

# CONSTITUTION OF THE NATIONAL WEATHER SERVICE EMPLOYEES ORGANIZATION

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**Record of Changes**

As adopted: September 1987	
Amended September 1999	Article VII, Section 3 removed; Article VIII, Section 1
Amended September 2000	Article III, (b); Article IV, Section 1(a); Article IV, Section 1(b); Article V, Section 1(a); Article V, Section 3(b); Article V, Section 4(b)
Amended September 2004	Article VIII, Section 4
Amended November 2005	Article V, Section 3(b); Article V, Section 3(c); Article VII, Section 1; Article X; Article XVI, Section 2
Amended October 2008	Article VIII, Section 1; Article VIII, Section 2(e); Article XI, Section 2
Amended October 2014	Article VIII, Section 2(c); Article XII, Section 1; Article XIV, Section 6

Amended October 2020	Article V, Section 4(b); Article VI, Section 1; Article VI, Section 2; Article VI, Section 3 removed; Article VII, Section 2; Article VIII, Section 5; Article X, Section 1; Article XI, Section 2; Article XVI, Section 3
Amended October 2021	Article IV Section 2(a)

# CONSTITUTION OF THE NATIONAL WEATHER SERVICE EMPLOYEES ORGANIZATION

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## **ARTICLE I. NAME AND CONSTITUTION**

**SECTION 1. NAMES** This organization shall be known as the National Weather Service Employees Organization, and may be referred to as NWSEO. NWSEO may affiliate with other labor organizations when, in the judgment of the convention, or in the judgment of the National Council when the convention is not in session, such affiliation would promote the goals of the NWSEO and would be in the best interest of its members. The NWSEO shall maintain its headquarters in the Washington, D.C. Metropolitan area, subject to the continued approval of the National Council.

**SECTION 2. CONSTITUTION** This document shall be known as the Constitution of the National Weather Service Employees Organization; also it shall be the Constitution of every affiliated Branch. The word "Constitution" when used in this document or in the associated Bylaws, means the Constitution of the NWSEO.

## **ARTICLE II. DEFINITIONS**

**SECTION 1.** The term "Region" when used in this document refers to a Branch or a group of Branches within an area determined by the National Council.

**SECTION 2.** The term "Branch" when used in this document refers to a recognized group of Active Members in good standing within a facility of the National Weather Service (NWS), the National Environmental Satellite, Data, Information Service (NESDIS), NOAA Office of General Counsel, or other appropriate agencies of the United States government or Federal contractor's operation.

**SECTION 3.** The term "member in good standing" when used in this document refers to those members who tender dues and/or initiation fees required by the NWSEO as a condition for acquiring and retaining membership, and whose dues and/or initiation fees are not delinquent.

## **ARTICLE III. OBJECTIVES**

The objectives of the NWSEO shall be:

- a. To preserve and promote the professionalism and excellence of atmospheric and environmental science, services, and the associated enforcement functions in the United States, its territories and possessions;
- b. To represent its members' interests in dealing with the Department of Commerce, National Oceanic and Atmospheric Administration, National Weather Service, National Environmental Satellite, Data, Information Service, NOAA Office of General Counsel, and other Federal agencies or other employers concerning personnel policies, practices, grievances, and other matters;
- c. To represent its members' interests before the Congress of the United States;
- d. To preserve and advance in every reasonable way the rights, working conditions, and general welfare of the membership in the United States, its territories and possessions;
- e. To uphold and forward the principles of justice, equality, and fraternity;
- f. To represent its members' interests to the news media and public of the United States;
- g. To promote better employee-management relations.

## **ARTICLE IV. MEMBERSHIP**

### **SECTION 1. ELIGIBILITY**

**a. ACTIVE MEMBERS.** All employees of the National Weather Service, National Environmental Satellite, Data, Information Service, and the NOAA Office of General Counsel, except those prohibited by law or regulation, are eligible for Active Membership in the NWSEO. Also, employees of other agencies within the Federal government and of Federal government contractors or other private sector employees who engage in atmospheric and environmental

science services to the American public are eligible for Active Membership in the NWSEO. Active Membership is limited to people who support the goals and objectives of the NWSEO and who maintain their status as members in good standing.

**b. ASSOCIATE MEMBERS.** Retirees, former employees and current and retired Management Officials of the National Weather Service; National Environmental Satellite, Data, Information Service; NOAA Office of General Counsel; and of other agencies of the Federal government and of Federal government contractors or other private sector employees who provide atmospheric and environmental science services to the American public are eligible for Associate Membership in the NWSEO if they support the goals and objectives of the NWSEO.

**c. LIFE MEMBERS.** A member who has made exceptional contributions to the NWSEO may be made a Life Member of the NWSEO by action of the convention. Life Members shall pay no dues or initiation fee.

**d. OTHERS.** Persons engaged in related scientific and technical disciplines and who support the goals and objectives of the NWSEO may be accepted for membership in the NWSEO upon approval of their applications by the National Council. The National Council shall decide which type of membership such a person shall hold.

**e. HONORARY MEMBERS.** A Member of Congress, the news media, or the public who makes significant contributions to the advancement of the objectives of the NWSEO may be made an Honorary Member by the convention. Honorary Members shall pay no dues or initiation fee.

**f. EXCEPTIONS.** A person who is an Active Member and who has been terminated from employment for whatever reason(s), and who is seeking redress and reemployment, shall remain an Active Member until such time as his/her case is resolved.

**g.** Application for membership shall be subject to acceptance by the National President. In the event the National President shall deny membership, appeal may be made to the National Council, and membership may be granted if approved by a majority vote of the National Council.

**h.** A member who resigns or whose membership is otherwise terminated shall have no right, title or interest, legal or equitable, in any property of the NWSEO, including dues or financial obligations which have been or may be paid on behalf of the member by a third party.

**i.** The National Council shall decide when and in what areas NWSEO will expand its membership.

**SECTION 2. LIMITATIONS**

*a.* No person who is otherwise eligible shall be denied membership because of age, race, color, sex, gender, gender identity, sexual orientation, creed, national origin, preferential or non-preferential civil service status, political affiliation, disability, genetic information, veteran status, pregnancy, parental or marital status.

*b.* All rights and privileges are extended to all members, except that only Active Members in good standing shall be eligible to vote and to hold office. Only Active Members will be members of a particular Branch.

**ARTICLE V. NATIONAL ORGANIZATION**

**SECTION 1. NATIONAL ORGANIZATION**

*a.* The NWSEO shall be organized by Regions and these in turn by Branches. Branches shall be organized where there are Active Members within each facility of the National Weather Service; the National Environmental Satellite, Data, Information Service; NOAA Office of General Counsel; and other agencies of the Federal government and of Federal government contractors or other private sector employees who engage in atmospheric and environmental science services to the American public.

*b.* The number and composition of Regions and establishment of Branches will be determined by the National Council. The primary consideration for establishment or change of a Region(s) or Branch(es) shall be effectiveness of service to the membership.

**SECTION 2. GOVERNING BODY** The governing body of the NWSEO shall be the National Convention, and, except as otherwise provided in this Constitution, decisions of the convention shall be by majority vote.

The National Convention of the NWSEO shall be held every year at a time and place fixed by the preceding year's Convention. In cases where an emergency circumstance arises that requires a change in the time and/or place of the next convention, the National Council may decide the time and place of the convention. The time or place of more than one Convention may be fixed if agreed to by the convention. No less than three months' notice of the place and time shall be given to the membership prior to each convention. Meetings shall be conducted by the Revised Robert's Rules of Order.

### **SECTION 3. NATIONAL OFFICERS**

*a.* The National Officers of the NWSEO shall be the National President, Executive Vice President, and the National Secretary-Treasurer. The Regional Chairpersons (or a Regional Vice Chairperson when acting in lieu of a Regional Chairperson) are National Officers when acting in the National Council.

*b.* The National Convention of the NWSEO shall elect, every four years from Base Year 2007, the National President, Executive Vice President, and National Secretary-Treasurer.

The National President and Executive Vice President shall hold no other elective position in the NWSEO during their term of office. Any Active Member in good standing for one year immediately prior to the election is eligible for office.

*c.* Regional Chairpersons and Regional Vice Chairpersons shall be elected in Regional Conferences at the National Convention every two years starting from Base Year 2006. Any Active Member in good standing for one year immediately prior to the election is eligible for office.

*d.* A National and Regional officer who retires from the Federal government before their term of office expires may complete that term at the pleasure of the National Council.

National and Regional officers who resign from the Federal government before their term expires shall relinquish such office, effective with their resignation.

*e.* No officer of the NWSEO may continue in office if his/her dues are delinquent.

### **SECTION 4. NATIONAL COUNCIL**

*a.* The National Council shall be composed of the National President, Executive Vice President, National Secretary-Treasurer, and the Chairperson of each Region. The National Council shall serve as the governing body of the NWSEO when the National Convention is not in session. Each member of the National Council shall have one vote. The National President shall ordinarily chair the meetings and shall vote only in the event of a tie. Decisions of the National Council shall be by majority vote.

*b.* The National Council shall meet annually and at other times deemed appropriate by the President, or upon application of four or more members of the National Council. It is the responsibility of the Regional Chairperson to personally attend all National Council meetings. If he/she is unable to attend because of a bona fide emergency or crisis, he/she shall designate his/her Vice Chairperson to attend in his/her stead. A Regional Vice Chairperson so designated shall have the full rights and responsibilities in Council to which the Chairperson would have been

entitled. Except during executive sessions, observers may be present at the pleasure of the National Council and if no costs to the NWSEO are incurred.

## **ARTICLE VI. REGIONAL ORGANIZATION**

**SECTION 1. GOVERNING BODY** The governing body of each Region shall be the Regional Conference and, except as provided in this Constitution, the decisions of the Conference shall be by majority vote. The Regional Chair shall govern the Region when the Regional Conference is not in session. Regions may, if they so desire, combine with other Regions in the holding of a Conference, whether at the National Convention or at a specially called meeting, but must separate into Regional groups for business particular to each individual Region, including the election of officers.

**SECTION 2. REGIONAL OFFICERS** Each Region shall meet in Conference held during the National Convention to elect a Regional Chairperson and Vice Chairperson.

## **ARTICLE VII. BRANCH ORGANIZATION**

**SECTION 1. GOVERNING BODY** The governing body shall be the Branch, and decisions of the Branch shall be made by a majority vote of those present at an announced meeting. The Branch shall meet as necessary. Only Active Members in good standing can be members of a Branch.

**SECTION 2. BRANCH OFFICERS** The Branch Steward, and Vice Steward shall be elected annually in the manner prescribed in Article VIII, SECTION 1, provided only that no Treasurer be elected. If the Branch consists of only one member, the Regional Chair may designate this member as Branch Steward.

## **ARTICLE VIII. NOMINATION AND ELECTION PROCEDURES**

**SECTION 1. BRANCH PROCEDURES** Once each year, no later than 90 days prior to the annual National Convention, the President's Office shall mail a nomination letter to each member in good standing at his or her home address requesting nominations for the offices of Branch Steward and Vice Steward, Delegate and Alternate Delegate. Members shall have 21 days to return nominations.

Any member in good standing of the Branch may nominate himself/herself or any other member of the Branch for Branch Steward or Vice Steward, and Delegate and Alternate Delegate. Any Active Member in good standing of the Region may nominate himself/herself for the position of Delegate and/or Alternate Delegate by letter to the Branch Steward or designee. Nominations must be in writing, dated and signed by the member making the nomination and presented to the Steward or designee by the deadline. In the alternative email nominations are acceptable. Delegates and Alternate Delegates shall represent the Branch(es) that elected them at the National Convention and



the Regional Conference and will have the right to vote for the Branch in any business arising at the National Convention or Regional Conference.

If more than one member is nominated for any Branch office, Delegate and/or Alternate Delegate, the Branch Steward shall prepare a secret ballot for each member and mail it to his or her home address. Ballots shall be returned to a sealed box until the time for counting the ballots. Each nominee has the right to have an observer at the polls and the tallying of the votes. The nominee who receives a majority of votes cast shall be certified elected. If there are more than two nominees for any office, or for Delegate or Alternate Delegate, members will be instructed to vote preferentially, and the ballots shall so indicate. The nominee who receives a majority of votes cast for first preference shall be certified elected. If no person receives a majority of the votes cast for first preference, the nominee receiving the largest number of first and second preference votes shall be certified elected.

Notification of the results of the election will be sent to the Regional Chairperson. The successful candidates for Delegate and Alternate Delegate will be sent a completed Delegate form signed by the Branch Steward. Election results shall be available to all members.

## **SECTION 2. NATIONAL AND REGIONAL PROCEDURES**

**a.** Notice of the opportunity for members to submit nominations for any NWSEO office and the nomination procedure must be provided to each Branch at least sixty (60) days prior to the scheduled time of the conference or convention. This information shall be published in the Notice of Conference or Convention.

**b.** Any Active Member in good standing for one year may submit his/her name or the name of any other Active Member in good standing for one year for nomination for any national office. Nomination may be made in writing by delivering it in person or by registered or certified mail to the National President at the address of the National Headquarters of NWSEO. All written nominations shall be received at National Headquarters not less than fourteen (14) calendar days before the convention begins.

**c.** Any Active Member in that Region in good standing for one year may nominate himself/herself or another Active Member of that Region in good standing for one year for any Regional Office. Nomination must be made within 21 days of the notice of nomination in such a manner as specified in the notice of nomination.

**d.** A Delegate or Alternate Delegate representing a Branch at a conference or convention must submit an instrument signed by the Branch Steward to the Credentials Committee, certifying

him/her as the Delegate or Alternate Delegate of the Branch and affirming that the proper notice of the election was furnished to Branch members and that the election was by secret ballot.

*e.* The Credentials Committee shall certify the Delegate or Alternate Delegate and assign to him/her the proper number of votes for each Branch, one vote for each Branch member. The name of the Delegate or Alternate Delegate shall be recorded along with the number of votes he/she is entitled to cast for each Branch he/she represents. A summary of this record shall be furnished to the Chairperson of the conference or convention and to the conference or convention Secretary. Notification of results will be sent to the Regional Chairperson and the Credentials Committee, who shall forward the results to the National Office. Notification of the results by e-mail is acceptable. If an election was held, the ballots shall be sent to the Credentials Committee for certification of the results.

**SECTION 3. DELEGATES AND ALTERNATE DELEGATES** A Delegate shall have the authority to vote and otherwise represent the members of the Branch(es) who elected him/her. If a Delegate is unable to represent the Branch who elected him/her, his/her authority will revert to the properly elected Alternate Delegate.

**SECTION 4.** Notwithstanding any other provision of this Constitution, if all of the branches of any region are at the same geographic location, then the election of the Regional Chair and other regional officers will be conducted directly by the members locally rather than by delegates at the Convention. In such a case, any member of a region who wishes to nominate any other member of the region as a regional officer shall do so by notifying the current regional chair in writing by the deadline established for nominations for local steward. The regional chair shall ensure that all such nominations are placed on the same ballots of each branch within the region as are used for electing stewards and delegates to the convention.

The election of the regional officers will be conducted at the same time and in the same manner as the election of stewards and delegates, and will be by secret ballot. The votes for the regional officers will be tallied at the same time as the votes for stewards and delegates.

The newly elected regional officers will take office immediately. The branches will still elect delegates and alternates to the National Convention to vote for National Officers or any other issues which arise at the Convention.

**SECTION 5.** Notwithstanding any other provision of this Constitution or Bylaws, elections for Regional Office held between January 1, 2022 and December 31, 2022 shall be conducted by direct

election secret ballot vote, in accordance with procedures adopted by the National Council and specified in the Notice of Elections, with officers elected under this section taking office at the end of the Convention at which the election result was announced. This section shall expire on January 1, 2023; however, this section may be extended by a two-thirds affirmative vote of the 2022 NWSEO Convention to also cover elections for National Office held between January 1, 2023 and December 31, 2023. If this section is extended by the 2022 NWSEO Convention, it shall expire on January 1, 2024.

## **ARTICLE IX. NATIONAL OFFICERS**

**SECTION 1. NATIONAL PRESIDENT** The National President shall be the Chief Executive Officer of the NWSEO and shall be responsible for the implementation of policy as created by the National Convention and the National Council. When these bodies are not in session, he/she may create and implement policies at his/her discretion, subject to the general guidelines established by these bodies, and, except in urgent situations, in consultation with the National Council.

He/she may employ any person or organization whose services, in his/her judgement, are needed in order to enable him/her to discharge his/her responsibilities, subject to confirmation/approval of the National Council. He/she shall timely inform the Executive Vice President of major activities, decisions, and commitments he/she has engaged in. The National Council shall also be informed of these activities, decisions, and commitments. He/she shall preside over the regular and special meetings of the National Council.

He/she shall act as Chairperson of the National Convention and shall appoint such committees as are necessary in the conduct of the business of the convention, provided that he/she shall not appoint any candidate or nominee for office to any Credentials Committee. He/she shall, with the advice and consent of the National Council, appoint members to and cause to be maintained at all times a Constitution Committee, a Legislative and Public Affairs Committee, and a Finance Committee. He/she shall, with the advice and consent of the National Council, appoint members to such other committees as may be necessary.

**SECTION 2. EXECUTIVE VICE PRESIDENT** The Executive Vice President shall advise and assist the National President. He/she shall act as the Executive Officer of the NWSEO in the absence of the National President or if the National President should become incapacitated or otherwise unable to perform the duties of his/her office, as determined by the National Council. He/she shall perform such other duties as are incident to the office.

**SECTION 3. NATIONAL SECRETARY-TREASURER** The National Secretary-Treasurer shall cause to be recorded minutes of all meetings of the National Council and of the National Convention. He/she shall cause these minutes, amendments to the Constitution, resolutions, and other appropriate material to be prepared for publication and distribution. He/she shall have custody of and maintain the records, documents, and other effects of the NWSEO.

He/she shall be custodian of the funds of the NWSEO and shall disburse monies in payment of obligations incurred on behalf of the NWSEO. He/she shall arrange to furnish each member in good standing a membership card which shall bear the name of member, the Branch name and/or number and such other information as the National Council may specify. He/she will assist the Regional Chairpersons in LMR matters. He/she will collect LMR reports from the Regional Chairpersons and submit a monthly summary to the National Council.

## **ARTICLE X. REGIONAL OFFICERS**

**SECTION 1. REGIONAL CHAIRPERSON** The Chairperson of a Region shall be the Chief Executive Officer of that Region. He/she shall chair the Regional Conference and shall be a member of the National Council.

**SECTION 2. REGIONAL VICE CHAIRPERSON** The Vice Chairperson shall assist the Regional Chairperson. He/she shall act as Chairperson in the absence of the Chairperson, or in the event of the Chairperson's incapacitation.

## **ARTICLE XI. SUCCESSION OF OFFICERS**

**SECTION 1. NATIONAL OFFICERS** A vacancy in the office of the National President that occurs between national elections shall be filled by officers in the line of succession: the Executive Vice President first. All other vacancies in national offices that occur between national elections shall be filled by the National Council. Each officer succeeding shall serve in his/her new office until the next regular election.

**SECTION 2. REGIONAL OFFICERS** A vacancy in the office of the Regional Chairperson which occurs between regional conferences shall be filled by the Regional Vice Chairperson. When a vacancy in the Regional Vice Chair occurs between regional conferences the Regional Chair, in consultation with the President, will nominate a Vice Chair to serve until the next election. The nomination must be approved by a majority of the National Council.

If both the position of Regional Chairperson and Regional Vice Chairperson fall vacant, an interim Chairperson shall be appointed by the National President until the next National Council meeting, when the National Council shall elect a Regional Chairperson to serve until the next election.

**SECTION 3. BRANCH OFFICERS** A vacancy in the office of Branch Steward shall be filled by the Branch Vice Steward who shall be eligible to serve in that office until the next scheduled election.

## **ARTICLE XII. IMPEACHMENT OF OFFICERS**

**SECTION 1.** Any officer in the NWSEO may be impeached at any time for misconduct in office or for substantial mismanagement of that office. Upon receipt by the National Secretary-Treasurer of a written complaint against any officer, the National Council may consider the commencement of an impeachment proceeding. If the National Secretary-Treasurer is the officer complained of, the written complaint shall be delivered to the National President.

After a preliminary inquiry into the alleged facts upon which the complaint(s) is grounded, the National Council may order preparation of a written charge(s) which shall be served upon the charged officer. The National Council shall also decide if the charged officer shall be suspended from office pending the resolution of the complaint. Any charged officer shall not have a vote in this decision. If the National Council orders suspension, the next officer in line of succession shall serve in the charged officer's stead, in accordance with Article XI.

The charged officer's salary, if any, is also suspended pending the outcome of the impeachment proceedings.

Within fourteen (14) days of receipt of the written charge(s), the charged officer shall respond in writing to the National Council, provided that such time may be extended by the National Council for good cause.

The charges and the response shall be published to the members of the Branch in the case of Branch Officers; to Active Members of the Region in the case of Regional Officers; and to all Active Members in the case of National Officers. If, after study of the charges, responses, other pertinent information, and any personal inquiries they see fit to make, a majority of the affected responding members vote that an impeachment proceeding is to continue, they shall so inform the National Council. The vote shall proceed in accordance with Article VI of the Bylaws.

**SECTION 2.** If the members vote to continue impeachment proceedings, the National Council will hold a hearing as soon as practicable to determine whether or not the charges are substantially true. Such meeting shall be called and chaired by the most senior officer not charged, for any officer

complained of is disqualified from participating in the capacity of a hearing official. At such a hearing, the officer charged may be represented by counsel of his choice. The burden of establishing the truth of the charge(s) will be upon the accuser. A verbatim transcript of the proceedings will be made. After presentation of evidence and such discussion as it shall deem necessary, the National Council will vote.

If an absolute majority vote against the defendant officer, impeachment will be complete, and the impeached officer will immediately cease to have any authority or to serve in the office he/she held before the impeachment and shall never be eligible to serve as an officer or in any other position in the NWSEO. The National Council may order such additional actions or discipline as it shall deem necessary.

If the vote is in favor of the charged officer, he/she shall be restored to the full dignity and responsibility of the office for which he/she was elected. Any salary accruing to the officer while under the impeachment proceeding shall be paid. The National Council may order such additional actions as it shall deem necessary. The decision of the National Council is final and is not subject to appeal.

**SECTION 3.** The National Council will make a written report of its decision, whether for or against the defendant officer, to the members of the Branch in the case of a Branch Officer; to the members of the Region in the case of a Regional Officer; and to all Active Members in the case of a National Officer.

## **ARTICLE XIII. MISCONDUCT**

**SECTION 1.** The following actions shall constitute misconduct by any member(s) which shall warrant a reprimand, fine, suspension and/or expulsion from membership, or any lesser penalty or combination of these penalties as evidence may warrant after written and specific charges and a full hearing:

- a.** acquiring membership by false pretense, misrepresentation or fraud;
- b.** refusal or willful failure to perform any lawful duty or obligation imposed by the Constitution, Bylaws, the established policies of the NWSEO, or valid decisions and directives of any officer or officers thereof;
- c.** misappropriating money or property of the NWSEO;

- d.* advocating, encouraging, or attempting to inaugurate movements or organizations inimical to the interests of the NWSEO, its established laws and policies;
- e.* willful actions constituting a violation(s) of the provisions of the Constitution and Bylaws of the NWSEO.

## **SECTION 2.**

- a.* Charges made against a member shall be in writing, over the charging member's signature, and submitted by certified or registered mail to the National President at the address of the National Office. Charges must be submitted within thirty (30) days of the time the accuser first becomes aware of the alleged offense; and must contain the alleged offense, the facts of the alleged offense and the approximate date(s) the alleged offense occurred.
- b.* Only Active Members of the NWSEO may bring charges against another member.
- c.* Upon receipt of charges of the offense, the National President shall inform the charged member of the charges against him/her. The charged member will be served with written, specific charges. The National President shall appoint a panel of not more than three disinterested Active Members to investigate and determine if the charges are substantially true. The charged member shall be provided thirty (30) days to prepare a defense. The charged member will have the right to present his defense before the panel. If the Panel determines the charges are substantially true, the panel shall notify the National President of its decision. The National President shall confer with the National Council, and if, after making any inquiries each Council member wishes to make, the majority of the Council votes that the charges are substantially true, the National President shall be notified of such finding along with any recommendations the Council may make. Considering the Council's and the panel's findings and recommendations, the National President shall determine a proper penalty in accordance with SECTION 1 of this Article.
- d.* The finding(s) of the National Council shall be final and irrevocable.

## **ARTICLE XIV. GRIEVANCE AND APPEALS**

**SECTION 1.** Any member aggrieved by any action of a Branch or Officer thereof shall have the right to appeal to an impartial hearing by a committee of not more than three Active Members appointed by the Regional Chairperson. Such appeal must be filed within thirty (30) days of the action complained of, in writing to the Regional Chairperson.

**SECTION 2.** Any member aggrieved by any action of a Region or Officer thereof shall have the right to appeal to an impartial hearing committee of not more than three Active Members appointed by the National President. Such appeal must be filed within thirty (30) days of the action complained of, in writing to the National President.

**SECTION 3.** Any member aggrieved by any action of the NWSEO or National Officer thereof shall have the right to appeal to an impartial hearing committee of not more than three Active Members appointed by a disinterested National Council member. Such appeal must be filed within thirty (30) days of the action complained of, in writing to the National Council.

**SECTION 4.** Any member(s) not satisfied with a decision under SECTION 1, 2, or 3 of this Article shall have the right of appeal to the full National Council. Such appeal must be filed within thirty (30) days of the decision complained of, in writing to the National Council. The decision of the National Council shall be by majority vote and shall be final and binding.

**SECTION 5.** No court proceedings may be instituted until and unless the appeals procedures provided in this Article have been exhausted, except in the following case:

- a.* an action against the NWSEO for violating a member's rights of freedom of speech and assembly;
- b.* an action to challenge a trusteeship;
- c.* any other instance required by Federal Law.

**SECTION 6.** Protests concerning the conduct of an election provided for by this Constitution shall be filed as a member grievance under this Article.

## **ARTICLE XV. TRUSTEESHIPS**

**SECTION 1.** The National President, with the approval of the National Council and in accordance with applicable law, regulation or Executive Order, may place in trusteeship any Branch or Region for any of the following reasons:

- a.* to correct corruption or financial malpractice;
- b.* to assure performance of collective bargaining agreements or other duties of a bargaining representative;
- c.* to restore democratic procedures; or
- d.* to otherwise carry out the legitimate objectives of the NWSEO.



**SECTION 2.** A trustee selected by the National President shall assume immediate control of the Branch or Region, with full authority over officers and property thereof. He/she shall continue to act in such capacity for the duration of the trusteeship.

**SECTION 3.** Within thirty (30) days of the establishment of the trusteeship, a hearing shall be held at a place specified by the National Council before a panel of three impartial Active Members of the NWSEO to determine the facts on continuing the trusteeship. The panel will be appointed by the National Council. The panel shall have sole discretion as to the conduct and procedures in effect at the hearing. All interested persons shall have the right to present evidence to the panel at the hearing. The Branch or Region shall have the right to representation of its choice.

**SECTION 4.** The panel shall report, as soon as practicable after the hearing, its findings and recommendations to the National Council. The Council may accept or reject these findings and the trusteeship may be terminated or continued accordingly.

**SECTION 5.** No earlier than six months after the imposition of the trusteeship, any interested party may petition the National Council requesting termination of the trusteeship. The National Council, acting on such petition, or at any time on its own motion, may terminate the trusteeship and restore government to the Branch or Regional Officers.

**SECTION 6.** The decision of the National Council shall be final. A new petition to end the trusteeship may be commenced six months after the previous appeal.

**SECTION 7.** If a Branch is in trusteeship, it shall not be entitled to send a Delegate to a Regional Conference and/or National Convention at which Regional and National Officers are elected. It may send nonvoting observers to said conferences and conventions.

## **ARTICLE XVI. CONSTITUTIONAL AMENDMENTS**

**SECTION 1. PROPOSALS** Proposed amendments to the Constitution shall be forwarded to the National Secretary-Treasurer not later than ninety (90) days prior to the National Convention. He/she shall collect all the proposals and provide a copy of the collection to each Branch, to each National Council member and to each Constitution Committee member at least sixty (60) days prior to the National Convention.

**SECTION 2. COMMITTEE ACTION** The Constitution Committee will review all proposed amendments to this Constitution to determine whether they will improve the capabilities of the NWSEO in attaining its objectives. The Committee will report its recommendations, and any dissenting report, to the Convention. A two-thirds majority of the Convention Delegates' votes shall

be required to approve the amendment(s). Alternative proposals from committee members which are approved by a majority of the Committee may be presented to the Convention and may be adopted by a two-thirds majority vote.

**SECTION 3. REFERENDUM AMENDMENT** Amendments may be submitted by any member or Branch when the convention is not in session. If it is within one hundred (100) days of the Convention, the process for consideration of the proposed amendments(s) shall be as described in SECTIONs 1 and 2 above. At other times, after notifying the National President, any member or Branch must submit his/her/its petition for a referendum vote to all members and receive a supporting vote of at least fifteen (15) percent of the number of certified delegate votes at the most recent Convention before a referendum vote may be held. The petition must include the amendment(s) for the members' consideration. Any member may present an argument for or against the proposed amendment. Balloting procedures shall be detailed in the NWSEO's Bylaws. Referendum amendments shall require a two-thirds majority of responding members' votes to pass.

**SECTION 4. INTERPRETATION** All questions of interpretation of the Constitution shall be directed to the Constitution Committee, which will decide the question.

## **ARTICLE XVII. BYLAWS**

**SECTION 1.** Bylaws guide the day-to-day operations of the NWSEO. An amendment(s) to the Bylaws may be introduced by any member at any time subject to the same time restrictions as Constitutional Amendments in Article XVI. The amendment(s) shall be submitted to the Constitution Committee. If the amendment(s) is deemed appropriate and not in contravention of the Constitution or Bylaws by the Constitution Committee, such amendment(s) shall require a majority of convention Delegates' votes to pass.

An amendment(s) proposed by the Constitution Committee shall require a majority vote in convention to pass.

An amendment(s) introduced from the floor of the convention shall require a two-thirds majority to pass. Such amendment(s) must be reviewed by those of the Constitution Committee who are present at the convention to determine if the amendment(s) are appropriate and not in contravention of the Constitution or Bylaws.

**SECTION 2.** Subjects not covered in this Constitution shall be addressed in the Bylaws, if considered appropriate by the Constitution Committee.

## **ARTICLE XVIII. RATIFICATION**

The National Contract(s) negotiated between the NWSEO and Management shall be subject to ratification by the members affected.

## **ARTICLE XIX. PRIOR CONSTITUTIONS**

All prior Constitutions with their amendments and bylaws are hereby revoked and shall become null and void immediately upon the adoption of this Constitution.

# BYLAWS OF THE NATIONAL WEATHER SERVICE EMPLOYEES ORGANIZATION

## Record of Changes

As adopted: September 1987	
Amended September 2000	Article IV, Section 1; Article VIII, Section 1
Amended September 2005	Article I, Section 1
Amended October 2008	Article VII, Section 2
Amended November 2012	Article IX, Section 1
Amended September 2013	Article IX
Amended October 2018	Article VII, Section 3; Article VII, Section 4
Amended October 2020	Article XI, Section 3

# BYLAWS OF THE NATIONAL WEATHER SERVICE EMPLOYEES ORGANIZATION

## **ARTICLE I. DUES**

**SECTION 1.** The dues structure of the NWSEO will be published annually.

**SECTION 2.** The dues structure shall remain in effect until changed by action of the Convention.

**SECTION 3.** The dues may be paid by deduction from salary or by direct payments to the National Office on a semiannual or annual basis.

**SECTION 4.** Members who elect to pay by lump sum payment(s) shall receive only one bill for each payment due. Additional reminders will not be sent. It is the member's responsibility to remit his/her dues payment in good time to maintain his/her membership in good standing.

**SECTION 5.** Initiation fees may be established by action of the National Council or of the Convention.

## **ARTICLE II. RECRUITING**

Rebates or other inducements to membership may be established or discontinued by action of the National Council.

## **ARTICLE III. MEMBERSHIP**

Active Members who retire or who change employment to an organization not covered by the NWSEO may appeal to the National Council to continue as Active Members. The National Council shall decide by majority vote if the application shall be approved. The National Council may, at its discretion, limit approval of the applicant's continuation as an Active Member to a specified period of time.

## **ARTICLE IV. NATIONAL COUNCIL**

**SECTION 1.** National Council meetings shall be of three types:

- a.* Ordinary meetings, held annually in a place and at a time designated by the National President well in advance of the meeting;
- b.* Special meetings, called by the National President to address issues which he/she feels cannot wait for the next ordinary meeting; which meeting may be conducted by conference call, and is usually limited to only a few issues;
- c.* Extraordinary meetings, called upon application of four or more members. Such meetings must be held within six (6) weeks of the application. In the case of an Extraordinary meeting all members of the National Council shall be informed by registered or certified mail (sent simultaneously) of the date, time and place of the meeting in reasonable time for the Council members to make arrangements to attend or to send designees. The registered or certified mailing shall be the responsibility of the members calling the meeting. This meeting may be held by

conference call, but the registered mail requirement and the agenda requirement (specified in SECTION 4 below) must be met.

**SECTION 2.** If the extraordinary meeting is deemed frivolous by vote of the National Council, the members calling the meeting shall reimburse the NWSEO for the costs of the meeting.

**SECTION 3.**

*a.* Meetings of the National Council shall be conducted by the Revised Robert's Rules of Order.

*b.* A quorum of the National Council shall consist of eight (8) members.

*c.* Since the actions of the National Council are so important to the operation of the NWSEO, no proxies will be permitted.

*d.* The National President will ordinarily preside over meetings of the National Council. Should the National President be unable to attend due to emergency or crisis, or should he/she be barred by reason of possible impeachment or disciplinary action, the Executive Vice President shall preside; failing the Executive Vice President, the Secretary-Treasurer shall preside.

**SECTION 4.** All National Council meetings will be conducted with an Agenda.

*a.* For ordinary meetings: a preliminary agenda is to be sent to all National Council members at least two weeks before the meeting. Any National Council member may propose an agenda item. Such a proposal should be received in good time for its inclusion in the preliminary agenda. The final agenda will be presented at the meeting. The National Secretary-Treasurer shall be responsible for the preliminary and final agendas for all ordinary meetings. Additional items may be proposed for discussion, but these items may be addressed only with the agreement of the National Council, and only when all items on the final Agenda have been addressed.

*b.* For special meetings: the agenda may be verbally communicated to the Council members when they are informed of the date, time, method (conference call or face-to-face) and place, if appropriate, of the special meeting. The Agenda will be briefly repeated at the start of the meeting if conducted by conference call; or handed to members attending if conducted face-to-face.

*c.* Extraordinary meetings shall also be conducted with an agenda. A final agenda shall be simultaneously sent to all National Council members by registered or certified mail two weeks before the meeting. Any National Council member may propose agenda items to the members calling the meeting. The mailing of the agenda shall be the responsibility of those calling the meeting. Such agenda shall include all items proposed for consideration by members of the National

Council. Disagreement over which items will be included on the agenda will be settled by majority vote of the National Council members participating in the meeting. The items in dispute will be indicated on the agenda.

**SECTION 5.** The National President may also conduct a ballot by electronic mail among National Council members on such issues as he/she deems appropriate. Such issues will generally be of lesser importance to the operation of the NWSEO. National Council members will have two weeks from receipt to return the mail ballot to the National President or his/her designee. Results of the ballot shall be published to the Council as soon as possible after the two week return period, and the ballots shall be retained.

## **ARTICLE V. STANDING COMMITTEES**

**SECTION 1.** The Standing Committees of the NWSEO shall be:

- a.* The Constitution Committee, which answers all questions on the interpretation of the Constitution, which considers proposed constitutional amendments, and which may propose such amendments itself.
- b.* The Credentials Committee, which certifies delegates and alternates to the Convention. No candidate or nominee for office may serve on the Credentials Committee.
- c.* The Finance Committee is chaired by the National Secretary-Treasurer, who votes only in a tie. This committee proposes the budget for the coming year, and provides other financial advice it deems appropriate or that the National President, National Secretary-Treasurer or the National Council requests.
- d.* The Negotiating Committee negotiates the national contract; conducts impact and implementation bargaining and consultations; and advises and assists Regional and Branch officers in bargaining and consultation as appropriate.
- e.* The Legislative and Public Affairs Committee deals with our lobbyist and Congress, and orchestrates mail and other campaigns it deems appropriate to get the NWSEO message to the Congress, the press, and the public.
- f.* The Resolution Committee proposes resolutions for presentation to the Convention.
- g.* The Health and Safety Committee keeps abreast of health and safety issues of importance to our members, and briefs the members, officers, and our lobbyist on such issues.

**SECTION 2.**

- a.** Membership on a committee shall be by appointment of the National President, with the advice of the committee chairperson.
- b.** Membership on a committee shall be at the pleasure of the National President in consultation with the committee chairperson. However, removal should be for good cause.
- c.** Removal from a committee may be appealed to the National Council, if the member so removed believes the removal was capricious and arbitrary. The National Council may order reinstatement of such a person.

## **ARTICLE VI. IMPEACHMENT**

**SECTION 1.** When action that could lead to impeachment starts, a file shall be established in the National Office and copies of all reasonably available materials pertinent to the impeachment will be entered in that file. If the officer impeached is found guilty by decision of the National Council, the file will remain a permanent part of the NWSEO files. If the officer is found not guilty, the file will be retained for two years and then destroyed.

**SECTION 2.** If an impeachment vote is necessary, the vote will be by secret ballot. Ballots will be sent by first class mail to each Active Member at his/her last known address appearing on the official records of the NWSEO. The ballots will be accompanied by the charges, responses, and any other pertinent information; by a plain white envelope; by a stamped envelope addressed to the National Office; and by instructions on filling out and returning the ballot. The stamped envelope will have in its upper left hand corner places for the member's signature, printed name, and address; and shall be marked "Ballot" to distinguish it from other incoming mail.

**SECTION 3.** The marked ballot will be sealed in the plain white envelope by the member, then put into the stamped envelope on which the member enters his/her signature, printed name, and address in the upper left hand corner. The ballot is then mailed. Failure to include the signature and printed name on the stamped envelope will invalidate the ballot, and the envelope will be retained but not opened or counted.

**SECTION 4.** The National President (or the Executive Vice President if the National President is under impeachment proceedings) shall appoint two neutral persons to count the ballots. The transportation and reasonable expenses of the two neutral persons assigned to count the ballots will be reimbursed by the NWSEO.

**SECTION 5.** Ballots in an impeachment vote will be verified and counted at the National Office. The membership shall have six weeks to return the ballots to the National Office. Ballots returned to the



National Office will be placed in a suitable container until they are counted. Ballots received after six weeks shall not be counted and shall be marked by the Director of Membership Services as received after the six week return period. The official count shall occur as soon as practicable after the six week return period.

**SECTION 6.** Two representatives of the person subject to the impeachment procedure and two representatives of those bringing the impeachment charges may be present at the ballot count. The representatives shall not be reimbursed by NWSEO for travel or expenses to attend the count.

**SECTION 7.** Results of the balloting shall be published to the membership as soon as practicable.

**SECTION 8.** Ballots will be retained at the National Office for two years.

**SECTION 9.** If a majority of the members responding votes to impeach, a meeting of the National Council to decide the case will be held within three weeks of the impeachment vote. The site of the hearing will be selected by the National Council.

**SECTION 10.** The results of the hearing will be published to the membership as soon as practicable.

## **ARTICLE VII. VOTING**

**SECTION 1.** It shall require a majority of the votes cast to decide all issues other than amendments to the Constitution.

**SECTION 2.** If more than one member is nominated for any Branch office, delegate and/or Alternate delegate, the Branch Steward shall prepare a secret ballot for each member and mail it to his or her address. Ballots shall be returned to a sealed box until the time for counting the ballots. Each nominee has the right to have an observer at the polls and the tallying of the votes. The nominee who receives a majority of the votes cast shall be certified elected. If no person receives a majority of votes cast (a tie between the nominees), a coin toss will be used to determine the winner.

**SECTION 3.** If more than one member is nominated for any Regional office, the Credentials Committee shall conduct paper balloting, as described in the annual elections notice, among the duly elected and certified Delegates and Alternate Delegates for that Region during the Regional Conference held at the National Convention, to determine the winner of any contested offices. Each nominee has the right to have an observer present during tallying of the vote by Credentials Committee.

If there are exactly two nominees for any Regional office, the nominee who receives a majority of the votes cast shall be certified elected. If there is a tie vote between the two nominees, a coin toss shall be conducted by the Credentials Committee to determine the winner.

If there are more than two nominees for any Regional office, the election shall be conducted by preferential voting to determine the winner.

The total number of votes cast for each candidate will be reported to the Convention.

**SECTION 4.** If more than one member is nominated for any National office, the Credentials Committee shall conduct paper balloting, as described in the annual elections notice, among the duly elected and certified Delegates and Alternate Delegates at the National Convention, to determine the winner of any contested offices. Each nominee has the right to have an observer present during tallying of the vote by Credentials Committee.

If there are exactly two nominees for any National office, the nominee who receives a majority of the votes cast shall be certified elected. If there is a tie vote between the two nominees, a coin toss shall be conducted by the Credentials Committee to determine the winner.

If there are more than two nominees for any National office, the election shall be conducted by preferential voting to determine the winner.

The total number of votes cast for each candidate will be reported to the Convention.

## **ARTICLE VIII. FISCAL ISSUES**

**SECTION 1.** The fiscal year of the NWSEO shall be the calendar year. Upon request to the National Office, any member may receive a copy of the annual financial report.

**SECTION 2.** The National Secretary-Treasurer shall ensure that every officer, agent, and employee of NWSEO who handles funds or other property thereof shall be bonded to provide protection against loss by reason of acts of fraud or dishonesty. The bond of each such person shall be in an amount not less than 10 percent of the funds handled by the NWSEO in the preceding fiscal year.

**SECTION 3.** Any officer or employee of the NWSEO may sign in its behalf bills, notes, checks, negotiable instruments or other evidence of obligation only when he/she has been authorized to do so by the National Council and only within the limitations prescribed by the National Council. These authorizations and limitations must be prescribed in writing over the signature of the National President.

**SECTION 4.** Any officer or employee of the NWSEO who may sign in its behalf bills, notes, checks, negotiable instruments or other evidence of obligation must be bonded.

**SECTION 5.** The Finance Committee or the National President of the NWSEO shall recommend to the National Convention which of the officers shall be salaried or otherwise compensated and shall recommend the amount of such salary or compensation. The National Convention shall make the final determination as to which of the officers shall be salaried or compensated in some manner and shall determine the amount of such salary or compensation.

## **ARTICLE IX. TERMS OF OFFICERS**

**SECTION 1.** A newly elected national officer will take over the position to which he/she was elected at the end of the convention at which the election was held. In the case of an election conducted to fill a vacant position, the newly elected officer will take over the position as soon as the election is conducted.

**SECTION 2.** A newly elected regional officer will take over the position to which he/she was elected at the conclusion of the convention at which the election was held. A newly elected branch officer will take over the position to which he/she was elected at the end of the meeting at which the election was held. In the case of an election conducted to fill a vacant position, the newly elected officer will take over the position as soon as the election is conducted.

## **ARTICLE X. MISCONDUCT**

**SECTION 1.** When a Member(s) is accused of misconduct, the National President shall appoint a Panel to investigate the charges. One of the Panel members shall serve as Chairperson, receive instructions from the President, make arrangements for the hearing, and keep the National President informed. The Panel shall meet as soon as practicable to consider the charges. The member(s) charged with misconduct and the member(s) bringing the charges have the right to be present during the fact finding portion of the Panel's investigation. The Panel may call such witnesses as it deems appropriate.

**SECTION 2.** After the fact finding session(s), the Panel shall meet in private to determine if the charges are or are not substantially true. A written statement of its decision, along with any materials and recommendations it deems relevant, shall be forwarded to the National President as soon as possible. The National President shall arrange to forward copies of its decision and the accompanying materials to the National Council, along with a date on which the National Council shall vote on the charges.

**SECTION 3.** National Council members may make such additional inquiries as they deem appropriate before the date on which the vote will be taken. The vote may be conducted by conference call.

**SECTION 4.** The National President shall inform the member as soon as possible after the National Council decision of the outcome of the vote, and the penalty to be assessed, if the charges were upheld.

**SECTION 5.** When a charge of misconduct is brought against a member(s), a file shall be established at the National Office. Copies of all reasonably available materials pertinent to the misconduct charge will be entered in the file. If the charges against the member(s) are found to be substantially true, the file will become a permanent part of the NWSEO files. If the charges against the member(s) are rejected, the file shall be retained for two (2) years, then destroyed.

## **ARTICLE XI. CONSTITUTIONAL REFERENDUM**

**SECTION 1.** When a member or a Branch proposes an amendment for referendum, a copy of the proposed amendment shall be sent by registered or certified mail to the National President, along with notification of intent to begin the referendum process. Copies will also be sent to the Chairperson of the Constitution Committee, who shall have the Committee determine if the proposed amendment contravenes any other section of the Constitution.

The Chairperson of the Committee shall so inform the proposing member or Branch within forty (40) days of receipt of the proposed amendment(s).

**SECTION 2.** The member or Branch proposing the amendment(s) shall then circulate a petition to each Branch, with a copy of the amendment(s) and any arguments for or against attached.

**SECTION 3.** If the member or Branch receives a number of signatures equaling at least fifteen (15) percent of the number of certified delegate votes at the most recent Convention, the signed petition(s) shall be forwarded by registered or certified mail to the National President who shall direct that the signatures be verified.

**SECTION 4.** If the National President finds that the petition is correct, he/she shall order a referendum election.

**SECTION 5.** If a referendum is necessary, the vote will be by mail ballot. Ballots will be sent by first class mail to each active member at his/her last known address. The ballots will be accompanied by a copy of the proposed amendment(s), one essay of five hundred (500) words or less in favor, one

essay of five hundred (500) words or less against, a ballot, and a stamped envelope addressed to the National Office.

**SECTION 6.** The ballots will be placed in the stamped envelope addressed to the National Office on which the member enters his/her signature, printed name, and address in the upper left hand corner.

**SECTION 7.** The ballots will be verified and counted at the National Office. The membership shall have six weeks to return the ballots to the National Office. Ballots returned to the National Office will be placed in a suitable container until they are counted. Ballots received after six weeks shall not be counted and shall be marked by the Director of Membership Services as received after the six week return period. The official count shall occur as soon as practicable after the six week return period.

**SECTION 8.** The results of the balloting shall be published to the membership as soon as practicable.

**SECTION 9.** The ballots shall be retained at the National Office for two (2) years after the vote.

## **ARTICLE XII. CONDUCT OF MEETINGS**

All NWSEO meetings will be conducted under the Revised Robert's Rules of Order.