



# **Buffalo/Niagara Postal Customer Council**

## **Constitution and Bylaws**

*As revised and approved by the Executive Board  
Adopted July 2018*

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# Buffalo/Niagara Postal Customer Council

## Constitution

### Article I: Name of Council

Section I: This Council shall be known as the Buffalo/Niagara Postal Customer Council.

### Article II: Mission

Section I: The mission of this PCC, in accordance with national policy, is to:

- a. Promote local cooperation and support and to foster a close working relationship between the U. S. Postal Service (USPS) and all organizations that use or potentially use the mail to communicate and interact with them.
- b. Provide a means and venue for regular communication between postal customers and the U. S. Postal Service to share information and facilitate the exchange of ideas about new and existing Postal Service products, programs, services, and procedures that affect all organizations that use or potentially use the mail.
- c. Help PCC members and their organizations grow and develop professionally through focused educational programs, including business meetings, workshops, briefings, seminars, webinars, and tours of postal and customer facilities.

### Article III: Operation of the Council

Section I: The operation of the Council shall be in accordance with Publication 286 and the Bylaws attached to and made part of this Constitution as approved. The Council will observe and comply with national guidelines regarding membership, election of directors and officers, PCC expenditures and tax exempt purchasing, maintenance of financial accounts and reporting, funding for break-even operations, use of the G-10 permit for PCC mailings, and council endeavors.

### Article IV: Government

Section 1: The Executive Board shall be the governing body of the Council and shall consist of nine (9) members – seven (7) from industry and two (2) from the USPS.

## Article V: Executive Board

Section 1: The Executive Board shall consist of 9 total members, of which 7 from Industry are elected from the Council's membership. Of the 7, 4 Officers from Industry are elected by the Executive Board to serve as Industry Co-chair, Vice Co-chair, Treasurer and Secretary. The 3 remaining Industry members will serve at will, on the various committees and vote on matters at hand. In addition, the Postmaster or designee will serve as Postal Co-chair and one USPS representative appointed by the Postmaster to act as Liaison.

Section 2: The Executive Board shall have charge of the affairs and properties of the Council and shall interpret the Constitution and Bylaws of the Council.

Section 3: The Postal Co-Chair is the Postmaster, or designee, and he/she serves indefinitely or for such term as the Postal Service may establish. Industry representatives serving as officers are elected by the Executive Board for a two-year term and may be reelected to serve for consecutive terms. See Article VII Section 8 and 9.

Section 4: At the first meeting of the Executive Board following the annual election of directors in December, the Executive Board shall nominate from its number and elect from its number, the four officers of the Council (Industry Co-Chair, Vice Co-Chair, Secretary and Treasurer), and the results of said election shall be communicated to the membership. During the fiscal year, if vacancies occur in officer positions, the Executive Board shall act within 60 calendar days to fill them.

Section 5: The Executive Board will meet on a regular basis, generally once per month, on the date, time and place decided upon by the Executive Board. Special meetings of the Executive Board shall be held at the call of the Postal or Industry Co-Chair or upon written request of a simple majority of the remaining 7 Executive Board Members.

Section 6: The Executive Board shall, by majority vote, have authority to dismiss from office any member of the Executive Board who absents himself/herself, unexcused from more than three consecutive board meetings or a total of three Board meetings per fiscal year; or, any member to the Executive Board who, in the opinion of the majority of the Board, does not conduct his/her duties in the best interest of and in accordance with the Constitution and Bylaws of the Council.

Section 7: The Executive Board shall have authority to summon before it, for hearing, any member of the Council whose conduct is deemed by the Executive Board to be detrimental to the Council. Should summons be willfully ignored, or, if after just hearing the Executive Board shall judge such member's conduct inexcusable or incorrigible, the Executive Board shall be empowered to cancel his/her membership privileges. Such decisions and actions shall be determined by a majority vote of the Executive Board.

Section 8: All permanent and temporary vacancies occurring on the Executive Board during the year may be filled by the Executive Board from the membership roster. A special election will be held to fill the position in accordance with the original term the position was elected for, or until such time as the reason for the temporary vacancy ends.

## **Article VI: Election of Executive Board Members**

Section 1: At least thirty days before the annual meeting in December, the PCC will solicit the membership for self-nominations to term-ending and/or any vacant positions on the Executive Board. Incumbents on the Executive Board may nominate themselves for reelection. All candidates must notify the Executive Board about their candidacy at least 10 days prior to the annual meeting. All candidates must be a member in good standing.

Section 2: The Council shall send PCC members, at least 7 days before the annual meeting, a list of names of the nominees and instructions for voting at the annual meeting.

Section 3: At the annual meeting, the necessary members required to create a full Executive Board as stated in Article IV, Section 1, shall be elected from those whose names appear on the prepared ballot. Those elected shall serve a term of two (2) years.

Section 3 A: Any tie vote shall be resolved by lot. Election shall be by ballot as prepared and only those members in good standing and present at the annual meeting shall be eligible to vote. It shall not be permissible for any member to vote by proxy. Newly elected Board members shall take office on January 1<sup>st</sup> of the new year.

Section 4: The election shall be conducted under the supervision of two directors appointed by the Postal Co-Chair or his/her designee.

## **Article VII: Officers of the Council**

Section 1: The sponsoring postmaster or postal manager (the "Postal Co-Chair") and a postal customer (the "Industry Co-Chair") head the organization as lead officers. Other officers of the Council shall be the Vice Co-Chair, Secretary, and Treasurer.

Section 2: The officers of the Council shall be elected for a two-year term and in the manner set forth in Section 4 of Article V of the Constitution.

Section 3: The Industry Co-Chair or his/her designee shall preside at all meetings of the Council and Executive Board. He/She shall have authority to call special meetings of the Council or Executive Board whenever he/she deems it necessary to do so. The Co-Chair shall have the power to appoint, with the approval of the Executive Board, the co-chair of all permanent committees and, by virtue of office, shall be a member of all committees.

Section 4: The Vice Co-Chair shall execute the duties of the Industry Co-Chair in his/her absence, or in case of a permanent vacancy in the office of Co-Chair, he/she shall become Industry Co-Chair.

Section 5: The Secretary shall have custody of all records and paper, except financial records belonging to the Council. The Secretary shall record, preserve, and distribute to the Board the complete and authentic minutes of the proceedings of all meetings of the Executive Board and, only if necessary, general membership meetings of the Council (minutes of general membership meetings are not usually taken or needed). Upon installation of his/her successor to office, the Secretary shall transfer to him/her all property of the Council in his/her possession.

Section 6: The Treasurer shall be the financial officer of the Council and shall have custody of all dues and all other monies received into the Council. Contracts entered into by the PCC must be approved by the Postal Co-Chair. The Treasurer shall acknowledge and pay only such bills that have been approved by the Postal Co-Chair or his/her designee. Contracts and purchases approved in advance by the Postal Co-Chair may also be paid via the USPS Customer Relations Coordinator's bank debit card, with the treasurer reimbursing the Postal Service with a check made out to "Postmaster" for non- USPS council members' share of the bill. The Treasurer's records shall be absolute and at all times shall be available for inspection by the Executive Board. The Treasurer shall prepare and present a detailed financial report at all Executive Board meetings and at any other regular membership meeting as requested by the Executive Board. On expiration of his/her term of office and upon installation of his/her successor, the Treasurer shall transfer to his/her successor, after audit by an audit committee, all funds and property of the Council in his/her possession.

Section 7: Matters may be voted on by the Executive Board only at a properly called meeting where a quorum, consisting of a minimum of 5 Board Members ( 4 Industry plus 1 postal) as set forth in Article XI Section 4, is present. A quorum will be present only if the Postal Co-Chair (or his/her designee who must be a postal employee) is in attendance at the meeting and when a majority of the Board is present. Matters voted on will be decided by a majority, of those present, assuming there is a quorum, but the Postal Co-Chair shall cast the deciding vote on any contested matters on which a vote is taken, shall have the deciding vote in the event of any tie or insufficient vote, and shall have the power to act in situations where the best interest of the Postal Service is at risk, as determined by the Postal Co-Chair at his/her discretion.

Section 8: Term Limits for Industry Co-chair and Vice-Co-chair executive positions. Either position will have a maximum term of two 2 year consecutive terms. Board member may re-run for either Co-chair or Vice-Co-chair position after one 2 year term lapse. Exiting Co-chair or Vice Co-chair have no restrictions to remain on the Board if there is an opening; election rules apply (see Article VI).

Section 8A: The exception being if there is no Executive Board member wanting to serve as either Industry Co-chair or Vice Co-chair positions; then the sitting officer may run for a single, one year term thereafter until such position is filled through the regular nomination and election process as specified in Article VI.

Section 9. Term Limits for Secretary and Treasurer executive positions. Either position will have a maximum term of four 2 year consecutive terms. Board member may re-run for either Secretary or Treasurer position after one 2 year term lapse. Exiting Secretary or Treasurer have no restrictions to remain on the Board if there is an opening; election rules apply (see Article VI).

Section 9A. The exception being if there is no Executive Board member wanting to serve as Secretary or Treasurer; then the sitting officer may run for a single, one year term thereafter until such position is filled through the regular nomination and election process as specified in Article VI.

## **Article VIII: Membership**

Section 1: The PCC shall refer to and follow guidelines established in Publication 286 regarding membership criteria. Memberships are restricted to active (and retired) and potential mailers; including associated professional mailing support roles. Limitations regarding participation by USPS competitors, individual professional responsibilities, and prohibitions regarding political activity and lobbying will be followed.

Section 2: Application for membership shall be made only on the forms authorized by the Council, with preference given to the Buffalo/Niagara PCC membership application/brochure whether presented with check/cash for dues included with the application or online with credit card payment at time of application.

Section 3: The annual dues must accompany each application for membership except in the case of a membership transfer as defined in section 5.

Section 4: Each applicant accepted for membership, and being current in his/her annual dues, shall then, and not until then, be considered a member of this Council in good standing.

Section 5: Membership is vested in the individual and the company. In the event the individual member terminates his/her employment or changes job status with the member company, the member company shall have the right to transfer membership to a new individual to represent it at the Council with the approval of the Executive Board. The membership remains with the company. The company has the option of allowing the individual to take the membership with them under their new employer. This must be communicated to the PCC Executive Board by the member company in writing.

Section 6: In the absence of an individual member, the member company may send an alternate to regular membership meetings. Only member companies in good standing shall have the right to vote.

Section 7: Any member may invite a guest to any open meeting/presentation. . Registration fee would be required for each guest, unless attending under the "Pay It Forward" program. Guests would not have voting privileges.

### **Article IX: Rights and Duties of Members**

Section 1: Each member shall be given equal right to be heard on any subject before the chair, and he/she shall be entitled to all Council privileges as set forth in the Constitution and Bylaws of the Council.

Section 2: It shall be the duty of each member to abide by the Constitution and Bylaws of the Council.

### **Article X: Dues**

Section 1: The annual dues for members shall be determined by the Executive Board. As required by Pub. 286, the Council will conduct operations on a fiscal year basis, not on a calendar year. The fiscal year begins on October 1 and ends on September 30.

Membership campaigns, program calendars, and financial records will conform to the October 1 - September 30 fiscal year.

Section 2: The annual membership campaign will begin during the month of October, with dues renewal notices sent monthly in November, December, January and February. The annual membership renewal drive for prior year members ends on March 31. Prior year members who have not renewed by then will be purged from the membership roster; however, they may reapply for reinstatement at any time during the calendar year. New members may also apply for membership at any time during the calendar year.

Section 3: Annual membership dues will be on a tiered basis:

Tier 1: \$25 for single individual

Tier 2: \$75 for four individuals from the same company

Tier 3: \$125 for seven individuals from the same company.

Tier 4: \$10 Student Membership- for any current matriculated student in a post secondary institution; preferably pursuing a field of study generally associated with the business of mailing or shipping, graphic design, printing, marketing, or other potential user of the United States Postal Service.

**NOTE:** Each individual member shall have one vote when a vote is required from the general membership with the exception of Student Memberships.

Section 4: Members who join the council in July, August or September will be granted membership for the current fiscal year and the following fiscal year.

Section 5: Annual dues shall be payable to the Buffalo/Niagara PCC and presented to the Treasurer for deposit in the general account fund. Or paid online at the official Buffalo/Niagara PCC website to be transferred to the general account fund.

## **Article XI: Meetings**

Section 1: The regular monthly membership meetings of the Council shall be held on Wednesdays, unless otherwise changed by order of the Executive Board. No regular meetings will be held during the months of July and August, unless directed by the Executive Board.

Section 2: The annual meeting of the Council shall be held within the first two weeks in December each year, unless otherwise changed by order of the Executive Board. This meeting will consist of the election of directors and, generally, a holiday dinner party. Voting will be closed to members only; no guests will be allowed to vote.

Section 3: Special meetings of the Council may be held at the call of the Industry and Postal Co-Chair. Notice of such meetings shall be mailed to each member of the Council at least five (5) days before said meeting, unless circumstances require otherwise.

Section 4: At any meeting of the Executive Board, four ( 4) industry members and one (1) Postal representative shall constitute a quorum. (Postal representative will consist of the Postal Co-Chair or his/her designee).

Section 5: All meetings shall be held at a time and place approved by the Executive Board.

Section 6: PCC members are encouraged to invite prospective new members to monthly membership meetings.

Section 7. A charge for meetings will be established by a majority of the Executive Board. A nominal charge would be established whereby any single non-member would become a full, regular member as per Article X Section 4.



## **Article XII: Web Sites**

Section 1: The web site of the National PCC organization ([www.usps.com/pcc](http://www.usps.com/pcc)) is the prime communications vehicle of the PCC Program. Members are encouraged to log on frequently for information.

Section 2: The Buffalo/Niagara PCC will maintain a local web site. Members are encouraged to log on frequently for event and program updates, and non-members are encouraged to visit the site for information about the PCC program. The web site is referenced in the Buffalo/Niagara PCC application brochure and also is referenced in communications on official PCC letterhead. Membership applications, annual dues, meeting registration and fees are accepted on the Buffalo/Niagara PCC website.

## **Article XIII: Mailing Lists**

Section 1: The PCC will comply with guidelines in Publication 286 regarding the PCC's mailing list, which is subject to Handbook AS-353, Guide to Privacy and the Freedom of Information Act, by going to <http://about.usps.com/handbooks/as353/welcome.htm>.

## **Article XIV: Amendments**

Section 1: This Constitution may be revised or amended by a majority vote of the Executive Board present at any regular or special meeting, provided notice of such revision or amendment has been communicated to each Executive Board member at least one (1) week prior.

## **Article XV: National Postal Forum**

In accordance with the educational mission of this PCC as noted in Article II, section 1C, the following provisions are authorized by the Executive Board:

Section 1: The Buffalo/Niagara PCC will devote funds, if available, from its bank account every year to send the Industry Co-chair, or other board officer as a replacement for the Co-chair, to the National Postal Forum (NPF).

Section 2: In the event that the industry co-chair is unable to attend the Forum for any reason, the replacement board officer shall be, in order, the Vice Co-chair, then the Secretary, and then the Treasurer. In the event that no officer can attend, another board member volunteer will be selected by majority vote of the entire board.

Section 3: The Industry Co-chair (or his/her replacement) will be required to attend the opening session of the PCC Leadership track of seminars and earn certification for attending the required number of PCC related seminars. Following the NPF, the Industry Co-chair (or his/her replacement) will give a report at the next scheduled board meeting, and that report will include any "best practices" and other relevant information shared by other PCCs at the Forum.

Section 4: PCC funds will be used for the attendee's registration fees, lodging, and transportation to and from the NPF. A food stipend will be negotiated with the attendee upon request, not to exceed \$50 per day.

Section 5: Receipts for all NPF expenses must be turned in by the attendee to the PCC treasurer following the NPF.

# Bylaws

## Article I: Order of Business

### Rule 1: Annual Meeting

At the annual meeting of the Council, the order of business shall be:

1. Welcome and summary of activities of the Council in previous year.
2. Introduction of candidates for Board of Director positions.
3. Nomination speeches by candidates.
4. Voting and announcement of results.
5. Holiday dinner party.

### Rule 2: Executive Board Meetings

At all Executive Board meetings, the order of business shall be:

1. Roll call.
2. Approval of minutes of previous meeting.
3. Treasurer's report, including review of financial statement and membership totals.
4. Unfinished business.
5. New business.

### Rule 3: Regular membership meetings

At all regular membership meetings, the order of business shall be:

1. Welcome by Industry Co-Chair, Postal Co-Chair or designee.
2. Introduction of guest speaker(s).
3. Presentation by guest speaker(s).
4. Special announcements and closing remarks by Industry Co-Chair or designee.

## Article II: Guests

Rule 1: Guests will be permitted to attend any regular membership meeting stipulated by the Board as an "open meeting."

**Article III: Duties of Committee Co-Chair(s)**

Rule 1: Committee co-chair(s) shall appoint only such members who in the light of his/her judgment are ascertained to be active and diligent.

Rule 2: Committee co-chair(s) shall report all committee recommendations or findings to the Executive Board prior to any general announcement.

Rule 3: Committees shall give prompt attention to all matters placed in their charge.

**Article IV: Fiscal Year**

Rule 1: The fiscal year of the Council shall begin on October 1 and end on September 30, as required by Pub. 286.

**Article V: Amendments**

Rule 1: These bylaws may be revised or amended by a majority vote of the Executive Board members in good standing, present at any regular or special meeting, provided notice of such revision or amendment has been communicated to each Executive Board member at least one (1) week prior and is specified as an agenda item under "new business." It shall not be permissible for any Executive Board member to vote by proxy.

***Bylaws revised July 2018***