

Patent Office Professional Association

Box 25287, Alexandria, VA 22313

October 22, 2008

Dear POPA Bargaining Unit Members,

On November 20, 21 and 24, 2008, POPA will be holding its bi-annual election for officers and delegates to POPA's Executive Committee in the POPA office, Randolph building, Room 1D61. In addition, this year the Executive Committee is unanimously recommending for your approval two proposed amendments to POPA's Constitution. The text of the proposed amendments is set forth below for your consideration prior to the election. Deleted text is shown in brackets and newly added text is underlined. Both proposed amendments will be included on the election ballot. Please remember that you must be a member in good standing (dues-paying member) to vote in POPA elections and/or amendments to POPA's Constitution.

POPA's Constitution and Standing Rules currently call for elections to be held every two years in November of even-numbered years. The elections are held over at least two consecutive days at the agency. However, the USPTO's increasing reliance on a variety of telework programs has resulted in many POPA bargaining unit members no longer being physically present at the USPTO offices at the time of POPA elections.

Consequently, carrying out POPA's bi-annual election of officers and area delegates has become increasingly expensive and logistically difficult. For each election, POPA must recruit an Election Committee and expend significant resources hiring temporary workers to run the election. These duties cannot be performed by POPA representatives in order to avoid any possibilities of conflicts of interest and to maintain the integrity of the secret ballot voting system.

In the foreseeable future, POPA will need to explore other means of holding elections such as using mail-in ballots or some form of online voting system that will meet the legal requirements for union elections. Such changes will further increase the cost and logistics of carrying out POPA elections. Therefore, in order to keep the costs of future elections within POPA's resources, the Executive Committee recommends that you approve proposed Amendment I that would change our elections from every two years to every three years.

In addition, a recent review of the POPA Constitution revealed the need for a technical correction to Article VII with regard to filling a vacancy for the officer position of Assistant Secretary. For this reason, the Executive Committee recommends that you

approve proposed Amendment II that would allow the Executive Committee to appoint an Assistant Secretary using the same methods as prescribed for other officers.

PROPOSED AMENDMENTS TO POPA CONSTITUTION

I. It is proposed that the POPA Constitution be amended as follows to change the election of officers and area delegates from every two years in even-numbered years to every three years.

Amend Article V, Section 5 to read as follows:

“**Section 5.** At a meeting to be held in September of each [even numbered year] Association election year, the Executive Committee shall define the organizational areas and determine the number of Executive Committee delegates to be elected at the next election of Executive Committee delegates. A special meeting of the Executive Committee for such purposes as set forth in Sections 3 and 4 of this Article shall be called by the President upon written petition of at least 15% of the members in good standing of the Association.”

Amend Article IX, Sections 1 and 4 to read as follows:

“**Section 1.** The election of officers and Executive Committee delegates shall be held every three years in November [of even numbered years] of the election year. All candidates for these positions shall be Association members in good standing.”

“**Section 4.** All newly elected officers and Executive Committee delegates shall be installed at the first annual December meeting of the Association following an election, and their terms shall run until the [following] next December meeting of the Association which occurs [in an even numbered year] after an election.”

II. It is proposed that the POPA Constitution be amended as follows to allow the Executive Committee to appoint an Assistant Secretary in the event that the elected Assistant Secretary is removed from office, resigns or is otherwise unable to perform the duties of the office.

Amend Article VII, Section 2, paragraph F to read as follows:

“F. In the event that any of the Vice President, Secretary, Assistant Secretary or Treasurer be removed from or resign the office or become incapacitated to perform the duties of the office, the Executive Committee shall appoint someone to perform that officer’s duties.”

Thank you for your continued support of POPA.

Robert D. Budens
President