

PROPOSAL #2

BYLAWS		
Current Wording	Proposed Amendments	If Adopted, Will Read
	<p><u>ARTICLE ____ - INTERNAL DISPUTES BETWEEN AME MEMBERS</u></p> <p><u>Section 1. AME Arbitration Rules</u></p> <p>a. <u>All arbitration proceedings instituted pursuant to ARTICLE ____ of the AME Constitution shall be held at AME Headquarters, 30 Orville Drive, Hamlet of Bohemia, Town of Islip, Suffolk County, New York 11716, unless an alternate venue is agreed to by all parties to the proceeding and by the arbitrator selected.</u></p> <p>b. <u>An arbitration proceeding shall be commenced by the filing of a written complaint with the AME Executive Board at AME Headquarters, 30 Orville Drive, Hamlet of Bohemia, Town of Islip, Suffolk County, New York 11716.</u></p> <p>c. <u>The Complaint form used shall be in a format recommended by the AME President and approved by a majority vote of the AME Board of Directors. Additional hearing regulations may be promulgated by the AME President and approved by a majority vote of the AME Board of Directors provided that they do not conflict with the AME Constitution, AME By-laws, the AME Financial Code, or New York State Law.</u></p> <p>d. <u>Each party to the arbitration shall be permitted to depose all opposing parties and up to three (3) additional witnesses without the consent of any opposing party(ies). Additional witnesses may be deposed upon consent of the opposing party(ies) or upon a written order issued by the arbitrator for good cause shown.</u></p> <p>e. <u>The arbitrator's final decision shall be in writing and shall contain specific findings of fact and determinations of law.</u></p> <p>f. <u>Except as may be required by law, neither a party nor an arbitrator may disclose the existence, content, or results of any arbitration hereunder without the prior written consent of all parties to the matter in dispute.</u></p>	<p><u>ARTICLE ____ - INTERNAL DISPUTES BETWEEN AME MEMBERS</u></p> <p><u>Section 1. AME Arbitration Rules</u></p> <p>g. All arbitration proceedings instituted pursuant to ARTICLE ____ of the AME Constitution shall be held at AME Headquarters, 30 Orville Drive, Hamlet of Bohemia, Town of Islip, Suffolk County, New York 11716, unless an alternate venue is agreed to by all parties to the proceeding and by the arbitrator selected.</p> <p>h. An arbitration proceeding shall be commenced by the filing of a written complaint with the AME Executive Board at AME Headquarters, 30 Orville Drive, Hamlet of Bohemia, Town of Islip, Suffolk County, New York 11716.</p> <p>i. The Complaint form used shall be in a format recommended by the AME President and approved by a majority vote of the AME Board of Directors. Additional hearing regulations may be promulgated by the AME President and approved by a majority vote of the AME Board of Directors provided that they do not conflict with the AME Constitution, AME By-laws, the AME Financial Code, or New York State Law.</p> <p>j. Each party to the arbitration shall be permitted to depose all opposing parties and up to three (3) additional witnesses without the consent of any opposing party(ies). Additional witnesses may be deposed upon consent of the opposing party(ies) or upon a written order issued by the arbitrator for good cause shown.</p> <p>k. The arbitrator's final decision shall be in writing and shall contain specific findings of fact and determinations of law.</p> <p>l. Except as may be required by law, neither a party nor an arbitrator may disclose the existence, content, or results of any arbitration hereunder without the prior written consent of all parties to the matter in dispute.</p>

Proposed By: Geoff Mascaro, DPW White

Rationale: In the past few years, there have been several court disputes between union members regarding alleged violations of the provisions of the AME Constitution, By-laws, and Financial Code. These have tended to be drawn out affairs that have been costly to members from both an economic and public relations standpoint. Additionally, court actions are a burden on the court system and the taxpayers who support it which is already overwhelmed with an enormous calendar of both criminal and civil cases.

The courts have encouraged organizations such as AME to employ alternative dispute resolution methods that are both fair and impartial. In 1972, the New York State Court of Appeals, the highest Court in New York State, specifically approved union constitution and by-laws that require its members to use binding arbitration in place of court litigation to resolve organization disputes between members.

This proposal is intended to insure member rights while promptly and fairly resolving internal disputes at a minimum of financial cost and time so that the union can focus on its mission to serve and protect all of its members.

Constitution and Bylaws Committee Comments:

DISPOSITION:

Adopted: ☐

Rejected: ☐

Amended: _____

Referred: _____

Other: _____

Proposed Key:

Underlined=insertions

Strike Through=strike out



PROPOSAL FOR AMENDMENT TO CONSTITUTION AND BY-LAWS:

To: The Constitution and By-Laws Committee:

Date:

09/17/15

The undersigned member submits for your consideration, the following proposal to amend the AME Constitution and By-Laws:

Proposer:

Geoff Muccaro

Please Check One:

☐ Constitution

☒ By-Law

Unit of Proposer (if applicable):

Dpw White Collar

TITLE OF ARTICLE AND/OR SECTION TO BE AMENDED:

New

State the exact **present** language which you are seeking to change: (Attach additional sheets if necessary).

Please see typewritten Attachment

State the exact **new** language you wish to substitute for the present language: (Attach additional sheets if necessary).

Please see typewritten Attachment

Justification for Proposed Amendment.

Please see typewritten Attachment

15 SEP-17 12:53 PM '15

Signature of Member

**ASSOCIATION OF
MUNICIPAL
EMPLOYEES, INC.**

**PROPOSAL FOR AMENDMENT TO
CONSTITUTION AND BY LAWS:**

To: The Constitution and By-Laws Committee: Date: September 16, 2015
The undersigned member submits for your consideration the follow proposal to amend
the AME Constitution and By-Laws:

Proposer: Geoff Mascaro ☐ Constitution ☒ By-Law

AME Unit: DPW White Collar

TITLE OF ARTICLE AND/OR SECTION TO BE AMENDED: NEW

State the exact **present** language which you are seeking to change:

NONE

State the exact **new** language you wish to substitute for the present language:

"ARTICLE ____ - INTERNAL DISPUTES BETWEEN AME MEMBERS.

Section 1. AME Arbitration Rules

- a. All arbitration proceedings instituted pursuant to ARTICLE ____ of the
AME Constitution shall be held at AME Headquarters, 30 Orville Drive,
Hamlet of Bohemia, Town of Islip, Suffolk County, New York 11716,
unless an alternate venue is agreed to by all parties to the proceeding
and by the arbitrator selected.
- b. An arbitration proceeding shall be commenced by the filing of a written
complaint with the AME Executive Board at AME Headquarters, 30
Orville Drive, Hamlet of Bohemia, Town of Islip, Suffolk County, New
York 11716.

- c. The Complaint form used shall be in a format recommended by the AME President and approved by a majority vote of the AME Board of Directors. Additional hearing regulations may be promulgated by the AME President and approved by a majority vote of the AME Board of Directors provided that they do not conflict with the AME Constitution, AME By-laws, the AME Financial Code, or New York State Law.
- d. Each party to the arbitration shall be permitted to depose all opposing parties and up to three (3) additional witnesses without the consent of any opposing party(ies). Additional witnesses may be deposed upon consent of the opposing party(ies) or upon a written order issued by the arbitrator for good cause shown.
- e. The arbitrator's final decision shall be in writing and shall contain specific findings of fact and determinations of law.
- f. Except as may be required by law, neither a party nor an arbitrator may disclose the existence, content, or results of any arbitration hereunder without the prior written consent of all parties to the matter in dispute."

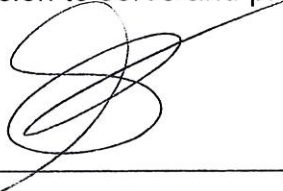
Justification for Proposed Amendment:

In the past few years, there have been several court disputes between union members regarding alleged violations of the provisions of the AME Constitution, By-laws, and Financial Code. These have tended to be drawn out affairs that have been costly to members from both an economic and public relations standpoint. Additionally, court actions are a burden on the court system and the taxpayers who support it which is already overwhelmed with an enormous calendar of both criminal and civil cases.

The courts have encouraged organizations such as AME to employ alternative dispute resolution methods that are both fair and impartial. In 1972, the New York State

Court of Appeals, the highest Court in New York State, specifically approved union constitutions and by-laws that require its members to use binding arbitration in place of court litigation to resolve organization disputes between members.

This proposal is intended to insure member rights while promptly and fairly resolving internal disputes at a minimum of financial cost and time so that the union can focus on its mission to serve and protect all of its members.

A handwritten signature in black ink, consisting of a series of loops and a long horizontal stroke extending to the right.

Geoff Mascaro, DPW White Collar Unit

