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AFGE INTERNAL POLICY

SUBJECT: Local Disband and Membership Transfer Procedures

Motion for consideration by the National Executive Council on [Click or tap to enter a date.](#)

Executive Summary

This policy is intended to clarify and update existing policy concerning procedural requirements for transferring membership between AFGE locals.

Any previous internal AFGE policies related to mergers, disbandment, or any other form of membership transfer are no longer valid starting from the date this policy is adopted by the AFGE National Executive Council.



AFGE INTERNAL POLICY

Administrative Procedures for AFGE Local Membership Transfers

Adopted by the National Executive Council on: Click or tap to enter a date.

A POLICY

To provide procedural standards with respect to the transfer of AFGE members between and among AFGE affiliate locals.

Be it adopted by the AFGE National Executive Council assembled, that this Policy may be cited as the “AFGE Membership Transfer Policy of 2025.”

PURPOSE AND AUTHORITY

WHEREAS, the AFGE National Executive Council has the authority, under Article XIII, Section 3 of the AFGE National Constitution, to “utilize every legitimate means and effort to consolidate existing compatible locals into larger segments or councils for the purpose of creating stronger union entities and eliminating fragmented organizations. District boundaries will not be a barrier to any merger or consolidation deemed beneficial and for the protection of union members.”¹

WHEREAS, AFGE has at least five prior policies concerning the merger, disbandment, or other form of membership transfer between AFGE locals. An April 24, 1975, policy concerning ‘Handling of Disbanding Locals,’ interprets an AFGE National Constitution charter revocation and local disbandment provision and outlines the appropriate accounting procedures to write off balances associated with disbanded locals.² A policy approved by the National Executive Council on October 24-25, 1984, interpreted Article XIII, Section 3 of the AFGE National Constitution to require certain procedural steps, including consent of the membership, for mergers of locals within a district.³ A February 25, 1986, policy concerning ‘Unit Decertification and Disbandment,’ discusses reasons decertification or disbandment of an AFGE local may be desired, including conditions that indicate an “AFGE entity may be subjected to a higher risk of

¹ See Resolution #289 of the 1984 AFGE National Convention (enacting Article XIII, Section 3).

² See American Federation of Government Employees April 24, 1975, Memorandum re: Handling of Disbanding Locals. NOTE: The memorandum references Article XVI, Section 12 of the AFGE National Constitution that governed at that time. The text of that section is incorporated in Article XIX, Section 6 of the AFGE National Constitution, as amended by the 2024 AFGE National Convention.

³ See American Federation of Government Employees Motion Amended and Adopted by Unanimous Vote by the National Executive Council June 16-18, 2010 (including an attachment of the October 24-25, 1984 Policy on Merger of Locals).

claims for a breach of duty of fair representation.”⁴ A January 12, 1990, memorandum reinforced and clarified the application of the accounting procedures for merged and disbanded locals originally established in the April 24, 1975, memorandum.⁵ A June 16-18, 2010, policy approved by the National Executive Council, interpreted Article XIII, Section 3 of the AFGE National Constitution and established certain procedural steps for mergers of locals who certification is held by AFGE National, and clarifies the Federal Labor Relations Authority (FLRA) procedures required for a local that holds their own recognition or certification.⁶ A May 12-15, 2015, policy approved by the National Secretary-Treasurer established procedural requirements for the processing of mergers by the National Secretary-Treasurer’s office.⁷

WHEREAS, the National Executive Council seeks to establish one unified policy that interprets the powers vested in Article XIII, Section 3 of the AFGE National Constitution, establishes the procedural requirements, and defines responsibilities for administering mergers, disbandment, and any other means and efforts to consolidate existing locals into stronger union affiliates with greater resources to represent AFGE membership. Nothing in this policy restricts any powers otherwise granted to the AFGE National President under the AFGE National Constitution and policies.

DEFINITIONS

“Disband and Transfer” means the formal dissolution of an AFGE Local, with the transfer of its members, assets, and representational responsibilities to another AFGE Local or to AFGE National.

“Insured Local” means a local with a death benefit insurance policy, as defined by Article XIX, Section 4(b) of the AFGE National Constitution.

“Membership Transfer” means any legitimate means to consolidate existing compatible locals into larger segments or councils for the purpose of creating stronger union entities and eliminating fragmented organizations and includes mergers and disband and transfers.

⁴ See American Federation of Government Employees February 25, 1986, Memorandum re: Unit Decertification and Disbandment (“Examples of such a desired certification might exist where: the AFGE entity holding or exercising exclusive rights leadership and no new leaders are expected to take the reins in the foreseeable future; only a few members remain and there is no likelihood of a membership increase after organizing efforts have failed; mergers are impractical because of geographic or other reasons for properly representing unit employees.”).

⁵ See American Federation of Government Employees January 12, 1990, Memorandum re: Disband and Merged Locals (clarifying that (1) credit balances of disbanded locals are sent to escrow for threes before being transferred to extra ordinary income, (2) credit balances of merged locals are transferred to the new local, (3) debit balances of disbanded locals are written off as bad debt, and (4) debit balances of merged locals are transferred to the new local).

⁶ See American Federation of Government Employees Motion Amended and Adopted by Unanimous Vote by the National Executive Council June 16-18, 2010.

⁷ See American Federation of Government Employees May 12-15, 2015 Disband and Merger Procedures Memorandum.

“Merger” means the unification of one or more locals into a single local and is initiated by the Transferring Local who is certified as the exclusive representative of the Local’s unit of employees for the purpose of collective bargaining.

“Receiving Local” means the AFGE-affiliate local unit who will receive the membership of a Transferring Local by a Membership Transfer.

“Regular Local” means a Regular Local as defined by Article XIX, Section 4(a) of the AFGE National Constitution.

“Transferring Local” means the AFGE-affiliate local unit whose membership will be transferred to the Transferring Local.

POLICY

In order to effectuate the provisions of Article XIII, Section 3 of the AFGE National Constitution, it is the policy of AFGE to administer membership transfers, when certain conditions exist, to ensure the effective representation and protection of its members. Membership Transfers may be accomplished through a merger or disbandment and transfer, the procedures for each are outlined here within. Membership Transfers are administered to consolidate union resources and create stronger union entities capable of meeting the representation needs of their membership.

Membership Transfers may be warranted when:

- (1) the Local lacks leadership with no prospects for future leaders,
- (2) the Local has a minimal number of members and organizing efforts have been unsuccessful
- (3) the Local faces difficulties in representation due to geographic or other reasons, and/or
- (4) the employing Agency has been reorganized in a manner that may impact Local representation.

Membership Transfers cannot be reversed.

PROCEDURAL REQUIREMENTS

A. Disband and Transfers

1. Criteria for Disband and Transfers

- a. A Local may be disbanded and their membership may be transferred to another Local if AFGE National is certified as the exclusive representative of the Local’s unit of employees for the purpose of collective bargaining, as recognized by the Federal Labor Relations Authority (FLRA).

- b. No Disband and Transfer shall occur within ninety (90) days of the AFGE National Convention or Caucus

2. Disband and Transfer Procedure

- a. The respective National Vice President emails the 'Membership Transfer Recommendation Form' (see Appendix #) to the National President, National Secretary-Treasurer, and General Counsel to request a Membership Transfer.
- b. The National Secretary-Treasurer reviews the 'Membership Transfer Recommendation Form,' gathers necessary information, and provides an opinion on how to handle the transfer of finances from the old local to the new local in an expeditious manner. After review, this information is sent to the General Counsel.
 - i. Debit or credit balances should be transferred from the Transferring Local to the Receiving Local. If a local is merely disbanded (i.e. the membership is not transferred), any credit balance should be transferred back to AFGE National and any debit balance should be written off as bad debt.
- c. The General Counsel reviews the membership transfer and National Secretary-Treasurer's opinion for legal sufficiency and advises the National President on the preferred course of action in an expeditious manner.
- d. The National President orders the transfer of membership.
- e. The National Secretary-Treasurer drafts necessary letters to notify the local and relevant federal agencies of the merger or disband and transfer of the Local.
- f. The General Counsel drafts a letter to the local's bank and works with the respective National Vice President to recover to AFGE National any remaining funds previously held by the Local.
- g. The National Secretary-Treasurer accounts for the funds and distributes any funds to the Receiving Local

B. Mergers

1. Criteria for Mergers

- a. A Local may be merged with another Local if the Local is certified as the exclusive representative of the Local's unit of employees for the purpose of collective bargaining, as recognized by the Federal Labor Relations Authority (FLRA).
 - i. For these Locals, certain 'due process' and 'substantial continuity' considerations are required under federal law. The procedural requirements below are intended to meet those requirements, but locals may contact the Office of General Counsel to ensure compliance.
- b. No Merger shall occur within ninety (90) days of the AFGE National Convention or Caucus

2. Merger Procedure

- a. The Local initiates and conducts a special meeting to consider and vote to change the exclusive representative affiliation of the Local from the Local to AFGE National. The following procedural requirements must be met:
 - i. The change of the exclusive representative affiliation to AFGE National must be the sole subject of the special meeting,
 - ii. Notice of the meeting and its purpose shall be sent to the local membership at least 15 days prior to the special meeting,
 - iii. The special meeting should take place at a time and place that is convenient to all Local members,
 - iv. Local members must be given adequate time to discuss the proposed change of affiliation,
 - v. Local members must be given an opportunity to ask questions about the proposed change of affiliation,
 - vi. Local members must be given an opportunity to vote, by secret ballot regarding the change of affiliation, and
 - vii. The secret ballot must clearly state the proposed change of affiliation and the choices inherent therein. The secret ballot shall clarify that the membership is being transferred and that the members will become subject to the Receiving Local's Constitution and Bylaws, including any provisions related their dues structure.
- b. The Local files a Petition to Amend its certification with their regional FLRA office.
- c. The FLRA conducts an investigation to ensure due process and substantial continuity⁸ requirements are/were met.
- d. The Local and relevant Agency sign a stipulation of the facts and makes a determination on the Petition to Amend the certification.
- e. The respective National Vice President emails the 'Membership Transfer Recommendation Form' (see Appendix #) to the National President, National Secretary-Treasurer, and General Counsel to request a Membership Transfer.
- f. The National Secretary-Treasurer reviews the 'Membership Transfer Recommendation Form,' gathers necessary information, and provides an opinion on how to handle the transfer of finances from the old local to the new local in an expeditious manner. After review, this information is sent to the General Counsel.

⁸ NOTE: The FLRA considers three factors when determining that 'substantial continuity' exists for the local when petition to amend their certification, including: (1) whether the new union has the same officers or representatives, (2) whether the new union maintains local control of day-to-day operations, and (3) whether the new union agrees to retain the existing collective bargaining agreement. The FLRA balances these factors to determine whether a substantial change would be made to the union operations if the amendment to the certification is made, and therefore the Local does not need to prove all three factors.

- i. Debit or credit balances should be transferred from the Transferring Local to the Receiving Local. If a local is merely disbanded (i.e. the membership is not transferred), any credit balance should be transferred back to AFGE National and any debit balance should be written off as bad debt.
- g. The General Counsel reviews the membership transfer and National Secretary-Treasurer's opinion for legal sufficiency and advises the National President on the preferred course of action in an expeditious manner.
- h. The National President orders the transfer of membership.
- i. The National Secretary-Treasurer drafts necessary letters to notify the local and relevant federal agencies of the merger or disband and transfer of the Local.
- j. The General Counsel drafts a bank letter and works with the respective National Vice President to recover any remaining funds previously held by the Local.

CONSIDERATIONS FOR SPECIAL CIRCUMSTANCES

A. Differences in Life Insurance Policies Certified by AFGE National

1. Membership Transfers where the Transferring Local is an Insured Local and the Receiving Local is a Regular Local.
 - i. Transferring Local members shall become members of a Regular Local
 - ii. Transferring Local members shall be provided notice regarding their right to convert their life insurance benefit, as provided for in the life insurance policy for which AFGE National is the policyholder.
2. Membership Transfers where the Transferring Local is a Regular Local and the Receiving Local is an Insured Local.
 - i. Transferring Local members who become Receiving Local members due to the Membership Transfer shall become members of an Insured Local and shall be provided such benefits as provided in the life insurance policy for the Receiving Local.
3. Membership Transfers where the Transferring Local and Receiving Local are both Insured Locals, but the insurance provided by the two locals is different
 - i. Transferring Local members who become Receiving Local members due to the Membership Transfer shall be insured in a manner commensurate with the insurance provided to the members by the Receiving Local.
 - ii. If the life insurance provided by the Receiving Local offers lesser benefits than the Transferring Local, Transferring Local members shall be provided notice regarding their right to convert their life insurance benefit, as provided for in the life insurance policy for which AFGE National is the policy holder.

B. Differences in Other Forms of AFGE National-Approved Insurance

1. If the Transferring Local has an insurance policy or policies that was approved by AFGE National, other than a life insurance policy for which AFGE National is the policyholder, the Transferring Local members should consult with the AFGE National Benefits Coordinator regarding any rights they may have to convert their insurance policy beyond the date of the Membership Transfer.
2. If the Transferring Local has an insurance policy or policies that was/were not approved by AFGE National, Transferring Local members should contact such insurance policy providers directly to determine any rights they may have to convert their insurance policy beyond the date of the Membership Transfer.

C. Election of Delegates

1. Delegates Previously Elected by the Transferring Local for Councils that a Transferring Local Was Affiliated and the Transferring Local Becomes Affiliated
 - i. Delegates of the Transferring Local who were properly elected by virtue of office or in a separate proceeding and in conformance with the Transferring Local's Constitution and Bylaws for a purpose for which the Receiving Local was not previously affiliated with shall represent the Receiving Local as a delegate for such purpose and term for which they were elected if the Receiving Local does not have delegates elected for general representation purposes (e.g. delegates by virtue of office), and may serve until a new election of delegates has been conducted by the Receiving Local.
2. Delegates Previously Elected by the Receiving Local
 - i. Delegates of the Receiving Local who were properly elected by virtue of office or in a separate proceeding and in conformance with the Receiving Local's Constitution and Bylaws shall continue to serve as a delegate for the purpose and term for which they were elected.
3. Membership Transfers where the Receiving Local becomes entitled to additional delegates
 - i. After the membership of the Transferring Local is transferred to the Receiving Local, if the Receiving Local becomes entitled to additional delegates, the Receiving Local shall hold a special proceeding to elect such additional delegates in accordance with the procedures in Appendix A, Part I, Section 6 of the AFGE National Constitution.

D. Differences in Dues Amount or Structure

1. If the Transferring Local's membership has been transferred to the Receiving Local through a Disband and Transfer, and the Transferring Local's dues were less than that of the Receiving Local, the Office of General Counsel shall advise the local on whether a vote on the rate of dues is necessary, pursuant to any obligations under federal law.

