

Resignations, Suspensions, and Expulsions

(2023 AFM Bylaws, art. 9, §§ 22, 24(a)-30.)

Resignations

SECTION 30. Members must tender their resignation in writing to the Secretary of the Local from which they wish to resign.

A member will be suspended and then expelled if they stop paying dues without resigning. They will then have to settle back dues and late fees before they can rejoin. Advise members to tender resignations in writing, for which an email will suffice.

Suspensions

SECTION 24(a). A suspended member is a member whose regular periodic dues are unpaid for a period of time as specified in a Local's Bylaws to declare a member automatically suspended for non-payment (subject to the requirement of Article 9, Section 25, that a member may not be suspended until at least 30 days after the first day of the period for which the dues would be paid). However, in no case can this period of time exceed six months, at which time a member shall be automatically expelled for non-payment, as specified in Article 9, Section 26. A member having been suspended as provided here shall have all the obligations of membership but none of the rights and is not in good standing.

Locals establish their own deadlines for when members in arrears are suspended due to nonpayment. This deadline must be between thirty days and six months after the membership period begins. Check your local's bylaws for information.

Suspended members have "all the obligations of membership," which means they continue to owe work dues on jobs and can be disciplined for breaking union rules. The amount for which they are in arrears will continue to accrue until they are expelled. Suspended members have "none of the rights," so they cannot attend meetings or vote in elections. Locals do not pay Per Capita on suspended members.

Expulsions

SECTION 24(b). The following terms are some that are synonymous with "expelled": Erased, removed, dropped, terminated, canceled, annulled, nullified, and eradicated. An expelled person is (1) a former member who has been automatically expelled for failure to pay regular periodic dues to a Local for six months from the expiration date of the period for which the person's dues were previously paid to the Local, or for a shorter period than six months if the Local's Bylaws so provide (subject to the requirement in Article 9, Section 25, that a member may not be expelled until at least 30 days after the first day of the period for which the dues would be paid); or (2) a person who has been expelled by a Local as disciplinary action for violation of the Local's or AFM's Bylaws, after a full and fair hearing; or (3) a person who has been expelled by AFM order. A person having been expelled as provided here shall have neither the rights nor obligations of membership to the Local.

An expelled person is no longer a member of your local. Although this usually occurs due to nonpayment, a member may also be expelled by the local or the AFM for disciplinary reasons.

Locals set their own deadlines for when members in arrears are expelled for nonpayment. This deadline must be between thirty days and six months after the membership period begins. Unless your local

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bylaws stipulate a quicker deadline, an unpaid member is automatically expelled from your local at six months of arrears. Locals do not pay Per Capita on expelled members.

Reinstatements

SECTION 27. Members who have been suspended from a Local for non-payment of dues, late fees or fines on dues, or assessments may be reinstated by paying the Local's prescribed reinstatement fee, if any, and the back standing dues, late fees or fines, and assessments owing at the time of suspension. Dues, late fees or fines on dues or assessments cannot be charged covering a period longer than six months.

SECTION 28(a). Individuals who have been expelled from a Local for non-payment of dues, late fees or fines on dues, or assessments can be reinstated by paying the Local's prescribed reinstatement fee, if any, and the back standing dues, late fees or fines, and assessments owing at the time of suspension or expulsion. Dues, late fees or fines on dues, or assessments cannot be charged covering a period longer than six months. [see Article 9, Section 22 re: amnesty.]

Locals establish their own reinstatement fee, which cannot be higher than the local's LIF. If a former member who resigned in good standing (i.e., tendered a resignation without owing money to the local) wishes to rejoin the local, charge only the reinstatement fee. Members resigned in good standing from your local do not pay LIF or FIF again.

However, a member suspended or former member expelled for nonpayment will be in arrears for the total amount owed at the time of suspension/expulsion. This amount will be up to six months of periodic dues plus late fees and fines, if your local charges them. A suspended member or expelled former member must settle this amount and pay a reinstatement fee before they can resume membership.

Because unpaid members are automatically expelled at six months, you may not charge a member for dues or late fees for a period longer than six months.

SECTION 28(b). Individuals who have been expelled and who currently reside in a jurisdiction other than their former Local's jurisdiction may be accepted into the new Local upon payment of back standing dues, late fees or fines on dues, or assessments owed to the former Local at the time of expulsion. In addition, the new Local shall charge its LIF plus the FIF in accordance with Article 9, Section 2.

If someone moves into your jurisdiction and applies for membership, but a crosscheck search on AFM.org shows they have been expelled elsewhere due to unpaid dues, refer the applicant to their former local. Once that local certifies that applicant's arrears are settled, treat that person as if they are brand new to the AFM (i.e., charge both LIF and FIF).

SECTION 28(c). A former AFM member expelled for reasons other than the non-payment of dues, late fees or fines on dues, or assessments is not entitled to the benefit of this Section, but must comply with AFM or Local bylaws, or both, governing their reinstatement, as the case may be.

Consult your International Representative if you receive an application from a former member who was expelled for discipline.

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Special circumstances

To settle arrears and resign in good standing

SECTION 29(a). Members who wish to place themselves in good standing for the purpose of resigning from a Local after being suspended for the non-payment of assessments, dues, late fees or fines on dues, cannot be required to pay more than the amount owed at the date of their suspension. The amount due for these obligations shall not cover a period longer than six months, when a member is automatically expelled for failure to pay a Local's regular periodic dues in accordance with AFM Bylaws. The addition of a reinstatement fee is prohibited.

SECTION 29(b). Former members who wish to place themselves in good standing for the purpose of resigning from a Local after being expelled for the non-payment of assessments, dues, late fees or fines on dues, cannot be required to pay more than the amount owed at the date of their expulsion. The amount due for these obligations shall not cover a period longer than six months, when a member is automatically expelled for failure to pay a Local's regular periodic dues in accordance with AFM Bylaws. The addition of a reinstatement fee is prohibited.

Sometimes a suspended or expelled member will want to clear their arrears to be considered "resigned in good standing." In this instance, do not charge a reinstatement fee.

Option if expelled over four years ago

SECTION 22. Any current or former AFM member expelled from a Local or Locals for failure to pay periodic annual dues shall be permitted to join any Local as a new member four years after the date of the expulsion, without payment of any outstanding annual dues or related fines.

If a former member expelled for nonpayment has been out for four years or more, they have the option to join as a new member (i.e., pay FIF) instead of settling arrears and paying a reinstatement fee. This is sometimes to the former member's financial advantage.