

# PROPOSAL #1

CONSTITUTION		
Current Wording	Proposed Amendments	If Adopted, Will Read
	<p><u>ARTICLE - INTERNAL DISPUTES BETWEEN AME MEMBERS</u>  <u>Any legal dispute or controversy between members of the Association of Municipal Employees arising out of the interpretation and/or enforcement of the provisions of the AME Constitution, the AME By-Laws, and the AME Financial Code shall be heard, adjudicated, and determined by a neutral arbitrator appointed by the Suffolk County Bar Association from the next available arbitrator listed on its rotating list of qualified arbitrators. The arbitrator's decision shall be binding on the parties unless reversed or modified upon judicial appeal. Except where provided in the By-laws, the Laws of New York shall govern all aspects of arbitration proceeding instituted pursuant to this Article and well as the enforcement and/or appeal of any arbitrator's decision emanating thereunder.</u></p>	<p><u>ARTICLE - INTERNAL DISPUTES BETWEEN AME MEMBERS</u>  <u>Any legal dispute or controversy between members of the Association of Municipal Employees arising out of the interpretation and/or enforcement of the provisions of the AME Constitution, the AME By-Laws, and the AME Financial Code shall be heard, adjudicated, and determined by a neutral arbitrator appointed by the Suffolk County Bar Association from the next available arbitrator listed on its rotating list of qualified arbitrators. The arbitrator's decision shall be binding on the parties unless reversed or modified upon judicial appeal. Except where provided in the By-laws, the Laws of New York shall govern all aspects of arbitration proceeding instituted pursuant to this Article and well as the enforcement and/or appeal of any arbitrator's decision emanating thereunder.</u></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 Mascaro

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 12:54 PM 405

Signature of Member

A stylized handwritten signature in black ink.



**ASSOCIATION OF  
MUNICIPAL  
EMPLOYEES, INC.**

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

To: The Constitution and By-Laws Committee: Date: September 17, 2015

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

Proposer: Geoff Mascaro (X) 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.**

"Any legal dispute or controversy between members of the Association of Municipal Employees arising out of the interpretation and/or enforcement of the provisions of the AME Constitution, the AME By-Laws, and the AME Financial Code shall be heard, adjudicated, and determined by a neutral arbitrator appointed by the Suffolk County Bar Association from the next available arbitrator listed on its rotating list of qualified arbitrators. The arbitrator's decision shall be binding on the parties unless reversed or modified upon judicial appeal. Except where provided in the By-laws, the Laws of New York shall govern all aspects of any arbitration proceeding instituted pursuant to this Article and well as the enforcement and/or appeal of any arbitrator's decision emanating thereunder."

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.

---

Geoff Mascaro, DPW White Collar Unit