

**BUREAU OF POSTHARVEST RESEARCH AND EXTENSION
EMPLOYEES ASSOCIATION (BPRE-EA)**

CONSTITUTION

PREAMBLE

WE, the employees of the Bureau of Postharvest Research and Extension (BPRE), in order to promote our moral, social, and economic well-being; protect and uphold our individual and collective rights, as well as foster harmonious and progressive employee – management relations do hereby promulgate this CONSTITUTION.

ARTICLE I – NAME AND DOMICILE

- Section 1. This organization shall be known as the Bureau of Postharvest Research and Extension Employees Association (BPRE-EA), herein after referred to as the Association.
- Section 2. The Association shall be domiciled at the Bureau of Postharvest Research and Extension, CLSU Compound, Science City of Munoz, Nueva Ecija.

ARTICLE II – DECLARATION OF OBJECTIVES

The Association shall commit itself to the pursuit of the following objectives:

- Section 1. To establish an organization that will represent the employees of the Bureau of Postharvest Research and Extension in collective negotiation beneficial to the members.
- Section 2. To promote the moral, social, and economic well-being of all the members.
- Section 3. To protect and uphold the individual and collective rights of all members.
- Section 4. To foster harmonious and progressive employee-management relations.
- Section 5. To strive for the adoption of legislation, policies and other measures that will promote the economic, social and general well-being of all the members, in particular, and the working class, in general.
- Section 6. To promote the enlightenment of the members in regard to their rights and obligations as association members and as employees, the present labor relations system, the existing collective negotiating agreement (CNA) and all other matters that directly affect the Association.

ARTICLE III – NAME OF EMPLOYER AND PLACE OF OPERATION

- Section 1. For collective negotiating purposes, the definite employer is the Bureau of Postharvest Research and Extension, herein after referred to as the Agency, the principal place of operation of which is at CLSU Compound, Science City of Munoz, Nueva Ecija.

ARTICLE IV – MEMBERSHIP

- Section 1. Every rank and file employee of the BPRE not otherwise disqualified by Law and without regard to sex, race, nationality, religious or political belief of affiliation is eligible for membership in the Association.
- Section 2. Qualified employees of the Agency may become members of the Association through written application approved by the President upon recommendation of the Committee on membership and after payment in full of the required membership fee.

ARTICLE V – PRINCIPAL OFFICERS

- Section 1. The governing body*of the Association is the Executive Board whose members shall be the elected officers of the Association.
- Section 2. The Executive Board shall administer the affairs of the Association, formulate policies and implement programs to effectively carry out the objectives of the Association and manage all the finances and properties of the Association.
- Section 3. The Executive Board shall consist of seven (7) officers, namely;
- President
 - Vice President
 - Secretary
 - Treasurer
 - Auditor
 - Business Manager
 - Public Relations Officer
- Section 4. There shall be Department Representatives consisting of seven (7) members. Who are duly selected by their respective Departments.
- Section 5. The officers of the Association shall hold office for two (2) years from the date of their election until their successors shall have been elected and qualified provided that they remain members of the association in good standing.
- Section 6. The Executive Board shall fill up vacancies in the Executive Boar, except the position of President, by appointing any member(s) of the Association, in good standing, for a continuous period of one (1) year immediately preceding such appointment. The said appointee(s) shall hold office in an acting capacity for the unexpired term of office of the immediate predecessor(s) or until special election thereof as authorized by the Executive Board.

ARTICLE VI – DUTIES AND POWERS

- Section 1. The President shall be the Executive Officer of the Association, whose duties and powers shall include the following:
- a) Preside over all meeting and deliberations of the Executive Board and of the General Assembly;
 - b) Appoint all members of standing committees of the Association with the concurrence of majority of the members of the Executive Board;

- c) Approve orders covering the applications or expenditure of Association funds before payment or disbursement is made by the Treasurer;
- d) Call special meetings of the Association or the Executive Board whenever necessary or upon written request of at least thirty percent (30%) of the General Membership or a majority of the members of the Executive Board;
- e) Represent the Association in all occasions and in all matters where representation of the Association may be agreed upon or required; and
- f) Serve as official spokesperson of the Association.

Section 2. The Vice President shall perform the following duties and functions:

- a) Assume the duties and functions of the President in case of the latter's absence, disability, death or resignation;
- b) Assist and coordinate with the President regarding all Association matters; and
- c) Perform functions that may be assigned by the president.

Section 3. The Secretary shall perform the following duties and functions:

- a) Take down minutes of meetings of the General Membership and of the Executive Board;
- b) Keep a book of Minutes of Resolution and a continuing Register of all members of the Association;
- c) Act as custodian of all records, documents, minutes of the meeting of the Executive Board and the General Membership as well as printed and/or written policies, projects and activities of the Association;
- d) Submit to the Department of Labor and Employment and Civil Service Commission annually a list of officers and their respective addresses, minutes of election of officers and list of voters within 30 days from the date of election or from the concurrence of a change in the Association officers and such other documents or papers as may be required; and
- e) Perform functions that may be assigned by the President.

Section 4. The Treasurer shall perform the following duties and functions:

- a) Collect, receive and issue receipts for all money, funds and contribution to the Association;
- b) Make sure that all disbursement and payments made are covered by vouchers and accompanied by the necessary documents;
- c) Keep a record of all receipts and expenditures; and

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d) Prepare such financial reports as may be required by the General Membership, the Executive Board, the Department of Labor and Employment and the Civil Service Commission which shall include all money received and paid. The rendering of such account shall be made:

- At least once a year within thirty (30) days after the close of the Association's fiscal year;
- At such other times as may be required by a resolution of the majority of the members of the organization; and
- Upon vacating the office or dissolution of the Association for any cause.

Section 5. The Auditor shall audit, verify and examine all financial accounts of the Association shall supervise the entries in the books of accounts of the Association; and shall render a report as may be required by the Executive Board or by a resolution of the majority of the General Membership.

Section 6. The Business Manager shall be in charge of the operation and management of the business affairs of the Association; shall be responsible for making business transactions; shall safeguard the financial viability of the businesses established; and shall recommend to the Executive Board business strategies that would give or provide more income to the Association.

Section 7. The Public Relations Officer (PRO) shall be in charge of matters involving public relations of the Association. With the approval of the Executive Board, the PRO may establish an official publication of the Association.

Section 8. The Department Representatives shall be in charge of the legislative functions of the Association under the guidelines to be issued by the Executive Board. They shall consult their respective Departments on matters, problems and areas that may be subject to Association rules, regulations or policies.

Section 9. The officers of the Association shall not be paid any compensation other than the salaries, allowances and expenses due their positions as are specifically provided in a written resolution adopted by the majority of all the members at a meeting duly called for the purpose. The Secretary shall take down minutes of the meetings together with the list of participants and tally of votes cast, copy of which shall be furnished the Department of Labor and Employment and the Civil Service Commission.

ARTICLE VII - STANDING COMMITTEES

Section 1. To ensure coordination and efficiency in all the transaction of Association matters, and in order to realize the objectives of this Constitution, the following three (3) Standing Committees are hereby created:

- a) Committee on Membership – which shall receive and process application for membership and make recommendations thereon to the President. It shall implement rules, regulations and decisions as may be promulgated by the Executive Board or the General Membership for the admission of members in the Association.

Section 7. Members on official leave of absence are excused from attending meetings whether regular or special.

Section 8. Any member who is absent for three consecutive times from any regular or special meeting of the General Membership without justifiable grounds may be expelled or suspended from the association by vote of the majority of the Executive Board.

Section 9. Absence of a member or members of the Executive Board shall be subject to the rules and regulations to be promulgated by the Board. Such rules and regulations shall be passed upon by the General Membership.

ARTICLE IX – ASSOCIATION ELECTION

Section 1. There shall be a Committee on Election (COMELEC) to be created by the Executive Board at least thirty (30) days before any regular or special election. The functions of the COMELEC shall include the following:

- a) Adopt and promulgate rules and regulations that will ensure a free, clean, honest and orderly election, whether regular or special;
- b) Pass upon qualification of candidates;
- c) Rule on any question or protest regarding the conduct of the election subject to the procedure that may be promulgated by the Executive Board; and
- d) Proclaim duly elected officers.

Section 2. The COMELEC shall be composed of a Chairman and two members all of whom shall be appointed by the Executive Board and are disqualified from running for any elective position.

Section 3. The COMELEC shall be automatically dissolved thirty (30) days after the duly elected officers are proclaimed.

Section 4. Regular election of officers of the Association shall be held within the month of April and on the same date every two (2) years thereafter.

Section 5. All members of the Association in good standing shall be eligible to vote during Association elections. Candidates for elective positions must be members of the Association in good standing for at least one (1) year on the date of the election.

Section 6. Voting shall be by secret balloting and the election shall be decided by majority of votes.

Section 7. The duly elected officers shall meet within one (1) week following their proclamation to which time the outgoing administration shall turnover all records and properties of the Association to the new administration.

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**ARTICLE X - FEES, DUTIES, SPECIAL ASSESMENT, FINES
AND OTHER PAYMENTS**

- Section 1. A membership fee of 100 pesos shall be paid by an applicant before becoming an official member of the Association.
- Section 2. Every member shall pay monthly dues to the Association in the amount of 10 pesos that may be collected through salary deduction upon previous written authorization of the member concerned.
- Section 3. All amounts collected pursuant to the preceding sections shall constitute the General Fund of the Association to be applied to the operational and organizational expenses of the Association or any purpose or subject as may be authorized by the Executive Board in a written resolution adopted at a meeting duly called for the purpose.
- Section 4. Every member shall contribute to the Association such amounts as may be fixed by the Executive Board or General Membership through a written resolution adopted at a General Membership meeting duly called for the purpose to be applied to or expended for any or all of the following objects:
- a) Education programs;
 - b) CNA negotiations; and
 - c) Such other plans and programs that will promote the interest and welfare of the Association and the members.
- Section 5. Special assessments or other extraordinary fees shall be made only upon resolution duly ratified by $\frac{3}{4}$ of the General Membership through secret balloting.
- Section 6. Any member who shall be six (6) months in arrears in the payment of regular monthly dues or who fails for two times to pay the special assessments, fines or other payments required to be made, good standing and may be subjected to other disciplinary actions. In the event of sickness, leave of absence without pay and other similar causes, the Executive Board may excuse non payment or defer collection thereof at its discretion.
- Section 7. Every payment of fees, dues or other contributions by a member shall be evidenced by a receipt signed by the Treasurer or his/her duly authorized representative making the collection and entered into the records of the Association to be kept and maintained for the purpose.
- Section 8. Every expenditures of the funds of the Association shall be supported by a receipt as evidence from the person to whom the payment is made which shall state the date, place and purpose of such payment. Such receipt shall form part of the financial records of the Association.
- Section 9. The books of accounts and other records of the financial activities of the Association shall be opened for inspection by any officer or member any time during office hours.

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ARTICLE XI - DISPOSITION OF ASSOCIATION FUNDS

Section 1. In case of voluntary dissolution of the Association or financial cancellation of its registration certificate, the Association members shall enjoy equity of the Association properties to the extent that said properties shall first be sold to the Association members before said properties are offered to non association members and its proceeds, together with the balance of the association funds shall be distributed, pro-rata to its members, depending on the amount of membership dues contributed to the Association. The General Membership may be consulted to settle differences of opinion.

ARTICLE XII - QUORUM AND RULES OF ORDER

Section 1. Except when greater proportion is required herein or by law, a majority vote shall prevail at its meetings and deliberations of the Association. A majority of the members (50% + 1) of the Association shall constitute a quorum to officially transact any business.

Section 2. Meetings of the Association shall whenever practicable be governed by the Robert's Rule of Order

ARTICLE XIII - COLLECTIVE NEGOTIATION

Section 1. Collective negotiation for and in behalf of the General Membership shall be undertaken by the Executive Board and shall act as the Negotiating Panel.

Section 2. The Collective Negotiating Agreement resulting from the negotiations shall be subject to ratification and approval by majority vote of the Association members at a meeting convened or by a referendum held for such purpose.

ARTICLE XIV - SETTLEMENT OF INTERNAL DISPUTE

Section 1. Dispute involving Association members or its officers shall be made in writing and submitted to the President who shall undertake to have them settle their differences amicably.

Section 2. In the event of failure to settle the dispute amicably, the President shall pass on the dispute to the Committee on Grievance/Welfare who shall undertake investigation to hear the case of its merits.

Section 3. The Committee on Grievance/Welfare shall require the respondent within five (5) working days from the date of the aforementioned confrontation of the parties to submit their answers in writing. Thereafter, both sides shall be entitled to a hearing.

Section 4. After proper evaluation of evidence submitted, the Committee on Grievance/Welfare shall render its written decisions on the dispute within five (5) working from termination of the hearing.

Section 5. Decisions of the Committee on Grievance/Welfare shall become final unless appealed to the General Membership within three (3) working days from receipt of a copy of the decision of the Committee on Grievance/Welfare.

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ARTICLE XV – IMPEACHMEN AND RECALL

Section 1. Any of the following shall be a ground for the impeachment or recall of Association officers:

- a) Committing or causing the commission directly or indirectly of acts against the interest and welfare of the Association;
- b) Malicious attack against the Association, its officers or against a fellow Association officer or member;
- c) Failure to comply with the obligation to turn over and return to the Association Treasurer with three (3) working days the unexpended sum or sums of money received from the Association funds to answer for authorized Association purposes;
- d) Gross misconduct unbecoming of an Association officer;
- e) Misappropriation of Association funds and property. This is without prejudice to the filing of a criminal or civil action against the responsible officer or officers by any interested party;
- f) Willful violation of any provisions of this Constitution or rules, regulations, measures, resolutions and decisions of the Association.

Section 2. The following procedure shall govern impeachment and recall proceedings:

- a) Impeachment or recall proceedings shall be initiated by a formal petition or resolution signed by at least thirty percent (30%) of all bonafide members of the Association and addressed to the President;
- b) The President shall then convene a General Membership meeting to consider the impeachment or recall of an officer or a group of officers, whether elective or appointive;
- c) Association officers against whom impeach charges have been filed shall be given ample opportunity to defend themselves before any impeachment or recall vote is finally taken;
- d) A majority of all members of the Association shall be required to impeach or recall Association officers;
- e) Association officers impeached shall *ipso facto* be considered resigned or ousted fro office and shall no longer be elected nor appointed to any position in the Association; and
- f) The decision of the General membership on the impeachment or recall charge shall be final and executory.

ARTICLE XVI – FISCAL YEAR

Section 1. The Association's fiscal year commences on 1 January and end on 31 December of every year.

ARTICLE XVII – AMENDMENTS

Section 1. Proposals for amendments to this Constitution may be made by the Executive Board or upon formal petition of at least ten percent (10%) of the General Membership.

Section 2. No proposal shall be considered an amendment and become a part of this Constitution until after the same shall have been ratified by two-thirds (2/3) vote of all the members of the Association either a a special meeting or a referendum called for such purpose.

ARTICLE XVIII – EFFECTIVITY

Section 1. This Constitution shall take effect on the day following its ratification.

Adopted and ratified this 12th day of MAY, 2008 at BPNG, MUNOZ, P. CCJA with the list of members, together with their signatures, who ratified the same appearing in Annex "A" hereof.

CERTIFIED CORRECT:

Guillermo A. Angeles, Jr.
GUILLERMO A. ANGELES, JR.
Secretary

ATTESTED:

Baldwin G. Jallorina
BALDWIN G. JALLORINA
President

SUBSCRIBED AND SWORN TO BEFORE ME this day of MAY 12 2008
at CIENFUEGOS CITY OF MUNOZ Community Tax Certificate No. 11533996 issued at
BPNG, BACABAC, PON 3-2-08
VIZCAYA

Rodolfo T. Tobias
RODOLFO T. TOBIAS
NOTARY PUBLIC
NOTARY PUBLIC
UNTIL SEPTEMBER 31, 2008
ID No. 2574977-01-02-2008
BOHIO, CIENFUEGOS CITY OF MUNOZ, NUEVA EGUIA
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