

CONSTITUTION OF THE
NATIONAL AIR TRAFFIC CONTROLLERS ASSOCIATION

PREAMBLE

Without the dedication, professionalism and skill of the air traffic controllers of the United States, safe and efficient air travel would not be possible. Believing that those who have made modern aviation safe and profitable are entitled in turn to fair and equitable working conditions, a true professional status including pay and benefits reflecting that status, access to state-of-the-art training to maintain and promote their skills, and a strong voice in all matters pertaining to the safety of the flying public, we have formed the NATIONAL AIR TRAFFIC CONTROLLERS ASSOCIATION for the purpose of achieving, by lawful means, the principles set forth in this Constitution.

ARTICLE I

Name And Objectives

Section 1. This organization shall be known as the National Air Traffic Controllers Association, affiliated with District No. 1 - Pacific Coast District, Marine Engineers' Beneficial Association, AFL-CIO (hereinafter referred to as "the Association").

Section 2. The objectives of the Association shall be:

- (a) To preserve, promote and improve the working conditions of air traffic controllers;

(b) To preserve, promote and improve the safety of air traffic within the United States, its Territories and Possessions;

(c) To preserve, promote and improve the professionalism and competence of air traffic controllers;

(d) To preserve, promote and maintain the best interests of the United States of America and particularly her leadership role in the aviation community; and

(e) To preserve, promote and improve the rights of its members through all lawful means, including collective bargaining, political action, and contributing to such civic and charitable organizations as the National Executive Board deems in the best interests of the Association.

ARTICLE II

Affiliations

The Association shall be affiliated with District No. 1-Pacific Coast District, Marine Engineers' Beneficial Association, AFL-CIO ("MEBA") on such terms and conditions as are mutually agreeable to MEBA and the National Executive Board of the Association.

ARTICLE ///

Membership

Section 1. Any air traffic controller, excluding supervisors, employed by the Federal Aviation Administration, and any other employee employed in a bargaining unit represented by, or sought to be represented by, the Association shall be eligible for membership in the Association.

Section 2. The National Executive Board shall have the authority to accept as a member any person or group of persons not otherwise eligible for membership under Section 1 of this Article.

Section 3. Any air traffic controller who was a member in good standing for the 12 months immediately preceding his or her retirement shall be eligible for retired member status. Retired members shall be entitled to all privileges and benefits of membership, except the right to vote and the right to hold office.

Section 4. The Association may accept associate members and other categories of members under rules and regulations established by the National Executive Board. Such members shall not be entitled to the right to vote or the right to hold office.

Section 5. A member shall be considered in good standing if:

- (a) The payment of his or her dues is not more than 90 days in arrears; and

(b) His or her membership has not been modified by disciplinary action imposed in accordance with this Constitution.

Section 6. A member shall stand automatically expelled if his or her dues are not paid within 30 days after written notification that his or her fixed dues are 90 days in arrears.

ARTICLE / V

Organizational Structure And Officers

Section 1. The National Convention shall be the Supreme Body, with full and complete authority over all the affairs of the Association.

Section 2. The officers of the Association shall be the President, the Executive Vice-President, and the Regional Representatives. These officers shall constitute the National Executive Board.

Section 3. The President shall be the chief executive officer of the Association and shall be responsible for implementing all policies established by this Constitution, the National Convention and the National Executive Board. He or she, subject to the authority of the National Executive Board, shall be empowered to employ any person or organization he or she deems necessary and to direct, manage and supervise the affairs of the Association. He or she shall preside at all National Conventions and meetings

of the National Executive Board. He or she shall chair the Association's Negotiating Committee.

Section 4. The Executive Vice President shall preside at any Convention or meeting from which the President is absent, and in the case of vacancy in the office of President, the Executive Vice President shall succeed to the Presidency until the next regular election. The Executive Vice-President shall be responsible for keeping the minutes of all National Executive Board meetings and for the maintenance and protection of all records, books, papers and contracts, including financial reports, of the Association, and shall receive, hold and keep a proper account of all monies of the Association, pay all legitimate bills, and render annual financial reports to the National Executive Board.

Section 5. The Regional Representatives, subject to the direction of the President, shall administer the affairs of their respective Regions, and shall implement all policies established by this Constitution and the National Executive Board. They shall provide guidance and assistance to locals and local officers in their respective areas.

Section 6. The National Executive Board shall be empowered to interpret and apply this Constitution, and shall have the authority to promulgate such Bylaws as it deems necessary.

Section 7. The National Executive Board shall meet at least twice a year at such times and places as shall be designated by the President.

ARTICLE V

Nomination And Election Of Officers

Section 1. The President, the Executive Vice-President and the Regional Representatives shall be elected once every three years in a secret ballot mail vote. All members in good standing shall be eligible to vote for the President and the Executive Vice-President, and all members in good standing of each respective region shall be eligible to vote for the Regional Representative of that region. The candidate for each office receiving a plurality of the eligible votes actually cast shall be declared the winning candidate.

Section 2. The regions shall cover the following geographic areas:

<u>REGION</u>	<u>STATES</u>
ALASKAN	Alaska
EASTERN	Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, West Virginia and District of Columbia
CENTRAL	Iowa, Kansas, Missouri and Nebraska
GREAT LAKES	Illinois, Indiana, Michigan, Minnesota,

	North Dakota, Ohio, South Dakota and Wisconsin
NEW ENGLAND	Connecticut, Massachusetts, Maine, New Hampshire, Rhode Island and Vermont
NORTHWEST MOUNTAIN	Colorado, Idaho, Montana, Oregon, Utah, Washington and Wyoming
SOUTHERN	Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina and Tennessee (includes Puerto Rico and Virgin Islands)
SOUTHWESTERN	Arkansas, Louisiana, New Mexico, Oklahoma and Texas
WESTERN PACIFIC	Arizona, California, Hawaii and Nevada (includes Guam and Marshall Islands)

Section 3. To have his or her name placed on the ballot, a candidate for National Officer must be nominated by a member in good standing and must accept the nomination. Nominations must be in writing and must be delivered to the Executive Vice-President at the Association's headquarters. Nominations must be received by August 1. Acceptances must be in writing and must be delivered to the Executive Vice-President at the Association's headquarters by September 1.

Section 4. All candidates for office must be members in good standing for one year prior to August 1.

Section 5. On October 1 the Executive Vice-President shall mail a ballot to each member in good standing. Ballots must be received by the Executive Vice-President at the Association's headquarters by November 30.

Section 6. After the close of nominations, but before ballots are distributed, the President shall appoint a three person Election Committee. Members of the Election Committee shall be members in good standing, but no candidate for office may serve as a member of the Election Committee.

Section 7. The Election Committee shall open and count all valid ballots on December 1. Only the ballots of members in good standing shall be counted. After tabulating the ballots, the Election Committee shall announce the winning candidates.

Section 8. Officers' terms shall commence on January 2 of the following year.

ARTICLE V/

National Conventions

Section 1. The Association shall meet in Convention every odd numbered year at a time and place established by the National Executive Board. The President shall be empowered to call a Special Convention upon 60 days notice.

Section 2. Only duly elected delegates or their alternates may conduct the business of the Convention. Any member in good standing may attend the Convention and speak on an issue.

Section 3. Delegates must be members in good standing of the Association and of their respective Locals. No paid employee of any Local or of the Association, other than duly elected officials, shall be a delegate.

Section 4. Delegates shall be elected by secret ballot in accordance with procedures set forth in each Local's constitution and bylaws.

Section 5. Each Local shall be entitled to one delegate. Each Local shall be entitled to an additional delegate for every 50 members in good standing over and above 100 members. Each delegate shall be entitled to cast a number of votes equal to the number of members in good standing in his or her Local thirty (30) days in advance of the opening of the Convention, divided by the number of delegates representing the Local.

Section 6. The President shall appoint 3 members in good standing to serve as the Credentials Committee for each National Convention. Prior to the start of the Convention, the Credentials Committee shall meet and issue a report listing the names of all eligible delegates and the number of votes that each delegate is entitled to cast.

ARTICLE VII

Finances

Section 1. An initiation fee for new members may be established by majority vote at the National Convention.

Section 2. Membership dues shall be established by the Founding Convention and thereafter may be raised by majority vote at the National Convention.

Section 3. Special assessments for extraordinary purposes may be imposed by majority vote of the National Executive Board.

ARTICLE VIII

Locals

Section 1. The National Executive Board shall be empowered to charter local unions under such rules and regulations as it may deem proper.

Section 2. Locals may adopt a constitution and bylaws, provided that such constitution and bylaws do not conflict with this Constitution or any duly promulgated Bylaws of the Association. Locals which do not adopt a constitution and bylaws shall be governed by the Standardized Local Union Constitution and Bylaws promulgated by the National Executive Board.

Section 3. Each Local shall have the following officers: President, Vice-President, Secretary-Treasurer. Locals may provide for additional officers in their constitution and bylaws.

All officers shall be elected by secret ballot vote of the members in good standing, and shall serve for a period of no longer than three years.

ARTICLE IX

Impeachment

Section 1. A National Officer may be impeached for serious misconduct in office only in accordance with this Article.

Section 2. Any member may prefer charges of serious misconduct against a National Officer. Such charges shall be in writing, signed by the accusing member and accompanied by a statement containing the specific facts supporting the charges. The statement shall include the date, place and time of the alleged misconduct, the names of all persons involved, and reference to specific article(s) and section(s) of this Constitution which allegedly have been violated. The charges and supporting statements shall be submitted to the National Executive Board. The National Executive Board shall, within thirty (30) days after receipt of the charges, determine whether they are valid. If the National Executive Board determines that the charges warrant further investigation, it shall prepare a written complaint and serve it upon the National Officer against whom the charges were filed. The accused may respond to the National Executive Board in writing within thirty (30) days of receipt of the complaint. The complaint and response thereafter shall be mailed to the delegates from the last National Convention who represented the

region of an accused Regional Vice President, or to all delegates in a case concerning the President or the Executive Vice President. Within thirty (30) days after receiving the complaint and response, each delegate shall advise the National Executive Board, in writing, whether he or she recommends continuing the impeachment process.

Section 3. (a) If continuation of the impeachment process is recommended by a majority of the delegates responding, a committee consisting of seven (7) members in good standing, who are neither National Officers nor delegates, shall be appointed to conduct an impeachment hearing. Six of the members of the hearing committee (including the Chairman) shall be appointed by the National Executive Board; the remaining member shall be appointed by the accused.

(b) The hearing committee shall provide the accused with at least twenty-one (21) days written notice of the date, time and place of hearing. Such hearing shall be conducted no earlier than thirty (30) days and no later than forty-five (45) days after the appointment of the hearing committee.

(c) The accused shall have the right to question all witnesses who may testify against him, to call witnesses and present evidence in his defense, and to be represented by a member in good standing.

(d) The National Executive Board shall appoint a member in good standing, from a region other than that of the accused, to prosecute the case.

(e) If the accused fails to appear without good cause at the scheduled hearing, the hearing committee shall proceed as if the accused were present.

(f) A vote of 5 members of the hearing committee is necessary to remove the accused from office, or to censure, fine, suspend, expel or otherwise discipline the accused.

(g) No National Officer may be tried twice concerning the same offense.

ARTICLE X

Amendment Of The Constitution

Section 1. The Constitution may be amended only by a vote of two-thirds of the delegates actually voting at the National Convention.

Section 2. Proposed constitutional amendments must be submitted in writing to the Executive Vice-President at least 120 days prior to the Convention, except that any constitutional amendment submitted by the National Executive Board shall be considered timely.

Section 3. An untimely constitutional amendment may only be introduced at the National Convention by a three-fourths vote of the delegates actually voting.

ARTICLE XI

Trusteeship

Section 1. The President, with approval of the National Executive Board may place any Local in trusteeship for any of the following reasons:

- (a) To uphold the Constitution of the Association.
- (b) To correct corruption or financial malpractice.
- (c) To assure performance of collective bargaining agreements or other duties of a bargaining representative.
- (d) To otherwise carry out the legitimate objects of the Association.

Section 2. A trustee selected by the National Executive Board shall assume immediate control and authority of any Local placed in trusteeship, and shall have full authority over the officers and property thereof. The trustee shall continue to act in such capacity for the duration of the trusteeship.

Section 3. Upon petition filed with the National Executive Board, no earlier than six (6) months after imposition of the

trusteeship, any member of the Local may request termination of the trusteeship. The National Executive Board, acting on such petition, or at any time on its own motion, may terminate the trusteeship and restore self-government to the Local.

ARTICLE XII

Internal Grievances

Section 1. Should any member have any grievance or complaint concerning the actions of the Association, its officers or any fellow member, including a protest concerning the conduct of an election, he or she shall raise that grievance under the provisions of this Article and shall not resort to any outside forum for resolution of his or her grievance.

Section 2. Any member may file a grievance within 30 days of the event complained of by submitting to the Executive Vice-President a written specification of the acts complained of and a statement of the specific portions of this Constitution, duly promulgated bylaws, or Association policies violated.

Section 3. The Executive Vice-President shall serve a copy of the grievance on the accused member or officer. Within thirty (30) days of receipt of the grievance, the accused may file with the Executive Vice-President a written reply to the charges.

Section 4. The Executive Vice-President shall present the grievance along with any reply at the next meeting of the National Executive Board. The National Executive Board may dismiss the

grievance or may refer it for hearing before a Trial Committee consisting of 3 members of good standing appointed by the President.

Section 5. The Trial Committee shall, after reasonable notice to the grievant and the accused, conduct a hearing on the grievance. After such hearing the Trial Committee shall render a written decision dismissing the grievance or sustaining the grievance and recommending such relief as it may deem proper. Should the Trial Committee sustain the grievance, its report shall be submitted at the next meeting of the National Executive Board. The National Executive Board shall determine the final disposition of the grievance.

Section 6. Any party aggrieved by a final decision of the National Executive Board may petition the next National Convention for relief, but the filing of such petition shall not stay the effectiveness of the final decision of the National Executive Board. The decision of the delegates, by majority vote, shall be final.

ARTICLE XIII

Rights And Responsibilities Of Members

Section 1. Subject to the provisions of this Constitution, all members in good standing of the Association shall have the right to nominate candidates, to vote in membership referenda, to attend membership meetings and have a voice and a vote at such

meetings, to stand for office, to freely assemble with other members, and to freely speak on any issue affecting the Association.

Section 2. It shall be the responsibility of each member to comply with the Constitution, Bylaws and all duly established policies of the Association. Subject to the procedures of Article XIII a member may be expelled, suspended or fined for any breach of his or her responsibility to the Association.

Section 3. No officer or agent of the Association shall have business or financial interests which conflict with his or her duty to the Association.

INTERIM PROVISIONS

Section 1.

The interim Executive Board of the organization shall be: the National Coordinator and nine Regional Representatives. The Executive Board shall be responsible for the creation and/or implementation of policy for the organization. The National Coordinator shall be a non-voting member of the Executive Board. The National Coordinator shall be retained by the National Executive Board and M.E.B.A.

Section 2.

Members of the Interim National Executive Board have been selected by each Region prior to the Founding Convention, and will be inducted at the Founding Convention.

Section 3.

The National Coordinator shall be the interim administrative head of the organization. The National Coordinator shall be charged with the implementation of policy as set forth by the National Executive Board. He or she, subject to the authority of the National Executive Board, shall be empowered to employ any person or organization he or she deems necessary and to direct, manage and supervise the affairs of the Association. He or she shall preside at all National Conventions and meetings of the National Executive Board. He or she shall chair the Association's Negotiating Committee.

The National Coordinator shall be responsible for keeping the minutes of all National Executive Board meetings and for the maintenance and protection of all records, books, papers and contracts; including financial reports of the Association. He or she shall receive, hold and keep a proper account of all monies of the Association, pay all legitimate bills and render annual financial reports for the National Executive Board.

Section 4.

The Founding Convention shall be held on September 23-24, 1986 in Chicago, Illinois. Any employee who has signed an authorization card or petition designating the Association as their exclusive bargaining representative shall be eligible to attend and speak.

Section 5.

At the Founding Convention each Region shall be entitled to cast one vote per region. This vote will be cast by each Regional Representative after consultation with the employees in attendance from his or her Region.

Section 6.

The initial dues rates shall be set by Resolution at the Founding Convention.

Section 7.

Article VI, Section 4 shall not apply to the 1987 election of officers. For that election only, any individual who becomes a member in good standing on or before June 1, 1987 shall be eligible for office.

Section 8.

This Article shall automatically be deleted from the Constitution on January 2, 1988.