

Certification for Candidacy

Please mark only one (1) of the following boxes indicating whether you accept or decline

nomination for the office of _____:

☐

Accept

☐

Decline

By checking the "accept" box above, you are confirming that you in compliance with Article 3 and Article 10 of the APWU National Constitution and Bylaws which state in part:

Article 3, SEC.1 (a) Eligibility for Office. To be eligible for nomination, the candidate must be a member in good standing.

(b) No member holding office in any other organization representing employees for the purposes of collective bargaining or in administrative proceedings can be elected or appointed as an officer of the APWU, nor can he/she be seated as a delegate to the national convention.

Article 10, SEC. 2 (a) Any National Officer making application, in writing, for a position of management shall within ten (10) days of that application resign his/her position with the APWU and if such resignation is not forthcoming, the National Executive Board shall, upon conclusive evidence, declare said office vacant and appoint a successor.

(b) Any employee eligible to be a member of the American Postal Workers Union who voluntarily holds a managerial, supervisory or EAS position with responsibility for issuing or recommending discipline, or applying or interpreting the National Agreement for the equivalent of a two-week period in a year shall be ineligible to hold office at any level of the APWU or to be a delegate to any convention held by the APWU or any subordinate body of the APWU, so long as the employee continues to serve in such position and for a period of one (1) year from the time the employee vacates such position.

Any member who has submitted an application to a managerial, supervisory, or EAS position with responsibility for issuing or recommending discipline or for applying or interpreting the National Agreement shall withdraw such application prior to acceptance of nomination for any office in the APWU.

(c) Any member who voluntarily, after August 31, 1984, holds, accepts or applies for any managerial or supervisory position, EAS position or the PASS Program or any other supervisory program, for any period of time, whether one (1) day or a fraction thereof, either detailed, acting, probationary or permanently after being elected or appointed to any office, shall immediately vacate any office held by that member in the national, local, area local, district council, state or regional organization, any department of the APWU, the Postal Press Association, or any subordinate body of the APWU which receives financial support or uses the name of the American Postal Workers Union.

Name as it should appear on the ballot (please print)

Signature

Date

I understand that my signature is certification that I am in compliance with the applicable provisions of the

(Area) Local's Constitution and Bylaws and the
National Constitution and Bylaws of the American Postal Workers Union, AFL-CIO

LMRDA Section 504 Certification

As a candidate for office in the American Postal Workers Union (APWU), I certify that I do not have a criminal conviction which would prohibit me from serving as an officer of the APWU under the Labor-Management Reporting and Disclosure Act, 29 U.S.C. Section 504.

Signature: _____ Date: _____

Printed Name:

Office of Labor-Management Standards (OLMS)

Prohibition against Certain Persons Holding Union Office or Employment

Is it illegal for people who have been convicted of certain crimes to hold union office or employment?

Yes. Section 504 of the LMRDA prohibits individuals convicted of certain crimes from holding union office or employment or serving in other prohibited capacities for the period of thirteen years after such conviction or after the end of such imprisonment, whichever is later.

What union offices or positions can a convicted person not hold? Any officer or employee position such as president, vice-president, recording secretary, financial secretary, treasurer, director, trustee, executive board member, business agent, manager, organizer, or clerical employee.

What are the crimes that result in a person being barred? Conviction for several types of crimes will bar a person from serving in prohibited capacities: Generic criminal offenses; specifically, murder, assault with intent to kill, assault that inflicts grievous bodily injury, rape, arson, extortion, burglary, grand larceny, robbery, bribery, embezzlement, or violation of narcotics laws; Violations of Title II or Title III of the LMRDA, which include knowingly making a false statement of material fact or failing to disclose a material fact in any labor organization report, labor organization officer or employee report, or other report required by the LMRDA; willfully failing to file a required report; willfully violating the recordkeeping requirements in Title II or Title III; willfully making a false entry in labor organization records or other documents required to be kept by the LMRDA or willfully concealing, withholding or destroying such records; willfully and improperly transferring funds from a trustees local to the parent body imposing the trusteeship; or willfully counting the votes of delegates from a trustees local under certain circumstances; Any felony involving abuse or misuse of an individual's position or employment in a labor organization or employee benefit plan in order to seek or obtain an illegal gain at the expense of the members of the labor organization or the beneficiaries of the employee benefit plan; Conspiracy to commit any of the above crimes; Attempting to commit any of the above crimes; Any crime in which any of the above crimes is an element; or Any crime that is equivalent to the above crimes; for example, obtaining money by false pretenses in certain cases can be equivalent to the listed crimes of grand larceny or embezzlement.