



**New Mexico
Local Constitution**

April 17, 2021

This Constitution is in effect for the governance and affairs of the New Mexico Local in accordance with the Constitution of SAG-AFTRA.

Preamble

This Local shall be identified as the New Mexico Local (also referred to herein as the “Union” or “Local”) with its scope, authority and geographic area established and functioning at the direction and by resolution of the National Board of Directors in accordance with the SAG-AFTRA Constitution.

1 Members

1.1 This Local is composed of SAG-AFTRA members who reside within the Local’s jurisdiction as determined by the SAG-AFTRA National Board. Membership in this Local shall be automatically extended to all such SAG-AFTRA members.

1.2 The term “members” or “membership” as used in this Local Constitution means members in good standing as defined in the SAG-AFTRA Constitution.

2 Membership Meetings

2.1 Regular meetings of the Local membership shall be held at least once per year, or at more frequent intervals as determined by the Local Board. Special meetings of the membership may be called at any time by the Local President, Executive Director, or by a majority vote of the Local Board members voting on the matter.

2.2 Except as otherwise set forth in this Constitution, notice of any membership meeting shall be given by written or electronic means at least 15 calendar days in advance. Notice shall also be posted in the Local’s office (if one exists) and published on the Local’s website or page. Notice of special membership meetings shall be given in the same manner at least five (5) calendar days in advance. An emergency membership meeting may be called by the President or Executive Director and two of the elected officers and held upon twenty-four (24) hours’ notice if circumstances require that immediate action be taken. Notice of any membership meeting shall state the date, time, and place of the meeting and, in the case of special and emergency meetings, a description of the business purpose of the meeting.

2.3 All membership meetings shall be held at the Local’s principal office (if one exists) or at such other location as the Local Board shall determine.

2.4 A quorum for any membership meeting shall be fifteen percent (15%) of the membership, present in person. If a quorum is not present at a membership meeting, any action shall be advisory to the Local Board. Each member who is present shall have one vote.

2.5 Any regular membership meeting at which a quorum is present may transact any business coming before the meeting without prior notice of the business to be transacted, except that the meeting notice shall specifically state if the business will include (a) any

nomination or election of SAG-AFTRA National Board members, Local officers, Local Board members, or delegates, (b) a vote on changes to the Local Constitution, (c) a vote requiring an expenditure of union funds, or (d) a vote on any resolution to overturn a decision of the Local Board. A special or emergency meeting may not conduct any business other than the business for which the meeting was called. Unless this Constitution otherwise provides, all decisions shall be by a majority of those voting.

2.6 Minutes shall be kept of all membership meetings.

3 Officers

3.1 The Local's members shall directly elect a minimum of four officers: President, 1st Vice President, 2nd Vice President and Secretary. All officers shall serve two-year terms.

3.2 The President shall be the principal officer of the Local and shall preside at all membership and Local Board meetings. The President shall oversee the keeping of the Local's records and minutes and the publication of all notices required by this Constitution. The President shall serve as a delegate to the SAG-AFTRA Convention.

3.3 The President, with the approval of the Local Board, may appoint committees to conduct any Local business, consistent with SAG-AFTRA policies. Except for any election, nominating or disciplinary committees, the Local President shall be an *ex-officio*, non-voting member of all Local committees.

3.4 During the temporary absence of the President, the Local Officers shall serve in the following order: 1st Vice President, 2nd Vice President, Secretary. If no Officer is available, the Local Board shall designate a member of the Local Board to serve.

4 Local Board

4.1 The Local Board shall consist of the Local's elected officers, the SAG-AFTRA National Board member(s) representing the Local during the first two years of their National Board term, and five (5) additional members elected by the Local's membership. The Local Board members shall serve two-year terms.

4.2 Members may concurrently run for a National Board, local officer, local board and convention delegate position, but may not hold more than one position, except as provided in 4.3 below.

4.3 Any member may serve concurrently as a National Board member and Local Board member, provided such member shall not have more than one vote on the Local Board. During the first two years of his or her term, the National Board member(s) shall serve as a member of the Local Board until the next regular biennial election. At the next regular biennial election, the National Board member may run for a two-year Local Board term including an officer position pursuant to this Constitution. In the event the National Board member fails to run or to be elected to a Local Board seat at that time, the National

Board member shall be entitled to attend all meetings of the Local Board and to participate in its discussions and debate for the remainder of his/her National Board term, but without the right to vote, make motions or otherwise be considered a member of the Local Board. A member may serve concurrently as a convention delegate and an officer, National Board member and/or Local Board member.

4.4 Subject to approval by the Local Board and the SAG-AFTRA National Board, the Local may increase or decrease the number of Local Board members.

4.5 The Local Board shall be responsible for the general management, conduct and control of the business affairs of the Local. The Local Board may adopt rules or policies that the Local Board deems necessary or appropriate to conduct the Local's business affairs, subject to approval by the SAG-AFTRA National Board. Such rules or policies shall not contravene this Constitution or the Constitution and policies of SAG-AFTRA.

4.6 The Local Board shall hold regular meetings at such time and place as it may determine. There shall be not less than four (4) regular meetings per year and not less than one (1) per calendar quarter.

4.7 Notice of all Local Board meetings shall be mailed or electronically delivered to Local Board members at least ten (10) days in advance. In the case of emergencies, notice shall be given by telephonic/electronic means at least twenty-four (24) hours in advance, with the exception of any meeting convened for the purpose of selecting a replacement for any vacant Local or National Officer or Board member position. In this instance, the meeting notice must be delivered at least ten (10) days in advance. The notice must state the date, time and place of the meeting and, in the case of special meetings, the purpose of the meeting.

4.8 A majority of the members of the Local Board shall constitute a quorum for the conduct of any business. Except as otherwise provided in this or the SAG-AFTRA Constitution, all decisions shall be made by a majority of those present and voting. Minutes shall be kept of all meetings.

4.9 The Local Board may conduct an executive session limited to its members to discuss personnel matters, collective bargaining strategy, or other sensitive matters.

4.10 The Local Board shall not take any action contrary to any resolution passed by a majority of the members voting at any membership meeting at which at least 30% of the Local members were present in person. The Local Board may submit any membership meeting resolution to a secret-ballot mail or electronic referendum of the membership.

5 Elections, Eligibility and Vacancies

5.1 The nomination and election of Local officers, Local Board members, National Board members, and delegates to the SAG-AFTRA Convention shall be conducted on a

schedule established by the SAG-AFTRA National Board and in accordance with the SAG-AFTRA Constitution and election policies and procedures adopted by the SAG-AFTRA National Board.

5.2 Nominations for all elected positions of the Local shall be made by the following method:

- A. By filing of a nominating petition with the Local Executive Director. The petition shall require no fewer than ten (10) signatures of members of good standing of the Local.

5.3 All candidates shall sign a statement that he or she accepts the nomination and consents to run for the office for which he or she is nominated.

5.4 The Local Board shall establish a Local Elections Committee to oversee all nomination procedures and elections consistent with the SAG-AFTRA Constitution and SAG-AFTRA policies and procedures. The decision of the Local Elections Committee on all election matters shall be final. The Local Board may adopt additional election procedures governing the conduct of nominations and elections, consistent with SAG-AFTRA policies and subject to approval by the SAG-AFTRA National Board.

5.5 To be eligible to serve as an officer or member of the Local Board, a member must have been a member in good standing, as defined by the SAG-AFTRA Constitution, of the Local throughout the dues period prior to, and throughout the current dues period including the date of his or her nomination, and must remain in good standing during his or her term of office.

5.5.1 To be eligible to serve as an officer or member of the Local Board, or a National Board member, a member must reside within the jurisdiction of the New Mexico Local for a minimum of one (1) year prior to the filing of a petition to run¹ and must continue to reside within the jurisdiction of the Local during his or her term of office.

5.6 Any vacancies in Local officer and Local Board positions shall be filled from the Local membership by a majority of the Local Board members voting at any Local Board meeting, except that the 1st Vice President shall succeed the President until the next meeting of the Local Board. All replacements shall serve until their successors are elected.

5.7 A permanent vacancy arises upon the death or resignation of the person holding the position, or if the position remains unfilled in any election. In addition, the Local

¹ For the 2021 election cycle only, in order to comply with federal law, the residency requirement will be deemed satisfied if a candidate resides within the Local on the date the petition for nomination is submitted. Additionally, a candidate running for office in the 2021 election cycle must continue to reside within the jurisdiction of the Local during their term of office.

Board may declare that a position is permanently vacant if the person holding the position fails to appear at three consecutive Local Board meetings without good cause.

5.8 Local Officers and members of the Local Board must adhere to the good standing and eligibility requirements set forth in Article VIII of the SAG-AFTRA Constitution throughout their elected or appointed term of office in accordance with policies and procedures established by the National Board. Failure to maintain good standing shall disqualify the member from attending meetings or voting until he or she returns to good standing. Failure to maintain eligibility for any other reason shall create a permanent vacancy.

6 Collective Bargaining Agreements

6.1 All Local collective bargaining agreements and amendments shall be ratified by majority vote of the members affected thereby and voting thereon. Such vote shall be conducted either in an electronic or mail referendum or in any meeting called for that purpose, subject to approval by the Local Board and final approval by the SAG-AFTRA National Board or its designee. The Local Board may approve waivers and minor amendments to such agreements, subject to policies and procedures established by the SAG-AFTRA National Board or its designee.

6.2 With the approval by the SAG-AFTRA National Board or its designee, the Local Board may call a strike in connection with any dispute with an employer upon a vote by seventy-five percent (75%) of the members affected thereby voting at any meeting called for that purpose or in a mail or electronic referendum.

7 Relationship to SAG-AFTRA

7.1 This Local is an integral part of SAG-AFTRA and all of its assets and properties of whatever kind and nature and wherever located shall be deemed the property of SAG-AFTRA. The Local may not disaffiliate from SAG-AFTRA or be dissolved by vote of its members without the prior approval of the SAG-AFTRA National Board.

7.2 All of the terms and provisions of the SAG-AFTRA Constitution, and any of its amendments, shall be deemed part of this Local Constitution. In the event of any conflict between this Local Constitution and the SAG-AFTRA Constitution, the SAG-AFTRA Constitution shall control.

7.3 The Local may take no action in contravention of the policies and procedures and rules and regulations adopted by the SAG-AFTRA National Board.

7.4 To the extent that this Constitution, any Local rules, policies or procedures, conflict with any provision of the SAG-AFTRA Constitution, any amendment thereto, or any SAG-AFTRA rules, policies or procedures, this Constitution, or any Local rules,

policies or procedures shall be deemed to have been automatically amended to conform therewith.

8 Procedure for Removal of Local Officers and Local Board Members for Serious Misconduct

8.1 Any member in good standing, any committee of the National or a Local Board established for such purpose, or the National Executive Director, or his or her designee, may file charges of serious misconduct with the Secretary-Treasurer, or his or her designee, against any Local Officer or Local Board member. The charges shall be in writing and state all the facts and circumstances showing serious misconduct. A copy of the charges shall be mailed to the Local Officer or Local Board member in question.

8.2 The Probable Cause Committee shall review the charges and evidence submitted in support of them and may dismiss the charges if they lack substantial merit or evidence in support. Otherwise, the Disciplinary Committee shall set a hearing and give the Local Officer or Local Board member in question at least fifteen (15) days written notice of the date, time and place of the hearing. The hearing shall be before the Disciplinary Committee unless otherwise determined by the National Board. The Local Officer or Local Board member in question shall have the right to have a representative at the hearing, which shall be conducted in accordance with rules and procedures established by the National Board and/or Disciplinary Committee.

8.3 The body conducting the hearing shall issue a written decision following the hearing. A decision to remove a Local Officer or Local Board member shall be considered a recommendation to the Executive Committee or to such other appeals committee designated by the National Board, unless otherwise determined by the National Board. A two-thirds (2/3) vote of the appellate body members voting shall be required to remove the Local Officer or Local Board member in question. The decision of the appellate body shall be final and binding.

8.4 In the event a Local Officer or Local Board Member is removed, a successor shall be selected in the manner for filling a permanent vacancy in that office as set forth in the Local Constitution.

9 Amendments

9.1 Subject to final approval by the SAG-AFTRA National Board, this Local Constitution may be amended by any of the following methods:

- A. At a membership meeting membership by a vote of two-thirds (2/3) of the members voting.
- B. By a majority vote of the members voting in a mail or electronic referendum directed by the Local Board. Written or electronic notice shall be given to

the members at least thirty (30) days in advance and shall contain a summary description of the proposed amendments. At the same time, notice containing the actual proposed language shall be posted in the Local's office (if one exists) and published on its website or page.

C. By the Local Board, subject to the following:

- (1) Written or electronic notice shall have been given to all members of the Local Board at least thirty (30) days in advance of the Local Board meeting at which such amendment is to be considered for adoption; and
- (2) Such amendment can only be adopted in the presence of a quorum and by an affirmative vote of two-thirds of those present and voting.
- (3) Such amendment will only become effective upon the approval of the National Board of Directors (or the Executive Committee, if such authority has been delegated by the National Board of Directors).

9.2 Amendments may be proposed by a majority vote of the members voting at a membership meeting, by the Local Board, or by petition signed by no less than one-third (1/3) of the Local's members filed with the President of the Local or his or her designee. Such proposed amendments shall be voted on at the next membership meeting except that in the case of a petition, such meeting shall be at least thirty (30) days after the filing of the petition.

10 Miscellaneous

10.1 Robert's Rules of Order Newly Revised shall govern the conduct of all meetings.