

Notice of POPA Election

On November 20, 21 & 24, 2008, POPA members in good standing, will elect Officers and Area Delegates for the Patent Office Professional Association and vote to approve or disapprove two proposed amendments to POPA's Constitution.

(See Proposed Amendments on Back Page)

PLEASE VOTE AT THE POPA UNION OFFICE.

✳ **RANDOLPH BLDG, ROOM 1-D61** ✳

(Right turn behind the guard's desk)

Don Walsh

2008 Election Chairman

For More Information, contact:

Nahid Amiri	KNX-2C21	2-8113
Trang Tran	KNX-6B09	2-7358
Emily Lloyd	RND-7A20	2-2951
Michael Araj	RND-6D20	2-5963
Ron Pompey	JEF-7D51	2-1680
Kaveh Kianni	JEF-4C09	2-2417
Mark Osele	REM-7D19	2-1235
Celia Murphy	REM-5D31	2-2654
David Fox	REM-2C09	2-0795

Voting hours: 9 a.m. – 4 p.m. each day!

**Patent Office
Professional
Association**

Please help us update our mailing list by providing any address changes and a non-USPTO email address. Thank you.

**Patent Office
Professional
Association**
Box 25287, Alexandria, VA 22313

**Union Member Rights and Officer
Responsibilities Under the Civil
Service Reform Act**

The standards of conduct provisions of the Civil Service Reform Act of 1978 (CSRA), among other statutes, guarantee certain rights to dues-paying members of unions representing Federal employees and impose certain responsibilities on officers of these unions to ensure union democracy, financial integrity, and transparency. The Office of Labor-Management Standards (OLMS) is the Federal agency with primary authority to enforce many standards of conduct provisions. If you need additional information or suspect a violation of these rights or responsibilities, please contact OLMS at 1-866-4-USA-DOL. You should also refer to 29 CFR 457.1 - 459.5 and POPA's constitution and standing rules (www.popa.org) for information on union procedures, timelines, and remedies.

Union Member Rights

Bill of Rights – Union members have:

- Equal rights to participate in union activities
- Freedom of speech and assembly
- Voice in setting rates of dues, fees, and assessments
- Protection of the right to sue
- Safeguards against improper discipline

Collective Bargaining Agreements – Union members (and certain nonunion employees) have the right to receive or inspect copies of collective bargaining agreements.

Constitutions, Bylaws, and Reports – Unions are required to file an initial information report (Form LM-1), copies of constitutions and bylaws, and an annual financial report (Form LM-2/3/4) with OLMS. Unions must make these documents available to members and permit members for just cause to examine the records necessary to verify the financial reports. The documents are public information and copies of reports are available from OLMS and on the internet at www.union-reports.dol.gov. In general, a union member has the burden of establishing "just cause."

Officer Elections – Union members have the right to:

- Nominate candidates for office
- Run for office
- Cast a secret ballot
- Protest the conduct of an election

Officer Removal – Local union members have the right to adequate procedure for the removal of an elected officer guilty of serious misconduct.

Protection for Exercising CSRA Rights – A union or any of its officials may not fine, expel or otherwise discipline a member for exercising any CSRA right.

Prohibition Against Violence – No one may use or threaten to use force or violence to interfere with a union member in the exercise of his or her CSRA rights.

Union Officer Responsibilities

Financial Safeguards – Union officers have a duty to manage the funds and property of the union solely for the benefit of the union and its members in accordance with the union's constitution and bylaws. The union must provide accounting and financial controls necessary to assure fiscal integrity.

Prohibition of Conflicts of Interest – A union officer or employee may not (1) have any monetary or personal interest or (2) engage in any business or financial transaction that would conflict with his or her fiduciary obligation to the union.

Bonding – Union officers or employees who handle union funds or property must be bonded to provide protection against losses if their union has property and annual financial receipts that exceed \$5,000.

Labor Organization Reports – Union officers must:

- File an initial information report (Form LM-1) and annual financial reports (Forms LM 2/3/4) with OLMS.
- Retain the records necessary to verify the reports for at least five years.

Officer Elections – Unions must:

- Hold elections of officers of local unions by secret ballot at least every three years.
- Conduct regular elections in accordance with their constitution and bylaws and preserve all records for one year.
- Mail a notice of election to every member at least 15 days prior to the election.
- Comply with a candidate's request to distribute campaign material at the candidate's expense.
- Not use union funds or resources to promote any candidate (nor may employer funds or resources be used).
- Permit candidates to have election observers.

Restrictions on Holding Office – A person convicted of certain crimes may not serve as a union officer, employee, or other representative of a union for up to 13 years.

Loans – A union may not have outstanding loans to any one officer or employee that in total exceed \$2,000 at any time.

PROPOSED AMENDMENTS TO POPA CONSTITUTION

(Deleted text is shown in brackets and newly added text is underlined.)

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.”