

3 Clarifying That Written Notice by the AFL-CIO of Arrearages in Per Capita Taxes or Assessments Must Precede an Automatic Suspension for Nonpayment

Submitted by the Executive Council

Article XVI, Section 6 provides that the Secretary-Treasurer must notify an affiliate of its failure to timely pay its per capita taxes or assessments, and that automatic suspension from the Federation occurs when an affiliate becomes three months in arrears.

The proposed amendment would strengthen and clarify this provision by specifying that all notices of arrearages must be in writing, that a notice must convey when automatic suspension is imminent, and that the notified affiliate has a defined period—20 days—within which to cure its arrearage before the suspension occurs. The amendment would provide explicit guidance to both the Federation and affiliated unions regarding a situation that arises infrequently but concerns the important matter of whether or not an AFL-CIO affiliation will be severed.

Therefore, the Executive Council proposes the following amendments to Article XVI, Section 6:

Article XVI PER CAPITA TAXES AND ASSESSMENTS

Sec. 6. Any affiliated organization that does not pay its per capita tax on or before the fifteenth of ~~each~~ the month, and assessments when due and payable, shall be notified in writing of that fact by the Secretary-Treasurer. Any affiliated organization that is three months in arrears in payment of per capita tax or assessments, and is so notified in writing shall, unless it has returned to good standing within 20 days of such notification, be suspended automatically from the Federation and can be reinstated only after such arrearages are paid in full.

Referred to the Constitutional Committee