

**Pertinent Sections of the
PEF/ENCON CONSTITUTION
Concerning Steward Responsibilities**

ARTICLE IV - DIVISION COUNCIL

Section 1. The Division Council shall be composed of one representative from each ENCON Regional Steward Council, and an equal number of representatives from the Central Office Steward Council, and PEF Executive Board representatives elected by this Division. The PEF/ENCON Division Council shall elect from among its members, a Division Leader, an Assistant Leader, Secretary and Treasurer. The Council shall be the principal decision making body for the Division.

Section 13. Grievance Stewards and Communicators

- 1) Each ENCON Region shall have at least one grievance steward.
- 2) If a region has over 50 PS&T employees or large offices geographically separated, that region shall be allotted additional grievance stewards.
- 3) If a region has more than one grievance steward, the region may be sub-divided into this number of constituencies for election purposes.
- 4) Each region shall have a Steward Council, composed of the region's grievance stewards. This Regional Council shall be the region's governing body and have the duty of assuring that the needs of their constituency are attended to. This council shall select one of its members as Chief Steward for the region, or delegate those responsibilities amongst themselves. Each Regional Steward Council shall select its representatives to the Division Council meeting(s).
- 5) The grievance stewards of this Division shall be registered by PEF with OER and be the official PEF representatives for this Division.
- 6) The duties of each grievance steward shall include but are not limited to:
 - a) handle grievances, problems and act as the first line liaison between Division leadership, management and members.
 - b) communicate Division policy to membership at the site he/she represents and all information that comes to him/her from the union. Also convey to PEF leadership concerns and problems of membership.
 - c) be able to conduct an effective meeting.
 - d) be knowledgeable as to the contract, steward manuals, Department procedures and policies as well as Civil Service law.
 - e) be able to deal with management as an equal as well as with his peers.
 - f) disseminate all information relevant to membership interest.
 - g) recruit new membership and see that new employees are given the proper orientation to both their work and to their union.

h) attend all meetings. Absences without reasonable cause may result in request for resignation. (Attendance requirements may be set by the Council).

- 7) Each ENCON office shall have at least one communicator steward, who shall be responsible for coordinating information flow between the members and their representatives. A communicator may be a member of the Regional Council and participate in any capacity the Regional Council determines.
- 8) Any group of members may define themselves as an appropriate constituency for a communicator. This may be done by filing a petition with the Division Council Secretary.
- 9) Each constituency may select a communicator from its membership by filing a petition with the Regional Steward Council.
- 10) If an office has no communicator, the Division shall solicit interest until one is found.

Section 17. All council members must service to enhance the well being of the Division Constituency, and respect all legitimate inquiries concerning the operation of this Division.

ARTICLE VI - STRUCTURE

Section 7. By-laws not inconsistent with the provisions of this constitution may be adopted at a regular or special meeting of the Division.

Section 8. The Division budget shall:

- 1) fund all expenses necessary for proper functioning of division operations, such as intro-division communications, travel, etc., on a statewide basis.
- 2) provide for a contingency fund for unforeseen expenses.
- 3) allocate a local usage fund to each Regional Council in proportion to its membership size.

Section 9. This Division shall form along the regional structure of the Department of Environmental Conservation. Therefore, all references to regions within this Division reflect departmental regions with the central office, treated as a separate region. Any ENCON region, not part of this Division shall not have representation within this Division.

ARTICLE IX - BILL OF RIGHTS FOR DIVISION MEMBERS

Section 1. No person, otherwise eligible for membership shall be denied membership on the basis of race, color, sex, age, creed, national origin, prior union membership, sexual preference or political persuasion.

Section 2. Membership shall have the right to receive accurate information relating to the affairs of the Division.

Section 3. An annual financial report will be printed in the Division publication.

Section 4. Members shall not be restricted in the exercise of their right of freedom of speech concerning the operation of this Division or any other. Active and open discussion of Division affairs and the expression and/or publication of views of Division members shall be protected within this Division.

Section 5. Members shall be encouraged to participate in the affairs, management, and administration of this Division.

Section 6. Membership service shall be a primary goal of PEF/ENCON.

Section 7. Communication to the membership shall on all matters be timely and accurate.

Section 8. When acting in their official capacity all council members shall act only in the best interest of PEF/ENCON and its members.

PEF/ENCON BY-LAWS

EXECUTIVE COMMITTEE:

The Executive Committee shall be composed of the Division Officers and Executive Board Representatives.

ROLES AND RESPONSIBILITIES OF PEF COMMITTEE REPRESENTATIVES

- 1) Provide to Steward Council and/or Executive Committee frequent, prompt reports of actions occurring in and/or instituted by the Committee.
- 2) File with the Division Secretary all Committee minutes, correspondence, and/or reports.
- 3) Report progress, problems and/or conflicts, requiring immediate action, to Executive Committee.
- 4) Work in a professional and harmonious manner with other Committee members, keeping in mind that one serves as an advocate of labor rather than automatically an adversary of management.
- 5) Not assume unauthorized authority to take actions or make policy decision beyond the responsibilities assigned by the Division.
- 6) Coordinate efforts and share information with other PEF Committee representatives (if any) and alternate(s) on all Committee business.
- 7) All committees shall have a pre-meeting unless the committees vote not to.
- 8) After the above is followed, the Committee Chair is the authorized agent to sign agreements with management which result from Committee meetings.

RULES OF PROCEDURE FOR SHOP STEWARDS

Committees:

Stewards serving on committees will abide by the Roles and Responsibilities of PEF Committee Representatives. In addition, the heads of committees are required to report on the status of committee work at every Stewards' meeting. Verbal reports are not to exceed five (5) minutes. Committee heads not attending a meeting must inform an officer of the status of his committee work prior to the Stewards' meetings so that other Stewards can be apprised of the current status at the meetings.

As all Stewards are members of the Grievance Committee, any Steward involved in a possible or actual grievance must besides adhering to the Roles and Responsibilities of PEF Committee Representatives:

1. Contact and coordinate with the PEF Field Representative all processes [initial discussion, informal resolution, Step 1 filing, Step 1 hearings, receipt of Step 1 decision, Step 2 filing, Step 2 hearing (field representative should be present), Step 2 decision].
2. Discuss case at weekly Steward meeting (applies to 625 Broadway only).
3. Except for 30th day of first Step filing, under no circumstances should above procedures be neglected.

Confidential Matters:

1. Information pertaining to grievances is confidential and is not to be discussed publicly. If a Steward breaches confidentiality, that person will be requested to resign.
2. In addition to grievances, other matters may be confidential in nature. Stewards should evaluate the need for confidentiality of non-grievance related matters based on potential harm to those involved. Unauthorized disclosure of such matters which are judged confidential by majority vote of the Stewards will result in a request for resignation.
3. At the start of all Steward meetings, the steward conducting the meeting will notify those present of all ongoing confidential matters so that the stewards may be apprised of the need for confidentiality.

Local Rule for Central Office Stewards:

Attendance and Election To A Committee - Stewards who do not attend three (3) shop steward meetings in a row, without a valid excuse, will become "inactive" at the subsequent Steward meeting. "Inactive" Stewards will be requested to resign their stewardship and are removed from any office, any committee, or any other responsible PEF/EnCon position.

"Inactive" Stewards may petition the active Stewards for reinstatement at a succeeding Stewards' meeting by obtaining the signatures of ten (10) members thus reaffirming their active status. Stewards declared "inactive" a second time must obtain the signatures of twenty (20) PEF members to reaffirm their active status. Stewards declared "inactive" a third time will be required to obtain signatures, etc. The petition reaffirming active status must state that the petitioner was declared "inactive" for non-attendance at three (3) successive Steward meetings.

The Secretary will notify Stewards who are declared "inactive" and advise them that they must petition and reaffirm their active status. Stewards declared "inactive" and who are reinstated upon petition are reinstated to active status only, not to any office, committee, or other responsible PEF/EnCon position that they may have formerly held.

Reinstatement to any office, committee, or other PEF/EnCon position must be done by separate majority vote of the Stewards. When an inactive Steward fails to petition within three (3) weeks for reinstatement, a notice to that effect will be posted on the bulletin boards by the active members. An attendance list of Stewards marked present, absent and excused shall be posted. The validity of excuses will be considered on a case by case basis at each Steward meeting. The Secretary will be charged with the responsibility of tracking absences, excuses, and the status of Stewards. Vacation, sick leave, personal leave, and job assignments away from 625 Broadway will be considered as valid excuses.
