall be conducted with instant run-off voting with a minimum threshold for election of fifty (50) percent of the vote.

Article X Finances

- Section 1: The Organization shall maintain financial records in accordance with relevant statutory, regulatory, and IFPTE requirements and accounting standards.
- Section 2: Checks drawn from the Organization's funds must be signed by two (2) separate Officers. To ensure accountability, the Assembly shall designate in the bylaws the maximum amount of union funds that can be expended or financial obligations undertaken without prior approval by the Assembly, not to exceed \$500. As provided in Article III, the Assembly shall approve all unbudgeted expenditures greater than \$500.
- Section 3: The Treasurer shall submit an annual budget for approval by the Assembly.
- Section 4: The Treasurer shall arrange for an audit of the Organization's finances to be conducted at least every three (3) years by an external party. During years without an external audit, the Treasurer shall arrange for an internal audit of the Organization's finances.

Article XI Succession

Section 1: In the event of an Officer vacancy:

- a. The President is succeeded by the Vice President for Grievance and Dispute Resolution, who shall serve on an interim basis pending a special election.
- b. Any other vacant Officer (Vice President, Treasurer, or Secretary) position will be filled by a replacement to be designated by majority vote of the Assembly. The designee shall serve on an interim basis until a special election can be held.
- c. The Assembly shall call for a special election with sufficient time to ensure that interim Officers can be replaced by elected Officers within three (3) months of the vacancy.

Section 2: In the event of an Assembly Delegate vacancy, the Assembly shall call for a special election—at-large or within the unit, team, or office represented by that Delegate—with sufficient time to ensure an elected replacement within three (3) months of the vacancy.

Section 3: In the event that a vacancy occurs no later than three (3) months before a regularly scheduled election, the Assembly shall not call for a special election, but rather wait for the seat to be filled during the regular election.

Article XII Removal

- Section 1: Petitions for the removal of Officers, Assembly Delegates, and Committee chairpersons shall be submitted as follows:
- a. Removal of Officers or Assembly Delegates elected at large or Committee chairpersons shall be initiated by submission of a petition for removal signed by twenty-five (25) percent of the members of the Organization, or a petition signed by fifty (50) percent of the Assembly Delegates, clearly stating the grounds for removal.
 - b. Removal of Assembly Delegates representing a particular office, team, or group shall be initiated by submission of a petition for removal signed by twenty-five (25) percent of the members of the Organization they represent, or a petition signed by fifty (50) percent of the Assembly Delegates, clearly stating the grounds for removal.
 - c. Petitions shall be submitted to the President and the Assembly with the exception of petitions seeking the removal of the President, which shall be submitted to the Vice President for Grievance and Dispute Resolution and the Assembly.
 - d. The Assembly shall act on petitions for removal as soon as possible but no later than three (3) months after submission.
- Section 2: Removal of an officer, Assembly Delegate elected at large, or Committee chairperson requires a 60 percent majority of voting members. For an Assembly Delegate representing a particular office, team, or group, removal requires a 60 percent majority of voting members the Delegate represents.
- Section 3: After submission of a petition for removal, the Assembly may exercise the option to suspend Officers, Delegates, or Committee chairpersons from their duties for violations of law, this Constitution, or the IFPTE Constitution or failure to perform their duties. Suspension of duties may be proposed by a majority vote of the Assembly. Suspension requires a two-thirds (2/3) majority vote among Assembly Delegates, excluding the officer or Delegate named in the petition for removal. Suspension shall last until a removal vote by the membership represented by the Assembly Delegate or by the full membership for an officer or Committee chairperson may be scheduled as above.
- Section 4: The President shall preside over a suspension proceeding of an Officer, Assembly Delegate, or Committee chairperson, except the Vice President

for Grievance and Dispute Resolution shall preside over a suspension proceeding of the President.

Article XIII Amendments to the Constitution

Section 1: Amendments to the Constitution may be proposed as follows:

- a. By a petition including the precise language of the proposed amendment signed by no less than twenty-five (25) percent of the membership which is submitted to the Secretary of the Organization; or
- b. By a majority vote of the Assembly, which approves specific amending language.

Section 2: Amendments to the Constitution duly proposed shall be effective following ratification by a majority of those members voting in a referendum called for such purpose.

Article XIV Separation of Duties

Section 1: To ensure broad participation in leadership and ensure independence, an individual shall not be eligible to simultaneously:

- a. Serve as an Officer and a Delegate to the Assembly;
- b. Serve as chair of more than one Committee; or
- c. Serve in more than one Officer or Delegate position.

Section 2: Exceptions may be approved by majority vote of the Assembly in cases of transition or extraordinary need not to exceed three (3) months.

Article XV Ratification

This Constitution will come into effect immediately upon ratification by a majority of those members of the bargaining unit voting in a referendum called for such purpose. The Interim Council shall determine the dates upon which the first Officers and Assembly Delegates elected under this Constitution will be elected and take office and shall plan for the transition of authority to such Officers and Assembly Delegates.