

# CONSTITUTION

## CONGRESSIONAL RESEARCH EMPLOYEES ASSOCIATION ( CREA )

EXCLUSIVE BARGAINING REPRESENTATIVE  
FOR EMPLOYEES OF  
THE CONGRESSIONAL RESEARCH SERVICE  
LIBRARY OF CONGRESS  
WASHINGTON, DC 20540

As Amended September 30, 2009

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## PREAMBLE

IN RECOGNITION of the common goals, aspirations and problems of the employees of the Congressional Research Service of the Library of Congress; and for the betterment and protection of the rights of those employees; and to aid in the accomplishment of the mission of the Congressional Research Service and the United States Congress; and to dedicate ourselves to the principles of justice, equality and fraternity; the employees of the Congressional Research Service do ordain and establish this Constitution for an Organization to be known as the Congressional Research Employees Association (CREA).

## ARTICLE I. Purpose

The purpose of the Congressional Research Employees Association shall be to organize the Congressional Research Service employees and to represent their interests through collective bargaining and other appropriate means; to improve their working conditions through cooperation with the Congressional Research Service and the Library of Congress officials or through other lawful means; to improve employee-management relations within the Congressional Research Service; to ensure that all possible staff training and development opportunities are made available so that qualified personnel may realize career enhancement and achieve deserved promotions; and to promote exemplary professional standards for both employees and management.

## ARTICLE II. Membership

Section 1: All employees of the Congressional Research Service are eligible for Membership in, and are entitled to the full and equal rights of, the Organization, regardless of age, race, color, creed, national origin, religion, sex, or job classification. Retirees are also eligible to maintain Membership in accordance with the Associate Membership provisions of the International. The qualifications of Membership shall be limited to the timely payment of dues and adherence to the Constitution of the Organization.

Section 2: The Membership of the Organization

- a. Shall retain all powers and authority not herein specifically granted to the Officers, the Board of Governors, the Stewards or the Grievance Committee;
- b. Shall discharge the retained powers of authority at the meetings of the Membership;
- c. Shall be entitled to vote at all elections of the Organization as provided in ARTICLE VII;

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- d. Shall ratify in secret balloting the amount and schedule of dues to be paid to the Organization, as proposed by the Board of Governors;
- e. Shall ratify amendments to the Constitution as provided in ARTICLE X;
- f. Shall remove Officers, members of the Board of Governors or Committee Chairpersons as provided in ARTICLE IX;
- g. Shall ratify any collective bargaining agreement by a majority of votes cast in a secret ballot of all members of the Organization; and
- h. Shall call a special membership meeting by presenting to the Secretary a petition signed by ten (10) percent of the members.

Section 3: The annual meeting(s) of the Organizations shall be held on the second Wednesday of October each year.

Section 4: A quorum at all meetings of the Organization at which matters relating to dues, removal actions or amendments to the Constitution are considered shall be twenty (20) percent of the members of the Organization. A quorum for all other meetings shall be the number of members present.

## **ARTICLE III. Officers**

Section 1: The Officers of the Organization shall be the President, the Vice President, the Treasurer, the Secretary and the Assistant Secretary. Officers shall be elected at large from the membership of the Organization to serve for terms of one (1) year pursuant to the provisions of ARTICLE VII.

Section 2: The President

- a. Shall preside at meetings of the Membership;
- b. Shall preside at meetings of the Board of Governors;
- c. Shall interpret and enforce the Constitution;
- d. Shall act as the representative of the Membership in all matters concerning their common welfare;
- e. Shall act as chief bargaining representative for the Membership and shall present to them a written proposed collective bargaining agreement;
- f. Shall countersign all checks drawn on Organization funds by the Treasurer;
- g. Shall authorize all expenditures appropriate for the activities of the Organization not in excess of the amount budgeted for that activity as approved by the Board of Governors;

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- h. Shall appoint with consent of the Board of Governors all necessary committees and their Chairpersons;
- i. Shall serve as an ex-officio member without vote on all such committees;
- j. Shall appoint with consent of the Board of Governors members of the Grievance Committee as provided in ARTICLE VI;
- k. Shall call special membership meetings in an order to the Secretary;
- l. Shall finally resolve appeals taken from proceedings of the Grievance Committee involving disputes between members and disciplinary actions;
- m. Shall perform all other functions necessary for the execution of the Constitution; and
- n. Shall attempt to enlist bargaining unit employees as members of the Organization.

## Section 3: The Vice President for Policy and Dispute Settlement

- a. Shall, in the event of the absence, incapacity, or disability of the President, perform the duties of the President;
- b. Shall be the Chief Steward, and as such, shall be primarily responsible for steward training and recruitment;
- c. Shall be a member and act as Chairperson of the Grievance Committee;
- d. Shall be responsible for dealing with negotiated grievance procedures, dispute resolution meetings, unfair labor practices, and any other actions that pertain to personnel policies and procedures.
- e. Shall be responsible for advising the Board of Governors and all members of the Association on matters that pertain to personnel policies and practices; and
- f. Shall attempt to enlist bargaining unit employees as members of the Organization.

## Section 4: The Vice President for Training and Liaison

- a. Shall be a member of the Affirmative Action Committee, providing oversight and communications for the Association;
- b. Shall, at the request of the President, serve on designated Labor-Management organizations, and in the absence of the President, serve in his/her place on such organizations;
- c. Shall, at the request of the President, act as the liaison with the International;
- d. Shall be responsible for recruiting and training members of committees, task forces, or other organizations of the Association, except the stewards;
- e. Shall be responsible for ensuring that all possible avenues for staff training and development within the Congressional Research Service and the Library of Congress are

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publicized and utilized, and that appropriate additional opportunities are encouraged and promoted; and

- f. Shall attempt to enlist bargaining unit employees as members of the Organization.

## Section 5: The Treasurer

- a. Shall maintain all financial records of the Organization;
- b. Shall receive, disburse and account for all monies belonging to the Organization;
- c. Shall make a written financial report at each annual meeting of the membership;
- d. Shall act as custodian of all properties of the Organization in accordance with the written policy statement approved by the Board of Governors.;
- e. Shall prepare a proposed annual budget for the Organization for presentation to the Board of Governors prior to the beginning of the fiscal year (which runs from October 1 through September 30);
- f. Shall make, annually or upon leaving the office for any reason, a correct written report to the Membership of all monies and financial records of the Organization for which the Treasurer had responsibility;
- g. Shall deliver all financial records of the Organization to the successor of office; and
- h. Shall attempt to enlist bargaining unit employees as members of the Organization.

## Section 6: The Secretary

- a. Shall record and publish for the Membership, the minutes of all meetings of the Membership and of all meetings of the Board of Governors;
- b. Shall provide written notice of all meetings of the Membership and of all meetings of the Board of Governors;
- c. Shall prepare the official correspondence of the Organization;
- d. Shall keep faithful charge of all records of the Organization which may be under the Secretary's control and deliver them in proper order to the successor of office;
- e. Shall determine and authorize use of the Seal of the Organization;
- f. Shall receive nominating petitions and certify candidates for election to office and to the Board of Governors;
- g. Shall give written notice to the membership of the time and place of all balloting and of all matters to appear on the ballot;
- h. Shall prepare and certify a correct listing of the members of the Organization eligible to receive ballots;
- i. Shall prepare and provide a ballot to all members of the Organization for use in voting;

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- j. Shall correctly count all ballots and certify the outcome of the balloting in accordance with Constitutional requirements;
- k. Shall attempt to enlist bargaining unit employees as members of the Organization; and
- l. Shall maintain and update a list of all CRS divisions and offices and the members of the Organization in each.

## **ARTICLE IV. Board of Governors**

Section 1: The Board of Governors shall be composed of not more than eighteen (18) members of the Organization, elected at large by the Membership for terms of two (2) years. Not less than one (1) nor more than three (3) Governors shall be elected from each Division or Office from which a candidate is nominated.

Section 2: The Board of Governors

- a. Shall establish procedures for the conduct of its meeting;
- b. Shall advise and instruct the President on collective bargaining issues;
- c. Shall advise and instruct the President on matters of policy and other activities related to employee/management relations;
- d. Shall recommend Amendments to the Constitution for consideration by the Membership;
- e. Shall authorize the arbitration of grievances;
- f. Shall give its consent to Presidential appointments;
- g. Shall approve the annual budget of the Organization prior to the beginning of the new fiscal year;
- h. Shall authorize all other non-budgeted expenditures, at their discretion;
- i. Shall propose to the Membership the amount and schedule of dues to be paid to the organization;
- j. Shall elect Officers in the case of vacancies in office as provided in ARTICLE VIII;
- k. Shall call membership meetings for the purpose of removal as provided in ARTICLE IX and call other special membership meetings;
- l. Shall approve by majority vote of those present all memoranda of understanding or other agreements negotiated between the Association and the Library or CRS, that are not otherwise subject to ratification by the entire membership;
- m. Shall attempt to enlist bargaining unit employees as members of the Organization; and

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- n. Shall establish written policies to guide the investments of the Organization and provide appropriate oversight, independent of the Treasurer, to ensure fiduciary accountability.

## ARTICLE V. Stewards

Section 1: Stewards shall be members of the Organization elected by secret ballot from each division or office of the Congressional Research Service for terms of one (1) year by the members of the Organization employed in that division or office subject to removal at the discretion of the members of the Organization in that division or office. The number of Stewards from each division or office shall not be less than one(1). The number shall be determined by the President and Vice President with the advice and consent of the Board of Governors.

Section 2: Stewards

- a. Shall advise and assist all members of the organization in their division or office on matters pertaining to their rights as established by a collective bargaining agreement, by Library of Congress regulation or by law;
- b. Shall receive and process all grievances of the members of the Organization in their division or office, unless another representative is appointed; and
- c. Shall assist the Officers and Governors in enlisting bargaining unit employees as member of the Association.

## ARTICLE VI. Grievance Committee

Section 1: The Grievance Committee shall be composed of three (3) members of the Board of Governors and three (3) Stewards appointed by the President with the consent of the Board of Governors. The Vice President shall serve as Chairperson of the Grievance committee. Members of the Grievance Committee shall serve for terms of one (1) year.

Section 2: Grievance Committee

- a. Shall insure compliance by the members of the Organization and by management with any collective bargaining agreement;
- b. Shall train and supervise Stewards;
- c. Shall evaluate grievances and recommend to the Board of Governors the arbitration of grievances;

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- d. Shall recommend to the Board of Governors the establishment and amendment of grievance processes contained in any collective bargaining agreement;
- e. Shall have the sole power to originally adjudicate disputes between members of the Organization; and
- f. Shall have the sole power to discipline and to expel members of the Organization in a proceeding which guarantees the member the right to be heard.

## **ARTICLE VII. Election Procedure**

Section 1: Officers of the Organization shall be nominated for election upon the submission of a petition of nomination signed by not less than twenty (20) percent of the members of the Organization. Nominating petitions shall be submitted to the Secretary of the Organization, not less than twenty-one (21) days prior to the date established by the Secretary of the election.

Section 2: Each member of the Organization shall be entitled to vote for only one (1) candidate for each office of the Organization. The nominated candidate receiving the most votes shall be elected to office.

Section 3: Members of the Board of Governors shall be nominated for election upon submission of a petition of nomination signed by not less than fifteen (15) members of the Organization, not more than ten (10) of whom are employed in any one division or office of the Congressional Research Service. Nominating petitions shall be submitted to the Secretary of the Organization not less than twenty-one (21) days prior to the date established by the Secretary for the election.

Section 4: Each member of the organization shall be entitled to vote for not more than four (4) candidates for the Board of Governors. The nominated candidate from each division or office receiving more votes than any other candidate from that division or office shall be elected to the Board of Governors. Additional nominated candidates receiving the most votes shall be elected to the Board of Governors, except that not more than three (3) members of the Board of Governors shall be elected from any one division or office.

Section 5: Elections held in a year preceding the International Federation of Professional and Technical Engineers Convention shall include the election of delegates to that convention. Delegates shall be nominated for election upon submission of a petition of nomination signed by not less than twenty (20) percent of the members of the Organization. Nominating petitions shall be submitted to the Secretary of the Organization not less than twenty-one (21) days prior to the date established by the Secretary of the election. Any CREA member who is also a member of the bargaining unit, including any elected official, shall be eligible to serve as a delegate.

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## ARTICLE VIII. Succession

Section 1: In the case of a vacancy in the Office of President, the Vice President for Policy and Dispute Settlement shall assume the office and duties of the President for the remainder of the Presidential term.

Section 2: In the case of a vacancy in the office of the Secretary, the Board of Governors shall elect a new Secretary as provided in Section 3 of this Article.

Section 3: In the case of the Board of Governors or in any office, the Board of Governors, by a majority vote of its members, shall immediately elect a person to fill the vacancy for the remainder of the term except as provided for in Sections 1 and 2 of this Article.

## ARTICLE IX. Removal

Section 1: Officers, members of the Board of Governors, or Committee Chairpersons may be removed in accordance with Article 17 (Discipline-Offenses) of the IFPTE Constitution. Removal shall be initiated by the submission of a petition for removal signed by twenty (20) percent of the members of the Organization clearly stating the grounds for removal. The board of Governors shall call a membership meeting to be held within thirty (30) days of the receipt of the petition for removal.

Section 2: The presiding officer of the membership meeting shall be the President, except that the Vice President shall preside at a membership meeting for the removal of the President.

Section 3: The presiding officer

- a. Shall read the petition for removal;
- b. Shall afford proponents and opponents of removal the opportunity to speak to the Membership;
- c. Shall afford the person subject to removal the opportunity to speak to the Membership;
- d. Shall rule on debate and call the question; and
- e. Shall determine the removal of the person upon the sixty (60) percent vote of the members present.

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## **ARTICLE X. Amendments to the Constitution**

Section 1: Amendments to the Constitution may be proposed

- a. By a petition including the precise language of the proposed amendment signed by not less than one-third of the members of the Organization which is submitted to the Secretary of the Organization; or
- b. By a majority vote of the Board of Governors which approves specific amending language.

Section 2: An amendment shall be ratified if at least two-thirds of those voting “for” or “against” an amendment vote “for” the amendment in secret balloting of the Membership.