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July 12, 2019

Via email to: jrivlin@afscme.org
Judith Rivlin, General Counsel
AFSCME, AFL-CIO
1625 L Street, NW
Washington, DC 20036

Via email to: franco@workerlaw.com
Danielle Franco-Malone
18 West Mercer St.
Suite 400
Seattle, WA 98119

Re: AFSCME Council 2's Convention Date

Dear Ms. Rivlin and Ms. Franco-Malone,

I write to warn you of yet another violation of Council 2's Constitution. Currently, Council 2's convention is set for the first week in August 2019.

However, Council 2's Constitution, Article V, subsection C provides:

*It is further provided that the convention of this council **shall** be held on a weekend during the month of **May, or June, or July, or September**, provided it shall not be held on a weekend encompassing a legal holiday or the second weekend in May (Mother's Day) or the third weekend in June (Father's Day). The president, in consultation with the officers shall select the dates. The selection date of convention [sic] shall be made in time to notify all member locals and chapters four months in advance. (Empahsis supplied.)*

It is therefore impermissible to hold the Convention on the dates that are currently selected. My clients respectfully request, therefore, that the Convention be set for an appropriate date in September as expressly permitted by the Constitution.

It should go without saying, that August is traditionally a month in which many members take their vacation and has traditionally been considered a month that workers deserve respite. My clients have expressed concern that some members who want to attend will not be able to attend because of preplanned commitments in August.

Finally, please be on notice that my clients consider that any action during a Convention held expressly in violation of the Council 2 Constitution is *ultra vires* and my clients expressly reserve the right to challenge such.

I appreciate your prompt attention to this concern.

Regards,

s/ Nick Power

Nicholas Power

NEDP:

cc. Client