

# CONSTITUTION AND BYLAWS of LOCAL UNION NO. 600

TEAMSTERS, HIGHWAY, CITY & AIR FREIGHT DRIVERS, DOCKMEN,  
BREWERY/DISTRIBUTOR DRIVERS, HELPERS, WAREHOUSEMEN, DAIRY  
WORKERS, CONVENTION AND TRADE SHOW EMPLOYEES, ST. LOUIS, ST.  
LOUIS COUNTY, ST. CHARLES COUNTY, JEFFERSON COUNTY, ST.  
FRANCOIS COUNTY, FRANKLIN COUNTY AND VICINITY; TEAMSTERS,  
BOLLINGER COUNTY, BUTLER COUNTY, CAPE GIRARDEAU COUNTY,  
CARTER COUNTY, DUNKLIN COUNTY, IRON COUNTY, MADISON COUNTY,  
MISSISSIPPI COUNTY, NEW MADRID COUNTY, PEMISCOT COUNTY,  
PERRY COUNTY, REYNOLDS COUNTY, RIPLEY COUNTY, STE. GENEVIEVE  
COUNTY, SCOTT COUNTY, STODDARD COUNTY, WAYNE COUNTY AND THE  
VICINITY, MISSOURI; AND MARINE OFFICERS ASSOCIATION, WORKERS  
ON THE INLAND WATERWAY SYSTEM COVERING THE CENTRAL STATES  
REGION OF THE UNITED STATES

Affiliated With  
The International Brotherhood of Teamsters

Revised as of January 2012  
and  
Approved by  
General President James P. Hoffa  
on April 3, 2012  
Additionally revised by the Delegates of  
The Convention of the International Brotherhood  
Of Teamsters June 2006 and June 2011

TEAMSTERS LOCAL 600

EXECUTIVE BOARD

Larry Tinker, Jr., President

Scott Gilchrist, Secretary-Treasurer

Timothy Meadows, Vice President

Dave Eagan, Recording Secretary

David Bruckerhoff, Trustee

Mike Grzyb, Trustee

Scott Zahm, Trustee

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Amendments were submitted January 16, 2012.

Mandatory amendments were discussed at the January 2012 membership meeting.

These bylaws were approved on April 3, 2012 by the International Brotherhood of Teamsters, James P. Hoffa, President.

## **Revised Local 600 Constitution and Bylaws**

### **ARTICLE I - Name and Nature**

**Section 1.01.** This Local Union shall be known as TEAMSTERS, HIGHWAY, CITY AND AIR FREIGHT DRIVERS, DOCKMEN, BREWERY/DISTRIBUTOR DRIVERS, HELPERS, WAREHOUSEMEN, DAIRY WORKERS, CONVENTION AND TRADE SHOW EMPLOYEES, ST. LOUIS, ST. LOUIS COUNTY, ST. CHARLES COUNTY, JEFFERSON COUNTY, ST. FRANCOIS COUNTY, FRANKLIN COUNTY AND VICINITY; TEAMSTERS, BOLLINGER COUNTY, BUTLER COUNTY, CAPE GIRARDEAU COUNTY, CARTER COUNTY, DUNKLIN COUNTY, IRON COUNTY, MADISON COUNTY, MISSISSIPPI COUNTY, NEW MADRID COUNTY, PEMISCOT COUNTY, PERRY COUNTY, REYNOLDS COUNTY, RIPLEY COUNTY, STE. GENEVIEVE COUNTY, SCOTT COUNTY, STODDARD COUNTY, WAYNE COUNTY AND VICINITY, MISSOURI; AND MARINE OFFICERS ASSOCIATION, WORKERS ON THE INLAND WATERWAY SYSTEM COVERING THE CENTRAL STATES REGION OF THE UNITED STATES LOCAL UNION NO. 600 chartered by and affiliated with the International Brotherhood of Teamsters.

**Section 1.02.** This organization shall continue to be an unincorporated Labor Union.

**Section 1.03.** The principal office of this Union shall be maintained in the City of St. Louis or St. Louis County and vicinity, State of Missouri. The Executive Board may establish offices at other locations.

### **ARTICLE II - Objects and Purposes**

**Section 2.01.** The objects of this Local Union shall be:

- a) To unite into one labor organization all workers eligible for membership, regardless of religion, race, creed, color, national origin, age, physical disability, sex, or sexual orientation;
- b) To engage in organizing workers to provide the benefit of unionism to all workers and to protect and preserve the benefits obtained for members of this organization.
- c) To secure improved wages, hours, working conditions and other economic advantages through organization, negotiations and collective bargaining, through legal and economic means, and other lawful methods;
- d) To provide educational advancement and training for employees, members and officers;
- e) To safeguard, advance, and promote the principle of free collective bargaining, the rights of workers, farmers and consumers, and the security and welfare of all the people by political, educational and other community activity;

- f) To engage in cultural, civic, legislative, political, fraternal, educational, charitable welfare, social, and other activities which further the interests of this organization and its membership, directly or indirectly;
- g) To provide financial and moral assistance to other labor organizations or other bodies having purposes and objectives in whole or in part similar or related to those of this organization;
- h) To engage in community activities which will advance the interests of this organization and its members in the community and in the nation, directly or indirectly;
- i) To protect and preserve the Union as an institution and to perform its legal and contractual obligations;
- j) To carry out the objectives of the International Union as an affiliate thereof and its duties as such an affiliate;
- k) To receive, manage, invest, expend or otherwise use the funds and property of this organization to carry out the duties and to achieve the objectives set forth in these Bylaws and the International Constitution and for such additional purposes not inconsistent therewith as will further the interests of this organization and its members, directly or indirectly.

**Section 2.02.** It is recognized that problems with which this labor organization is accustomed to deal are not limited to unionism or to organization and collective bargaining alone, but encompass a broad spectrum of economic and social objectives as set forth above and as the Union may determine from time to time; we, therefore, determine and assert that the participation of this labor organization, individually and with other organizations, in the pursuit and attainment of the objectives set forth herein are for the benefit of the organization and its members.

### **ARTICLE III - Jurisdiction**

**Section 3.01.** This Local Union shall have jurisdiction to organize, admit to membership and represent all highway, city and air freight drivers, dockmen, brewery/distributor drivers, helpers, warehousemen, dairy workers, marine officers, convention and trade show employees, as well as such other persons as are specified, described or referred to in Article II of the Constitution of the International Brotherhood of Teamsters, adopted in convention under date of April 20, 2002, or as such Constitution may be hereafter amended, provided, however our geography jurisdiction shall be limited to that specified from time to time by our International Union and provided further, we shall be bound by whatever jurisdictional awards or decisions our International Union or its subordinate bodies are authorized and empowered to make.

### **ARTICLE IV - Eligibility for Membership**

**Section 4.01.** Eligibility to membership in this Local Union shall be as set forth in the International Constitution and this Constitution and Bylaws, and applicants for membership shall comply with and be subject to the requirements imposed by this Constitution and Bylaws and the International Constitution. Subject only to the specific conditions set forth in the International Constitution and the

specific conditions stated herein, any person of good moral character who works in a craft, on a job or in an industry over which we have jurisdiction shall be eligible for membership in this organization.

**Section 4.02.** Should any person become a member through misrepresentation, such membership shall be declared void and all monies paid shall be forfeited as liquidated damages.

#### **ARTICLE V - Affiliations**

**Section 5.01.** This Union shall comply with all present and future provisions of the Constitution of our International Union which require us to affiliate with other bodies and may, when authorized by the membership, affiliate with any other organization having an object or purpose consistent with one or more of the objects and purposes specified in Article II hereof.

#### **ARTICLE VI - Officers**

**Section 6.01.** The officers, executive board and delegates of this Local Union and eligibility to serve as such shall be as prescribed in the International Constitution and in this Constitution and Bylaws.

**Section 6.02.** The officers of this Local Union shall be the President, Vice President, Secretary-Treasurer, Recording Secretary and three (3) Trustees. These officers shall constitute the Executive Board of the Union. The term of office of all officers shall commence on the first of January in the year following the election. No other person or persons are authorized to (1) perform the functions of said office except as administrative or clerical assistants working under the direct supervision and control of the officers, or (2) perform or attempt to perform any of the executive functions of the Union.

**Section 6.03.** It shall be the duty of the President to preside at membership meetings of this Local Union and to preserve order therein. He shall appoint all committees and shall also have the right to serve on all committees by virtue of his office, and in general, shall perform all duties incident to the office of President.

The President shall decide all questions of order during membership meetings, subject to an appeal to the membership, if a valid objection has been taken by an interested member, which appeal shall be determined by a majority vote of the members present and voting. The President shall not vote on motions pending before the membership meeting except to cast the deciding vote when a tie occurs on any question. The President shall announce the result of all votes and enforce all fines and penalties, and shall have the power to call special meetings. The President shall have the right to vote on all matters at meetings of the Executive Board.

**Section 6.04.** The President shall be the principal executive officer of this organization. He shall, in general, supervise, conduct and control all of the business and affairs of the Local Union, its officers and employees. He shall determine the number of clerical employees of the Local Union, subject to the approval of the Executive Board. He shall also select the attorneys, accountants or other special or expert services to be retained by the Local, subject to the approval of the Executive Board. In the event the Executive Board refuses to approve the President's choice of professional or expert services, the President may

present his choice to a duly noticed meeting of the membership for approval. He shall have charge and supervision of all the officers and employees of the Local Union. He shall have the power to appoint, suspend, or discharge all appointed organizers, appointed Business Agents, Assistant Business Agents and employees, subject to the approval of the Executive Board. The President shall also have charge of all labor controversies involving the Local Union.

The President, subject to the provisions of Article XXIII, Section 3 of the International Constitution, together with the Secretary-Treasurer, shall sign all official documents, deeds, mortgages, bonds, contracts, or other instruments, all checks on bank accounts, and perform such other duties as the International Constitution, these Bylaws or law may require of him.

The President in conjunction with the Secretary-Treasurer shall have the authority to disburse or order the disbursement of all monies necessary to pay the bills, obligations and indebtedness of the Local Union, which have been properly incurred as provided herein. He shall have the authority to pay current operating expenses of the Local Union, including rents, utilities and maintenance of the Union Hall, and salaries and expenses of officers and employees.

The President shall have the authority to interpret these Bylaws and to decide all questions of law thereunder, between meetings of the Local Union Executive Board.

The President shall preside at meetings of the Local Union Executive Board, shall enforce the International Constitution, this Constitution and Bylaws and rules of order adopted by this Union and shall ensure that all officers perform their respective duties. He shall also have the right to serve on all committees by virtue of his office.

**Section 6.05.** The Vice President shall preside at Union meetings in the absence of the President. He shall perform such other duties and render such assistance as may be directed by the President.

**Section 6.06.** The Recording Secretary shall call the roll of officers and shall keep a correct, full and impartial account of the proceedings of each meeting of this Union and of its Executive Board. The minutes of every meeting of the Local Union Executive Board and the Local Union shall be read at the next following general membership meeting. In the absence of the Recording Secretary, the President shall appoint a member to act as Recording Secretary pro tempore who shall have the duties set forth above. The President shall appoint a member or members to keep minutes of every meeting of the members involved. Minutes of division or craft meetings shall be read and approved at the next following meeting of the division or craft involved.

**Section 6.07.** The Secretary-Treasurer shall perform all the duties imposed upon Local Union Secretary-Treasurers by the International Constitution and by this Constitution and Bylaws, and in general perform all duties incident to the office and such other duties as from time to time may be assigned to him by the President, the Local Union Executive Board or the members by resolution. He shall see that all notices and reports shall be given in accordance with the provisions of the International Constitution and this Constitution and Bylaws or as required by law. He shall make at least quarterly a report including the assets and liabilities of the Local Union, and shall keep itemized records, showing the source of all monies

received and spent, and shall keep records, vouchers, work sheets, books and accounts and all resolutions to verify such report.

The Secretary-Treasurer upon request of any member shall make available to the member a copy of the last annual report. He shall also make available for inspection by any member or members at the Local Union's principal office during regular business hours any prior annual report and any other document which is subject by statute to such inspection. Membership lists may not be copied.

The Secretary-Treasurer shall have custody of the Local Union seal and the records of the proceedings of all meetings of the Local Union and the Local Union Executive Board, as prepared by the Recording Secretary, or such person as is authorized to take records of such proceedings, and shall keep important documents, papers, correspondence, as well as files on contracts and agreements with employers. Minutes of membership and Executive Board meetings shall be official records of the Local Union and shall be maintained at the Local Union's principal office for the time period required by law. Upon the request of any person in writing or made in person to the Secretary-Treasurer during regular hours at the principal office, he shall provide one copy of the collective bargaining agreement made by the Local Union with the employer of such person, if the person making such request establishes that he is an employee directly affected by such an agreement. The Secretary-Treasurer may require a receipt from such person. He shall also maintain at the principal office of the Local Union copies of agreements made or received by the organization where another labor organization subordinate to the International Brotherhood of Teamsters has negotiated such a contract, and the employees represented by this Local Union are directly affected by such agreement, which agreements shall be available for inspection by any member or by any employee who established that his rights are affected by such agreement, during the regular hours maintained at the principal office of the Local Union.

The Secretary-Treasurer shall keep a correct account of all monies paid to and paid out by the Local Union and shall provide receipts for any dues, initiation fees, or other fees, assessments or fines or other monies received. The Secretary-Treasurer will not make any payments from the Local Union's funds until receiving bills or receipts evidencing the goods or services for which payment is made, unless otherwise approved by the membership. The Local Union Secretary-Treasurer shall enter all receipts in the name of the Local Union and shall deposit all monies in accordance with Article X, Section 9 of the International Constitution.

The Secretary-Treasurer must report the names and addresses of all new members coming into the Local Union to the General Secretary-Treasurer and shall send to the General Secretary-Treasurer a revised list of the names and addresses of all members in good standing in the Local Union on a current basis. Membership lists shall not be open to inspection by any member except as, and to the extent, required by law.

The Secretary-Treasurer shall receive and review the original surety bond covering each officer, employee and representative of the Local Union required to be bonded, and retain it at the Local Union's principal office. The Secretary-Treasurer shall have the duty to see that such bonds are current and enforceable. Whenever a Secretary-Treasurer's term of office expires or is otherwise terminated, he must see that his successor is properly bonded and a copy of the bond sent to the office of the General Secretary-Treasurer before he transfers to his successor in office the funds, papers, documents, records, vouchers, worksheets, books, money and other property of the organization. All such records, vouchers, worksheets,



receipts, books, reports and documents shall be preserved and retained at the Local Union's principal office for a period of six years.

The Secretary-Treasurer shall provide each new member with a free copy of the International Constitution, upon request. The Secretary-Treasurer shall provide any member with a copy of the International Constitution and of these ByLaws.

**Section 6.08.** The Trustees must examine the books of the Local Union monthly and the Trustees shall make a monthly report of such examination on forms prescribed by the General Secretary-Treasurer. The reports shall be forwarded to the office of the General Secretary-Treasurer and copies of the reports shall be maintained for the period of time required by law.

The Trustees must sign the books of the Local Union if the Trustees have found them correct and the bank balances verified. In the event that a Trustee declines to sign the books, the Trustee must state in writing to the Local Union Secretary-Treasurer his reasons for declining to do so and shall also advise the General Secretary-Treasurer of those reasons. A Trustee's disagreement with an expenditure properly authorized by the Executive Board or the membership shall not be a valid basis for refusing to sign the books.

In the event of the unavailability of a Local Union Trustee, the remaining Trustees or Trustee shall make the monthly examination of books and the monthly report.

**Section 6.09.** The officers of this organization shall be elected by secret ballot among the members in good standing for a term of three years, which shall commence on the first of January in the year following the election.

**Section 6.10.** In addition to the duties specified in this Article, each officer shall, as authorized and directed by the Executive Board or the general membership, perform or assist in the performance of the executive and administrative functions of this organization, including, but not limited to, the matters and things specified in Article II hereof. In addition, each officer shall undertake the performance of all duties required of him by the Constitution of our International Union.

**Section 6.11.** Except as limited by our International Constitution or the action of our Executive Board, the officers of this organization are authorized to attend, as delegates or otherwise, conventions, conferences, meetings, and other assemblies, of whatever kind of nature and wherever held, and at the expense of the Union.

**Section 6.12.** During the term of office of any officer, no action under any circumstances may be taken to affect or modify the basic powers and duties of the incumbent officer, as established by this Constitution and Bylaws or past practice. During the term of office of any officer his salary may not be reduced to an unreasonable amount as subterfuge to force his resignation. Any reduction in salary during a term of elected office shall be made only on the basis of adverse change in financial condition as attested to by the General Secretary of our International Union.

Any modification of the basic duties and powers of an office and any reduction in salary of an officer, except as provided above, may be made effective only as of the beginning of the next term of office.

## ARTICLE VII - Executive Board

**Section 7.01.** The Executive Board of this organization shall be composed of the President, the Vice President, the Recording Secretary, the Secretary-Treasurer and three Trustees.

**Section 7.02.** Except as may be otherwise provided in this Constitution and Bylaws, the Executive Board is authorized and empowered to conduct and manage the affairs of this organization, and to manage, invest, expend, contribute, use, borrow, lend and acquire funds and property in the pursuit of accomplishment of the objectives set forth in the Constitution of the International Union and this Constitution and Bylaws and the motions and resolutions adopted in furtherance thereof. However, the Local Union Executive Board shall not have the authority to bind the Local Union for personal services to be rendered to the Local Union or its Executive Board, such as, but not limited to, legal, accounting, consulting, public relations and editorial services, by contract, agreement or otherwise, beyond the expiration of the term of the Executive Board in office at the time such action is taken. This shall not prevent the Local Union Executive Board from entering into a bona fide collective bargaining agreement with another Union covering Local Union employees; provided, however, that if the Local Union employees form a union following the Local Union officer election, or a new collective bargaining agreement covering such employees is negotiated after the Local Union officer election, the newly organized unit shall not be voluntarily recognized, or the new collective bargaining agreement shall not be entered into on behalf of the Local Union, until such action is approved by the officers-elect.

The Executive Board, in addition to such other general powers conferred by this Constitution and By-laws, is hereby empowered to:

- a) Make and change rules and regulations not inconsistent with this Constitution and Bylaws or the International Constitution for the management and conduct of the affairs of this Union, except as may be otherwise provided for herein;
- b) Establish the salaries for the officers, business agents and other employees and establish the benefits, allowances, direct and indirect disbursements, expenses and reimbursement of expenses for officers, business agents and other employees, subject to the provisions of Article VIII of this Constitution and Bylaws. Changes in the salaries, allowances or expenses of the officers and business agents shall be specifically set forth in the minutes of the Executive Board meeting at which such changes are approved. The minutes shall also reflect whether any officer who also serves as a business agent receives a salary, allowance or expense in his officer capacity or in his business agent capacity. The Local Union Executive Board may establish a dues checkoff procedure for Local Union officers and employees belonging to this Local Union;
- c) Loan and borrow monies directly and indirectly for such purposes and with such security, if any, as it deems appropriate, and with such security, if any, as it deems appropriate, and with such arrangements for repayment as it deems appropriate - all to the extent provided by law;
- d) Approve the President's employment of attorneys, accountants, and such other special or expert services as may be required for the organization and secure

an audit of the books of this organization by a certified public accountant at least once a year;

- e) On behalf of the Local Union, its officers, employees or members, initiate, defend, compromise, settle, arbitrate or release or pay the expenses and costs of any legal proceedings or actions of any nature subject to the provisions of Article IX, Section 9(c) of the International Constitution, if, in its judgment, it shall be necessary or desirable to protect, preserve, or advance the interests of the organization;
- f) Fill all vacancies in office which occur during the term of such office for the entire remainder of the unexpired term, in the manner provided in Article XXII, Section 9 of the International Constitution, unless otherwise required by law;
- g) Transact all business and manage and direct the affairs of the Local Union between membership meetings, except as may otherwise be herein provided; delegate when necessary any of the above powers, except the power to fill vacancies of office, to any officer for specific and temporary purposes and on condition that the action of such officer or agent be ratified by the Local Union Executive Board; and Local Union Executive Board shall designate other officers for the President or Secretary-Treasurer for the purpose of signing checks to pay bills or to exercise any other functions of their offices in the event that either shall refuse to act or shall become ill or otherwise incapacitated;
- h) Lease, purchase or otherwise acquire in any lawful manner for and on behalf of the organization any and all real estate or other property, rights and privileges, whatsoever deemed necessary for the prosecution of its affairs, and which the organization is authorized to acquire, at such price or consideration and generally on such terms and conditions as it thinks fit, and at its discretion pay therefore either wholly or partly in money or otherwise. Provided, however, that any such expenditure in excess of ten thousand dollars (\$10,000.00) must be approved by the membership at a meeting thereof;
- i) Sell or dispose of any real or personal estate, property, rights or privileges belonging to the organization whenever in its opinion the Local Union's interest would thereby be promoted, subject to approval (except as to
- j) Create, issue and make deeds, mortgages, trust agreements, contracts, and negotiable instruments secured by mortgage or otherwise as provided by resolution of the membership, and do every other act or thing necessary to effectuate the same;
- k) Create trusts, the primary purpose of which is to provide benefits for the members or their beneficiaries, and terminate and effectuate the same, all subject to approval (except as to form) by the membership.
- l) Appoint trustees of Health and Welfare or Pension Trust Funds negotiated directly by the Local Union, and to which the Local is the only union party;
- m) Determine the membership which shall vote on agreements and strikes, and the composition of other membership meetings, and adopt rules and regulations concerning the conduct thereof not inconsistent with the International Constitution or this Constitution and Bylaws;

- n) Determine the manner in which referendums shall be held, subject to review and modification by the General President, as permitted by Article VI, Section 1(h) of the International Constitution;
- o) Affiliate this Local Union with Joint Council No. 13 and the Central Conference, and in addition to these, such other subordinate bodies of the International Brotherhood of Teamsters as the Local Union shall be required to do and maintain such affiliations in good standing at all times;
- p) Enter into jurisdictional settlements and comply with jurisdictional awards on behalf of the Local Union, in accordance with the policies and directives of the International Union;
- q) Review interpretations of these Bylaws rendered between meetings by the President. Disputes over the interpretations of these Bylaws shall be submitted to the General President, pursuant to Article VI, Section 2(a) of the International Constitution.
- r) Do all acts, whether or not expressly authorized herein, which are necessary or proper in implementation of the above duties for the protection of the property of the Union and for the benefit of the organization and members.

The Local Union Executive Board shall have the duty to investigate any alleged breach of fiduciary duty when circumstances so warrant and to take appropriate action if the investigation so merits.

**Section 7.03.** The Local Union Executive Board shall hold meetings at such time and place as shall be determined by the President, upon notice to all Board members. The meetings of the Executive Board shall be no less frequent than meetings of the Local Union.

**Section 7.04.** A majority of the Executive Board shall constitute a quorum for the transaction of business at any meeting of the Board. The action of a majority of the Executive Board present at a meeting at which a quorum is present shall be the Action of the Board.

**Section 7.05.** By action of the Local Union Executive Board, which action shall be recorded in the Executive Board meeting minutes, Board members who are not full-time paid officers or employees of the organization may be paid their expenses, including wages lost, if any, for attendance at each meeting of the Board. However, officers who are full time employees of the Local Union shall not receive additional payments for attendance at Executive Board or membership meetings.

**Section 7.06.** All matters requiring action by the Executive Board when it is not in formal session, may be handled by telegram, facsimile, letter or telephone. When the President requires action by the Executive Board, he may obtain same by telegraphing, writing or telephoning to all members of the Executive Board and such members may take action on the matter brought to their attention in the same manner, provided, however, that whenever action is sought by any of the foregoing methods all members of the Executive Board shall constitute action of the Board as though the Board were in formal session; provided, however, that any such action shall be confirmed at the next formal session of the Executive Board.

**Section 7.07.** Article VI of this Constitution and Bylaws grants the officers of this organization prescribed rights and authorities to do, perform and decide upon various matters and things affecting our business and affairs. This Article VII grants the Executive Board similar rights and authorities. In both instances, membership approval is not required unless otherwise provided in the International Constitution or in this Constitution and Bylaws. Nevertheless, our Executive Board shall prepare, keep and maintain minutes of their meetings reflecting the handling of our business and affairs. And in order to keep the membership informed these minutes shall be read at membership meetings and submitted for a vote of approval of the members. Provided, however, members shall not have the right to disapprove matters which may under this Constitution and Bylaws be undertaken and done without membership approval.

#### **ARTICLE VIII - Salaries and Expenses**

**Section 8.01.** The officers, agents and employees shall continue to receive the salaries, benefits, allowances and expenses in effect at the time of the adoption of this Constitution and Bylaws, subject to adjustment as provided in this Constitution and Bylaws.

Effective April 1, 2011, base salaries for officers and agents to be as follows:

President                   \$ 1,897.00 per week

Sec.-Tres.                \$ 1,852.00 per week

\*Vice President, if appointed

Business Agent         \$ 1,672.00 per week

    plus                 \$ 100.00 per week

\*Recording Secretary, if appointed

Business Agent         \$ 1,672.00 per week

    plus                 \$ 100.00 per week

Trustee                   \$ 747.75 per month

\*Any officer who is not an appointed Business Agent of the Union shall receive

    \$ 747.75 per month

Business Agent         \$ 1,672.00 per week

Salaries of Business Agents who are not elected officers of the local will be determined by the President of the local with the approval of the Executive Board, not to exceed the Business Agent's salary of an elected officer.

There will be progressive increases in officers', agents' and representatives' salaries based on the dollar and cents of increases in wages under the National Master Freight Agreement, the same as members based on a 75 hour week. However, effective January 1, 1996, any officer who is appointed Business Agent shall only receive the regular pay of a Business Agent, plus \$100.00 per week for officer pay, and there shall not be any progressive increases in the \$100.00-per-week officer's pay portion of his compensation.

There will be progressive increases in officers', agents' and representatives' salaries based on the dollar and cents of increases in wages under the National

Master Freight Agreement, the same as members based on a 75 hour week. Any officer who is appointed Business Agent shall only receive the regular pay of a Business Agent, plus \$100.00 per week for officer pay, and there shall not be any progressive increases in the \$100.00-per-week officer's pay portion of his compensation.

**Section 8.02.** Whenever rank and file members of this organization lose time from their work when engaged in activities on behalf of the Union, and if they suffer a loss of income as a result thereof, they may be compensated for their loss and expenses from the general funds. Provided, however, they must have been duly authorized to so serve and act and informed that they would be reimbursed in an amount which the Executive Board shall, in its sole discretion, agree upon. Provided further, neither compensation nor expenses shall be paid for attending membership meetings.

#### **Vacations**

**Section 8.03.** All officers who are working full time for Local 600 and all full time agents and representatives of Local 600 shall receive five (5) weeks vacation per year. No officer, agent or representative shall be entitled to vacation pay in lieu of vacation.

#### **Severance Pay**

**Section 8.04.** No severance payment in any amount shall be paid to officers, agents and employees when leaving their positions.

#### **ARTICLE IX - Special Allowance**

**Section 9.01.** Recognizing that the officers, agents and representatives of this organization do not work regularly scheduled hours and receive no compensation for overtime or premium pay; also recognizing that such individuals are required to pay varying amounts for lodgings and meals depending upon the city to which they travel, which amounts are sometimes less, but often more than the allowances given them; and recognizing that they must participate in cultural, civic, legislative, political, fraternal, educational, charitable, social and other activities in addition to their specific duties as provided in the International Constitution and this Constitution and Bylaws, that such activities benefit the organization and its members and that the time spent in such activities is unpredictable and unascertainable, such officers, agents and representatives may be granted an allowance (both for in-town and out and out-of-town work, respectively, which in the case of out-of-town work shall include hotel and meal expenditures) in such amount (daily, weekly or monthly) as the Local Union Executive Board may determine and there shall be no need to make a daily or other accounting to the Local Union membership for such allowance.

**Section 9.02.** Because of the circumstances described in Section 9.01 above, and in addition to allowances for expenses directly incurred in handling our union's business and affairs, all officers, agents and representatives are expressly authorized and empowered to expend from our funds, and may be reimbursed for, or have credit provided for, reasonable amounts for the following purposes:

- a) To provide entertainment for themselves and their friends during non-working hours while on out-of-town trips;

- b) To take periodic days off for rest and relaxation while on out-of-town trips, either in the city where working or in other areas;
- c) To make personal long-distance telephone calls while on out-of-town trips;
- d) To pay for the meals of themselves and others whenever they work after the evening dinner hour in their home area;
- e) To entertain for the purpose of establishing and maintaining contracts with persons, organizations and institutions which tend to foster the good and welfare of this organization; provided, however, that the officer, agent or representative does not receive an allowance for these expenses or reimbursement from any other source.

**Section 9.03.** The Local Union may provide its officers or representatives with automobiles upon authorization of the membership, or in lieu thereof, they may be paid an allowance for use of their automobiles in such amount or at such rate as shall be approved by the Local Union Executive Board. In such instances where the Local Union provides an automobile, title to the automobile shall remain at all times in the name of the Local Union. It is recognized that such officers or employees are required to be on instant call at all times, may be required to garage such automobiles, and are responsible for their safeguarding. Accordingly, for the convenience of the Union and as partial compensation for such additional responsibilities, such officers shall be permitted private use of such automobiles on a round-the-clock, continuous basis, including private use when the automobiles are not required on Union business. Upon authorization of the Local Union Executive Board, the President is empowered to sell, exchange or lease automobiles or arrange financing thereof on behalf of the Local Union.

**Section 9.04.** Except as limited by this Constitution and Bylaws, the Local Union Executive Board may from time to time provide the terms and conditions of employment for officers, employees and representatives of this organization including, but not limited to, such fringe benefits as vacations with pay, holidays, sick leave, time off for personal leave, and, in connection therewith, any disability or sickness, health and welfare and retirement benefits and activities, and facilities relating thereto, and may from time to time provide changes therein, as well as additional compensation and allowances. Any such benefit adopted by the Executive Board shall be specifically set forth in the minutes of the Local Executive Board meetings. The Local Union Executive Board or the President is authorized to make to any Local Union officer or employee advances on his salary and/or vacation pay, within the restrictions of applicable law.

#### **ARTICLE X - Protection of Representatives**

**Section 10.01.** The Labor-Management Reporting and Disclosure Act of 1959 may subject our officers, agents and representatives to civil suits and criminal prosecutions in numerous situations, and the language of said Act is so replete with uncertainty and ambiguity that even experienced labor lawyers cannot tell us what is permitted and what is prohibited under certain sections. In addition, we believe that the law is an open invitation to sue and prosecute and will result in Trade Union officers, agents and representatives being forced to defend themselves in many unmeritorious cases.

**Section 10.02.** Because of the foregoing, this organization shall pay or reimburse for the payment of all reasonable expenses involved in the defense of

civil and criminal proceedings instituted against our officers and authorized agents and representatives, including the fees of attorneys, subject to the following conditions:

- a) It must appear that the proceedings arose or grew out of the performance of their duties for and on behalf of this organization.
- b) If the proceedings be criminal in nature, they must have finally terminated without a conviction, a plea of guilty, or a plea of nolo contendere.
- c) If the proceedings be civil in nature, they must have finally terminated without an adjudication or admission of wrongdoing.

**Section 10.03.** The Executive Board is authorized, empowered and directed to (a) determine whether cases meet the standards specified in Section 10.02 above, (b) decide what amounts are reasonable, and (c) pay or reimburse for the payment of such expenses. Subject to the approval of a majority of the members present and voting at a regular meeting (or a majority of all the members present and voting at all the regular, craft or divisional monthly meetings held in lieu of a single monthly regular meeting, if so).

**Section 10.04.** The provisions of Sections 10.01, 10.02 and 10.03, including the limitations imposed therein, are intended to apply only to those civil and criminal proceedings brought against our officers, agents and representatives as individuals and which arise either out of matters and things connected with the internal affairs of our Union, or which charge actions or conduct which are contrary to the interests of our Union. Where actions are brought against such officers, agents and representatives in their class or representative capacity, or where they are sued as individuals but accused of conduct or activity having been done for or on behalf of this Union, the Executive Board is authorized, empowered and directed to employ attorneys and provide all other necessary and proper expenses to defend such officers, agents or representatives without awaiting the outcome of such proceedings.

#### **ARTICLE XI - Bonding**

**Section 11.01.** Every officer, agent, employee, or other representatives of this Local Union or shop steward who handles funds or other property of this organization shall be bonded in accordance with the requirements of the International Constitution and applicable statute. The amount of bond required of each person shall be ascertained by the Local Union Executive Board, and the premium charges shall be paid out of the general fund of the Local Union.

**Section 11.02.** If the Local Union Executive Board, in its sole judgment, believes that it would be to the advantage of this organization to join with the International Union and/or any or all of its subordinate bodies or affiliated Local Unions in obtaining a bond or bonds covering persons in this Local Union and such other organizations under a bond or bonds issued to said International Union or other subordinate body, then, in such event, the Local Union Executive Board is authorized and empowered to enter into such arrangements and pay from the general funds of this Local Union the cost for bonding these persons in this Local Union, but such surety coverage shall conform to the requirements set forth in Section 11.01, above.



**Section 11.03.** Should the bond of any person required to be bonded be cancelled after surety coverage has been afforded, then such person shall be allowed thirty (30) days within which to arrange either for reinstatement of his coverage or the substitution of another bond meeting the requirements of Section 11.01, to take the place of the refunded or cancelled bond. In either event, this Union shall pay the premiums which do not exceed those which would have been charged for the coverage refused or cancelled. However, during the period such person or a new officer is not covered by such surety bond, the Local Union Executive Board shall make whatever arrangements shall be necessary to relieve such person of the handling of any money or property of the Local Union.

**Section 11.04.** If an employee or officer referred to in Section 11.03 cannot within thirty (30) days provide the surety bond required in conformity with the provisions of Section 11.01, the Local Union Executive Board shall be authorized and empowered to permit him to remain in his office or position under such arrangements as it may consider reasonable, but shall not require or permit him to handle any of the money or control any of the property of the Local Union.

**Section 11.05.** To the extent that the provisions of Sections 11.03 and 11.04 of this Article may conflict with other provisions of this Constitution and Bylaws, said other provisions shall be considered altered and amended to conform herewith.

## **ARTICLE XII - Eligibility for Office**

**Section 12.01.** To be eligible for nomination or election to any office in this organization, a member must be in continuous good standing in this Local Union and actively employed at the craft within the jurisdiction of this Local Union for a period of twenty-four (24) consecutive months prior to the month of nomination for said office, and must be eligible to hold the office if elected. "Continuous good standing" means compliance with the provisions of Article X, Section 5 of the International Constitution concerning the payment of dues for a period of twenty-four (24) consecutive months, together with no interruptions in active membership in this Local Union because of suspensions, expulsions, withdrawals, transfers or failure to pay fines or assessments. Provided, however, that if a member on withdrawal deposits his card in the month immediately following the month for which it was effective and pays his dues for both months in a timely manner as provided in Article X, Section 5 (c), such period of withdrawal shall not be considered a break in continuous good standing in the Local Union. A candidate for office may not be receiving pension benefits from any pension plan. Additionally, a candidate for office must be eligible to hold the office sought pursuant to the provisions of applicable federal law.

**Section 12.02.** Payment of dues after their due date shall not restore good standing status for such month or months in computing the continuous twenty-four (24) months good standing status required herein as a condition of eligibility for office. No member shall lose his good standing status for any month in which his dues have been withheld by his employer for payment to the Local Union pursuant to his voluntary authorization provided for in a collection bargaining agreement by reason of delay or default in the payment of such dues by the employer to the Local Union. However, a member on dues check-off whose employer fails to make a proper deduction during any month in which the member has earnings from work performed during the month from which the dues could have been deducted, or has earnings from which the employer normally makes a dues deduction pursuant to the contract or established practice, shall not lose good standing status for that month. In such an event, the Local Union shall notify the member of his employer's failure and

payment shall be made by the member within thirty (30) days of said notice in order to retain good standing status.

**Section 12.03.** Failure of a Local Union to issue a withdrawal card shall not be conclusive proof that a nominee was actively employed at the craft within the jurisdiction of the Local Union during the required twenty-four (24) month period prior to his nomination if a challenge is made based on evidence to the contrary, in which event a determination shall be made on the facts presented. Periods of unemployment during the twenty-four (24) month period preceding the nomination shall not be considered a break in active employment at the craft within the jurisdiction of the Local Union if the nominee was actively seeking and available for employment in the craft, and not working outside the craft during such periods of unemployment.

Members in a reserve component of the military or National Guard who are called to active service lasting more than thirty (30) days but not more than twenty-four (24) consecutive months, may have their eligibility determined in accordance with Article II, Section 4(a)(4) of the International Constitution.

### **ARTICLE XIII - Nominations**

**Section 13.01.** Nominations of officers shall take place at and during that regular monthly meeting of the organization in November which precedes the December meeting during which the term of office of a person or persons expires, but at least thirty days prior to the date of election. Provided, however, the Executive Board may authorize the holding of a special meeting for such purpose or craft, divisional or area meetings at which nominations may be made. If craft, divisional or area meetings are authorized, they shall be open to all members who wish to attend and nominate, regardless of their craft, division, or area.

The term of office of Local Union officers shall not be for a lesser period than three (3) years, except where necessary to bring the terms of office of all officers into concurrence or in order to provide for a schedule of nominations and elections in accordance with Article XXII, Section 4(a) of the International Constitution.

At least twenty (20) days prior to the date of the nomination meeting, specific notice of the date, time and place of the nominations meeting and the offices to be filled shall be mailed or shall be published in any Local Union publication mailed to the membership (except that notice of nominations and election may be combined); each member shall be advised in such notice that the election rules are set forth in this Constitution and Bylaws and the International Constitution which are available upon request. The Secretary-Treasurer shall be responsible for the giving of this notice, which shall be given in the manner determined by the Local Union Executive Board, consistent with the requirements of the International Constitution, this Constitution and Bylaws, and applicable law.

**Section 13.02.** Nominations shall be made at the meeting by a member in good standing other than the nominee by motion seconded by a member in good standing other than the nominee. Candidates are advised to verify the good standing status of their nominator and second prior to the nomination meeting.

**Section 13.03.** Every member eligible to nominate candidates shall be entitled to nominate or second the nomination of one (1) candidate, but only one (1), for each office open. Prospective candidates may not nominate themselves nor second their own nomination.

**Section 13.04.** Every member whose dues are paid up through the month which is prior to the month in which the nominations or election is held shall have the right to nominate, second the nomination of, vote for, or otherwise support the candidates of his choice. No member whose dues have been withheld by his employer for payment to the Local Union pursuant to his voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to stand for election or to nominate, second the nomination of, or vote for, a candidate for office in the Local Union, by reason of a delay, or default in the payment of dues by the employer to the Local Union. Every member who does not stand suspended or expelled shall be free to speak for or against the nomination of any candidate, provided that the principal nominating speech shall not exceed five minutes and all others shall be limited to three minutes.

**Section 13.05.** Nominations shall not be closed until a call for further nominations has been made three (3) times by the Chair without further nomination being made.

**Section 13.06.** If an election committee is used, after nominations, each candidate for the office of President, Vice President, Secretary-Treasurer and Recording Secretary may designate one (1) member for service thereon who shall thereupon be appointed by the President.

**Section 13.07.** In the event only one (1) candidate is nominated for any office, no election shall be conducted for such office unless required by law, and such unopposed candidate shall be declared duly elected by acclamation at the nominations meeting, effective as of the conclusion of the term of the incumbent.

**Section 13.08.** A member otherwise eligible to run for office shall become a bona fide candidate only upon his nomination for office and acceptance of the nomination. To be eligible to nominate and otherwise participate in the nominations meeting, a member must have his dues paid through the month prior to the month in which the nomination meeting is held. Candidates must accept nominations at the time made either in person or, if absent, in writing and may accept nomination for only one office. After a candidate has accepted nomination, he may not, under any circumstances, revoke his acceptance after the ballots are printed, except where as a result of the revocation the remaining candidate is unopposed.

**Section 13.09.** The Secretary-Treasurer shall review the eligibility to hold office of any member at such member's request and shall make a report on the eligibility of that member within five (5) days thereafter to any interested member. After the nomination meeting, the Secretary-Treasurer shall review the eligibility of all candidates, their nominators and seconders and certify their eligibility to run for office. The Secretary-Treasurer shall immediately notify all nominees of their eligibility status and shall specifically notify any disqualified nominee of the reason for said disqualification.

**Section 13.10.** Any member who desires to challenge a ruling on eligibility to run for office shall appeal, in writing, within forty-eight (48) hours after receipt of the ruling to the General President or his designee. The decision of the General President shall be appealable to the General Executive Board pursuant to the provisions of Article VI, Section 2 of the International Constitution. In the event there shall be any protest or charges made concerning an election by any member prior to the holding of the election, such protest or charge shall be made in writing by such member with forty-eight (48) hours of his knowledge of the event

complained of and shall specify the exact nature and specifications of the protest. Such protest or charges shall be made to the Local Union Secretary-Treasurer who shall refer the protest or charges to the Local Union Executive Board for disposition. The decision of the Local Union Executive Board shall be appealable to the General President, pursuant to the provisions of Article VI, Section 2 of the International Constitution.

**Section 13.11.** If any nominee should die before the election, his name shall nevertheless appear on the ballot. In the event the name of the deceased nominee shall receive the requisite number of votes to be elected, the position shall then be filled in the same manner as vacancies are filled when they occur during a term of office as provided in Section 7.02(f).

**Section 13.12.** If there is only one (1) nominee for an office and he is finally ruled ineligible after the nomination meeting, then the office shall be filled by appointment by the newly-elected Local Union Executive Board.

#### **ARTICLE XIV - Election Campaigns**

**Section 14.01.** Every member shall have the right to meet and assemble freely with other members; to express views, arguments or opinions, within or without membership meetings, concerning candidates for office; and to support the candidate or candidates of their choice without being subject to penalty, discipline, or improper interference or reprisal of any kind. But these rights must be exercised in ways which do not conflict with the responsibilities of the members to this Union as an institution and in ways which will not interfere with the performance of our legal or contractual obligations.

**Section 14.02.** It shall be our policy to comply with all reasonable requests of declared and eligible candidates to distribute by mail or otherwise at their expenses campaign literature in aid of their candidacy to all members of this organization. But candidates must give reasonable advance notice of their intention to make such a request, must furnish their own literature, envelopes and stamps, and must avoid requests which will interfere with the conduct of business and affairs of the Union. If compliance with such requests requires additional help or overtime work of employees, the candidate shall also pay the cost thereof. Where a candidate has complied with the provisions of this Section, the Secretary-Treasurer shall not delay the distribution of any candidate's mailing. Any reduced rate mailing permit available to any candidate shall be made available to all candidates on an equal basis if required by the International Constitution to the extent not prohibited by law. For purposes of this Section, to the extent required by law, the terms "candidate" or "candidates" shall include any person who has declared himself to be a candidate for office and who is eligible to be a candidate for office.

**Section 14.03.** Every candidate shall have the right, once within thirty (30) days prior to the date of election in which he is a candidate, to inspect the list containing the names and last known addresses of the members of this organization who are subject to a collective bargaining agreement requiring membership in this Union as a condition of employment. The list shall be maintained at the principal office of the Union. But candidates must give the Union office reasonable advance notice of their desire to inspect, may inspect only during reasonable hours designated for that purpose, must refrain from copying all or any part of the list, and must refrain during their inspection from making written notations concerning the list.

**Section 14.04.** No monies received by this organization by ways of initiation fees, dues, assessments, fines or similar levy, and no monies of an employer may be contributed or applied to promote the candidacy of any member. But the funds of this Union may be utilized for notices, factual statements of issues not involving candidates, and other expenses necessary for the holding of nominations and elections.

**Section 14.05.** Persons seeking re-election may, for sixty days prior to the date of election, rearrange their working schedule so as to allow themselves free time to campaign.

**Section 14.06.** The Secretary-Treasurer shall be responsible for insuring compliance with Sections 14.02 and 14.03, shall supervise or appoint a designee to supervise the inspection of the list of members, and may require that all campaign literature to be distributed be presented to him at the principal office of the Local Union no later than a reasonable number of days prior to the election. Where the Secretary-Treasurer establishes such a cutoff date, all candidates shall be given reasonable notice of that cutoff date. The Secretary-Treasurer may, where in his judgment it appears necessary, provide for a consolidation of the distribution of campaign literature, in which case the cost of such distribution shall be assessed upon the candidates involved on a pro rata basis.

#### **ARTICLE XV - Election of Officers**

**Section 15.01.** After the nomination meeting, but not less than twenty (20) days prior to the election, the Secretary-Treasurer shall give specific notice of the date, time and place of the election and of the offices to be filled by mailing such notice to each member at his last known home address, if no notice has previously been sent. The election shall be held at such place or places and at such time, not earlier than thirty (30) days after the nomination meeting, but within the month of December following the month when nominations were made, as may be designated by the Local Union Executive Board. The election shall be by secret ballot to be placed in boxes, unless the Local Union Executive Board has authorized the use of some standard type of election mechanical device insuring a secret ballot by machine vote or unless the election is conducted by mail ballot. If a walk-in ballot is utilized, the election box or boxes or machine or machines will be located at a place or places designated by the Local Union Executive Board. Balloting shall be open for a period of not less than six (6) hours during the period between the hours of 8:00 a.m. and 8:00 p.m. It shall be the duty of the Local Union Executive Board to provide safeguards for the honest and fair conduct of such election.

**Section 15.02.** Voting shall be conducted by secret ballot among the members in good standing. There shall be no proxy voting. Each such member shall be entitled to one vote. The Local Union Executive Board shall have the authority to establish all rules and regulations for the conduct of the election to supplement the provisions of the International Constitution and this Constitution and Bylaws, including the authority to use mail referendum balloting or absentee balloting without membership approval. The General President shall also have the authority to direct the use of mail referendum balloting or absentee balloting without membership approval, any action of the Local Union Executive Board to the contrary notwithstanding. Absentee voting by mail shall be permitted only upon application of members who are ill, or absent from the city or town where they are normally employed at the time of voting, because on vacation or on employment tour of duty. The Local Union Executive Board may permit additional reasons for absentee balloting if it so desires. Application for absentee ballots shall be made to the Secretary-

Treasurer not less than five (5) days prior to the date set for election and shall contain the grounds thereof. Absentee ballots shall be valid only if they are received by noon of the day on which the polls close. Absentee voting shall be conducted with all proper safeguards for secrecy of the ballot.

**Section 15.03.** Each candidate, at his own expense, shall have the right to have an observer other than himself at each polling place and at the counting of the ballots who must be a member of the Local Union in good standing. Observers may challenge the eligibility of voters, and all challenged ballots shall be sealed in a blank envelope which in turn shall be sealed in an envelope with the name of the voter thereon. If votes are challenged, such challenge shall be made in writing at the time of the election with specific reasons given for such challenge. Challenges shall be investigated to determine their validity if the challenged ballots are sufficient in number to affect the result of the election. The blank envelope containing the ballot shall not be opened until such time as all challenges have been ruled upon. Upon request of any candidate or his properly designated observer deemed reasonable by the Election Committee, voting machines, if used, shall be checked for proper operation. Candidates shall have the right to be present at the counting of the ballots.

**Section 15.04.** To be eligible to vote in the election, a member must have his dues paid up through the month prior to the month in which the election is held and must still be an active member on the day of the election. The candidate for each office who receives a plurality of the votes cast for the office shall be elected thereto, except in the case of Trustees, in which case the three (3) candidates receiving the highest number of votes shall be elected. In the event of a tie vote, the candidates shall resolve such tie by lot, except in the case of a tie for the office of Principal Officer of the Local Union, in which case there shall be a re-election between only the candidates who have tied for the highest number of votes and only for that office. The officers-elect shall take office at the end of the term of the incumbent officers, regardless of the date of installation, which installation may take place at either the same meeting at which they are elected or, if not elected at a meeting, at the next meeting following their election. Except as provided above, no runoff election shall be held.

**Section 15.05.** No officer may run for another office in this Local Union, the term of which covers part of his current term, unless he resigns from his current office, effective upon the certification of the results of the election. He shall announce his intention to resign not later than fifteen (15) days prior to the nomination meeting and will not be eligible for appointment to the vacancy created by his resignation. No officer may hold another office in any other Local Union (other than a Local Union under trusteeship) during his term of office, except by authorization of the General President and the Local Union involved.

**Section 15.06.** There shall be no write-in candidates and any ballot containing a write-in candidate shall be void insofar as the vote for that office is concerned and such ballot for that office shall not be considered as having been cast in determining the vote for that office.

**Section 15.07.** The Secretary-Treasurer shall retain copies of all requests for distribution for campaign literature and copies thereof, shall make a record of the date the literature was distributed, the cost thereof and the amount received, and shall also retain a copy of the notices of nominations and of the election, a copy of the ballot, the official tally sheet submitted by the tellers, all ballots, ballot return envelopes and such other records including election rules as shall

relate to the conduct of the election. All copies and records shall be retained for one year.

**Section 15.08.** In the event there shall be any protest or charge by any member concerning the conduct of the election after the election has been held, such protest or charge shall be made in writing by such member within seventy-two (72) hours setting forth the exact nature and specifications of the protest and his claim as to how it has affected the outcome of the election. Such protest or charge shall be made to the Secretary-Treasurer of the Joint Council, or State Conference, if there is no Joint Council, with which the Local Union is affiliated and the protest or charge shall be referred to the Executive Board for disposition. The decision of the Executive Board shall be appealable to the General Executive Board for final decision, which is not appealable to the Convention.

**Section 15.09.** No member shall resort to proceedings before any court, administrative agency, or governmental official concerning nomination or election procedures until he has exhausted the remedies provided for in Sections 13.10 and 15.08 herein. Provided, however, his duty to exhaust his internal remedies shall expire and cease to be binding upon him if a final decision has not been rendered within three calendar months after he has invoked them. Provided further, it shall be the duty and obligation of every member to pursue his internal remedies with promptness and dispatch so that a final decision may be rendered within three months.

**Section 15.10.** During the period between the date of election and the end of the term of office no extraordinary expenditures of Local Union funds shall be made, and no action shall be taken that commits the Local Union to make such extraordinary expenditures in the future, without the approval of the officers-elect and the membership. An expenditure shall be considered extraordinary if it falls within the definition set forth in Article XXII, Section 4(e) of the International Constitution. In the event the election results in a new complement of officers, the outgoing officers must comply with the restrictions in Article XXII, Section 2(b) of the International Constitution regarding entering into contracts for personal services.

#### **ARTICLE XVI - Initiation Fees, Dues and Assessments**

**Section 16.01.** (1) The initiation fee of this organization shall be as follows:

- a) \$75.00 for all part time, including summer workers and helpers, that earn up to \$7.99 per hour;
- b) \$150.00 for all part and full time employees with a base salary up to \$10.99 per hour;
- c) \$300.00 for all other employees full time or part time earning \$11.00 and higher per hour;

Members who change from part time work to full time work shall be required to pay the difference between the initiation fee paid and the initiation fee required for full time employees. The increase shall be paid within the time in which a new employee would be required to pay his/her initiation fee. The required initiation fee must be paid in full before any person is admitted to membership, provided, however, that a person required to pay an increase shall not lose any membership

rights so long as he/she timely pays the required increase. Initiation rate shall be calculated according to your full-scale employee rate, not your new-hire rate. The Executive Board may waive or reduce initiation fees in particular cases where such reduction will aid in organizing. Re-initiation fees shall be the same as the initiation fees set forth above.

**Section 16.02.** (1) The minimum monthly dues of this organization shall be calculated on the basis of the formula set forth in Article X, Section 3(d) of the International Constitution, provided that nothing herein shall be construed as prohibiting this Local Union from adopting or continuing a dues scale higher than the one provided by the International Constitution, pursuant to the provisions of this Constitution and Bylaws and applicable law. In no event shall monthly dues be less than the minimum established in the International Constitution. Effective August 2007 all future dues adjustments shall be calculated based on the members' hourly earnings; Members earning \$11.00 or less in hourly wages shall be calculated at the rate of two times the hourly rate, plus \$4.00; members whose hourly rate is \$11.01 and higher shall be calculated at 2 and 1/2 times the hourly rate, plus \$4.00. Dues for all members employed in the Public Sector whose hourly rate is \$11.01 or higher and who are not entitled to legally strike shall be two and one quarter (2.25) times the hourly earnings rate, plus \$4.00. Dues shall be adjusted whenever an increase in the hourly earnings is provided in the collective bargaining agreement.

(2) In order to maintain good standing status, a member must pay his dues and other monthly obligations no later than the last business day of the current month, except that a member may pay dues on a quarterly basis where quarterly dues checkoff is provided by a collective bargaining agreement between his employer and this union. In order to be in good standing for each month of the quarter, a member permitted to pay quarterly dues must pay his dues and other periodic obligations for each quarter on or before the last business day of the first month of the quarter. Any member who fails to pay his dues and other obligations in timely fashion as described herein shall not be in good standing.

(3) Any member who shall be three months in arrears in the payment of dues, fines, assessments, or other charges, shall automatically stand suspended at the end of the third month and shall not be entitled to any rights or privileges of membership. Any member who has been automatically suspended for failure to pay dues or other charges shall be under a continuing obligation to pay dues and other periodic charges during the period of his suspension.

(4) A member in a suspended status because of his failure to pay his dues or other obligations as required by the International Constitution and this Constitution and Bylaws may reinstate his good standing by the payment of all delinquent dues and other financial obligations, plus a re-initiation fee equal to the initiation fee for new members. The Executive Board shall have the power to waive or reduce, on a non-discriminatory basis, the payment of delinquent dues, assessments and/or re-initiation fees.

**Section 16.03.** General or special assessments and levies may be made from time to time in the manner provided hereinafter.

**Section 16.04.** Any increase in the rate of dues or initiation fees or the levying of any general or special assessment by the Local Union shall be made at a general or special membership meeting in accordance with the following procedures:



- 1) Reasonable notice shall be given of the meeting at which the membership will consider the question of whether or not such dues, initiation, or reinstatement fees, general or special assessment shall be increased or levied. The notice shall indicate that a proposed increase or assessment is to be voted on.
- 2) At the meeting called as provided in this Section, voting shall be by secret ballot of the members in good standing. However, the Executive Board shall offer absentee voting on all matters which call for a general membership vote by secret ballot at a General Membership Meeting. Said absentee ballots will be counted once voting by the general membership has ended and votes registered.
- 3) A majority vote by secret ballot of the members in good standing voting at such meeting or by absentee ballot shall decide the issue.
- 4) This provision supersedes Article XXVI (Amendments) with respect to changing the dues and fees set forth in these Bylaws.
- 5) Nothing contained in this Section 16.04 of the Bylaws shall preclude the Local Union Executive Board in the exercise of its discretion, from directing that a membership vote on issues involving dues, fees, or assessments be conducted by mail ballot referendum after appropriate notice and with safeguards for preserving the secrecy of the balloting.
- 6) A motion to decrease the rate of dues or initiation fees shall not be considered more than once in any calendar year, and a vote on any such motion shall not be held more than once in any calendar year.
- 7) A motion to decrease or eliminate any general or special assessment shall not be considered more than once in any calendar year, and a vote on any such motion shall not be held more than once in any calendar year.
- 8) If any motion described in subsections (6) or (7) is made within the same calendar year as a previous motion involving the subject matter, the chair shall rule the motion out of order.
- 9) For purposes of subsections (6), (7), and (8), "calendar year" shall mean not less than eleven full months.

**Section 16.05.** Excepting only for the automatic suspension and re-initiation fees provided for in Sections 16.01 and 16.02, no member shall be fined, suspended, expelled or otherwise disciplined because of financial requirements of this organization except in the manner provided for in Articles XXII and XXIII.

**Section 16.06.** All financial obligations imposed by or under this Constitution and Bylaws shall constitute legal obligations of the member or members upon whom imposed, enforceable in a court of law.

**Section 16.07.** Nothing contained in these Bylaws shall be construed to apply to action by the International Union or to limit the right of the International Union to raise the dues of the membership and the International Union shall not be subject to these provisions.

## ARTICLE XVII - Meetings

**Section 17.01.** There shall be a general membership meeting of this organization once each month; provided, however, membership meetings may be suspended during any three months between June and October by action of the membership at a meeting after reasonable notice of the intention to vote upon such question. The meetings shall be held at times and places specified by the Executive Board subject to approval by the membership.

**Section 17.02.** The Local Union Executive Board is authorized to permit membership meetings to be held on a division, craft, place of employment or other similar basis as it shall consider appropriate considering the special needs of the organization so as to permit the membership to attend meetings and to express their views and otherwise exercise their rights as members. There shall be no limitation on the right of any member to be heard at any such separate meeting provided herein on all matters which apply to the general membership, but such members shall be permitted to vote only at such separate division, craft or place of employment meeting to which he has been assigned. Membership meetings permitted under this subsection shall be subject to all of the requirements of 17.01 and 17.07 herein.

When the Local Union Executive Board authorizes such meetings by division, craft, or place of employment, each such meeting shall be conducted by the officers of the Local Union or by their designees and under the same procedures and rules as a general membership meeting, excepting only special meetings for limited purposes such as voting on contracts or strikes, handling of grievances, etc.

On all matters which apply to the general membership, the votes of the meeting of each particular division, craft or place of employment shall be totaled to determine the action of the Local Union in such matter.

Members at each separate division, craft or place of employment authorized to hold separate meetings may nominate candidates from their or any other division, craft or place of employment for election to the Union office; may vote separately on initiation fees, dues and assessments which apply to them alone, if higher than the minimum applicable to the general membership, and may, when authorized by the Local Union Executive Board, vote separately on approval or disapproval of, or on matters arising under, contracts applicable only to them, and strikes or other activities in which only they will participate.

**Section 17.03.** The quorum of a general or special membership meeting shall be fifteen (15). The Local Union Executive Board shall establish the number of constituting the quorum for division, craft or place of employment meetings.

**Section 17.04.** When a referendum is authorized by the Local Union Executive Board, reasonable notice shall be given by the Secretary-Treasurer of the time, date, place and question upon which the referendum is to be held. In a referendum, only members affected shall be permitted to vote concerning matters not affecting the entire membership. The Local Union Executive Board shall, at least ten (10) days in advance of the referendum, adopt rules and regulations for the conduct of the referendum.

**Section 17.05.** Subject to the provisions of Article VI, Section 1(h) of the International Constitution, every member eligible to vote in an election under Section 15.04 shall be eligible to vote on any question before the membership meeting or in a referendum, except that members who are on a layoff but who retain

seniority at a company may vote on proposed collective bargaining agreements which affect them even if they are inactive by virtue of having taken a withdrawal card.

**Section 17.06.** Members in attendance at membership meetings shall have the right to express their views, arguments or opinions upon any business properly before the meeting subject to the Constitution and Bylaws and the rules and regulations adopted by the Local Union Executive Board pertaining to the conduct of meetings, but no member, in exercising such rights, shall evade or avoid his responsibility to the organization as an institution or engage in or instigate any conduct, which would interfere with the Local Union's performance of its legal or contractual obligations.

If it should appear to the presiding Chairman that any member is so conducting himself to constitute a threat to the orderly conduct of the business of the meeting, he may order him ejected, subject to appeal to the membership.

At any time when in the judgment of the presiding Chairman of the meeting it appears that the meeting has become so disorderly as to prevent proper deliberation on the matters which might properly come before the meeting, the presiding Chairman shall have the right to adjourn such meeting forthwith, upon his own motion, and without second, and even though there may be other motions upon the floor. There shall be no appeal from such action since it is taken as a result of conditions which would prevent orderly consideration of the appeal by the meeting.

If such action is taken by the presiding Chairman, the time and place for a subsequent meeting, if there is to be one, shall be determined by the Local Union Executive Board. If no such determination is made, then the next meeting shall be the next regularly scheduled meeting.

The presiding Chairman can detail members or other persons to remove persons who have been ordered removed, or to prevent attendance of members who are "under the influence" or disorderly without calling upon the police.

The rights of members to attend meetings, to remain in such meetings or to participate in matters which come before such meetings are subject to the above powers and duties of the presiding Chairman and of the Local Union Executive Board.

**Section 17.07.** A Warden and a Conductor may be appointed by the Chair and may be removed by him. If appointed, the Warden shall have charge of the inner door and shall admit only those entitled to be in attendance. He shall not allow any member "under the influence" to enter the meeting place. He shall assist the Chair in maintaining order.

It shall be the duty of the Conductor to assist the Warden and to bring proposed new members to be sworn in as members. He shall also escort all guests to the Chair. He shall perform the duties of the Warden in the absence of the Warden.

#### **Article XVIII - Membership and Transfer and Withdrawal Cards**

**Section 18.01.** An applicant shall be considered a member when he shall meet all the following requirements for membership:

- 1) He shall have executed a written application for membership on a form provided by the Secretary-Treasurer.

- 2) He shall have signed a dues checkoff authorization card permitting the initiation fee to be withheld from earnings. If no dues checkoff authorization card is signed, membership shall date from the first month for which dues are paid, once full payment of the initiation fee is completed; or he shall have tendered the initiation fee and one month's dues by cash.
- 3) The Local Union shall have accepted his application and dues.
- 4) He shall have taken the oath of obligation as a member at a regular meeting following the action upon his application, unless dispensed with by the Local Union by policy or practice; provided, however, that no applicant shall become a member in the first ten days following the filing of this written application. In the event the applicant shall fail to take the obligation within a reasonable time following the acceptance of his application, he shall forfeit the monies tendered except for good cause shown.
- 5) The first money received from an applicant for membership must be applied to the payment of dues for the month in which the applicant is first obligated to pay dues. If this Local Union permits an applicant to pay an initiation fee on a deferred basis, the installment payments must be allocated to first satisfy the member's dues obligation. All new members presenting themselves for initiation shall receive upon request a free copy of the International Constitution and Local Union ByLaws from the Local Union. However, any alleged failure to receive such copy shall not excuse a member from violation of any duty or obligation imposed upon him by his oath of office, initiation or membership.

**Section 18.02.** A member shall lose his good standing membership in this organization by acceptance of a withdrawal card, by suspension or expulsion from membership after appropriate proceedings consistent with the International Constitution and/or this Constitution and Bylaws, or by nonpayment of dues within the time limits prescribed by Section 16.02. Members whose dues have been withheld by their employer pursuant to a voluntary checkoff agreement shall not be declared in bad standing merely because the employer fails to remit checkoff dues to this Local Union within the time limits prescribed by Section 16.02. Payment of dues to an officer or steward authorized by this Local Union to collect such dues shall be deemed payment to this Local Union.

**Section 18.03.** This Local Union shall issue transfer cards only in strict compliance with the provisions of Article XVIII, Sections 1 and 2 of the International Constitution. This Local Union will accept transfer cards only in strict compliance with the provisions of Article XVIII, Sections 3 and 4 of the International Constitution.

**Section 18.04.** This Local Union shall issue and accept honorable withdrawal cards only in strict compliance with Article XVIII, Sections 6 and 7 of the International Constitution. Upon acceptance of a withdrawal card, a member shall be considered to have become an inactive member.

**Section 18.05.** The charge for the issuance of a transfer card or a withdrawal card shall be fifty cents (50 cents).

**Section 18.06.** Issuance of withdrawal cards shall be subject to the right reserved by the Executive Board to cancel a withdrawal card for proper cause. If such card is cancelled or refused it shall be subject to appeal in accordance with

the appeal procedure provided by the International Constitution excluding, however, any appeal to the Convention.

**Section 18.07.** When the Local Union is required to give to a member an honorable withdrawal card under the terms of the International Constitution and this Constitution and Bylaws, the Local Union may provide for the continuance of Local Union benefits to such inactive member under conditions which it may set forth, but such inactive member shall not be permitted to hold office or vote, and shall have only such right to participate in the meetings and the affairs of the Local Union as shall be uniformly permitted by the Local Union Executive Board.

**Section 18.08.** A member, including a Local Union officer, who is receiving pension benefits from any pension plan, shall be considered to have retired. A retired Local Union officer shall not be eligible to hold any office or position he occupies by virtue thereof, as of the effective date of his retirement. Nor shall a retired Local Union officer be eligible to hold any other office or employment with his Local Union. A withdrawal card shall be issued to any member, including a Local Union officer who has retired, except that a member, who continues to work at the craft, including employment with the International Union or any affiliate, shall be required to retain active membership unless otherwise required by applicable law.

**Section 18.09.** Upon the approval of this Constitution and Bylaws by the General President, supervisory employees and such other classifications as the Local Union Executive Board may lawfully determine, shall take no part on committees selected to negotiate wage and working conditions with employers, and shall not be permitted to vote on any such agreement or on any vote to strike or take other action with respect to the agreement to which they may be subject or parties, unless otherwise provided by applicable law. Supervisory employees shall not be permitted to hold office unless permitted by federal, state, local or provincial law.

#### **ARTICLE XIX - Committees, Delegates and Stewards**

**Section 19.01.** The Standing Committees of this Local Union may include Committees on Bylaws, Political Action and Legislation, Finance and Organization, Application, Unemployment, Grievance and Benefits, and such committees shall perform such duties and functions as shall be assigned to them from time to time by the Local Union Executive Board.

**Section 19.02.** The elected officers and Business Agents of this Local Union shall be delegates to other subordinate bodies and Conventions thereof by virtue of their office or elected position and in accordance with applicable provisions of the International Constitution and ByLaws of such other subordinate bodies.

**Section 19.03.** Delegates to central bodies, and to all conventions of labor, including trade, craft, regional or other types of conference, as well as to any other local, state, or national body, other than as provided in Section 19.02 and the convention of the International, shall be appointed by the Executive Board. Any member of this Union who meets the qualifications imposed upon officers by this Constitution and Bylaws shall be eligible for appointment as such delegate.

**Section 19.04.** Unless otherwise required by the International Constitution, the following shall apply: All officers elected in accordance with Article XV hereof shall by virtue of such election be delegates to any International Convention which may take place during their term of office. If at the time of receipt of the convention call it shall appear that such number of elected officers is less than

the number of delegates to which this Local Union will be entitled at any International Convention, then arrangements shall be made for nomination and secret ballot election of an additional number of eligible members as convention delegates. The Executive Board shall determine in all instances how many alternate delegates shall be designated. If the total number of officers in this Local Union is greater than the number of delegates which this Local Union is permitted to send to the convention, then the President shall have the first priority as a delegate and the Executive Board shall designate from among the remaining elected officers those who are to attend as delegates and alternates. Where the election of additional delegates and/or alternates is required in the application of this section, said election of additional delegates and/or alternates shall be held in accordance with provisions of the International Constitution applicable thereto, and Section 19.05 of this Constitution and Bylaws.

**Section 19.05.** The nomination and election of the delegates and alternates mentioned in Section 19.04 shall be conducted in accordance with the procedures set forth in the International Constitution. Unless otherwise required by the International Constitution, any member of this Union who meets the qualifications imposed by this Constitution and Bylaws for the nomination and election of officers shall be eligible for nomination and election as a delegate or alternate.

**Section 19.06.** The Secretary-Treasurer, or the President, or, if both are unavailable, any elected officer, shall execute all credentials covering the delegates and alternates to the International Convention, in the manner required by the International Constitution, and shall forward all credentials and ledger records to the General Secretary-Treasurer of the International in time for said credentials and ledger records to be received at the Office of the General Secretary-Treasurer at least thirty (30) days prior to the opening of the Convention.

**Section 19.07.** All delegates of this Union, both those appointed and those elected, shall perform the duties imposed upon them by this Constitution and Bylaws and/or the Bylaws of the body to which they are delegates, and all of their actions made in accordance therewith shall be deemed to have been made for the best interests of this Union and its members.

**Section 19.08.** Stewards shall be elected by majority vote of the membership of their respective division, craft, or place of employment. Election shall be held no less than every one (1) year. Once duly elected in such manner they may not be removed from office except by special impeachment vote of their respective constituency or by regularly schedule election. There shall be at least one (1) Steward for every place of employment. Duties of Stewards shall be established by majority agreement of the General Membership. Stewards are neither officers or agents of the Local Union.

The authority of stewards, whether elected or appointed, shall be limited to, and shall not exceed, the following duties and activities:

- 1) The investigation and presentation of grievances with his Employer or the designated company representative in accordance with the provisions of the collective bargaining agreement;
- 2) The collection of dues when authorized by appropriate Local Union action;

- 3) The transmission of such messages and information, which shall originate with, and are authorized by the Local Union or its officers, provided such messages and information:
  - (a) have been reduced to writing; or
  - (b) if not reduced to writing, are of a routine nature and do not involve work stoppages, slowdowns, refusal to handle goods, or any other interference with the employer's business.

Stewards have no authority to take strike action, or any other action not set forth in these Bylaws, or any other action interrupting the business of his employer, except as specifically authorized by official action of this Local Union.

#### **ARTICLE XX - Collective Bargaining Agreements**

**Section 20.01.** The Executive Board is authorized and empowered to direct that this organization negotiate, execute and administer collective bargaining agreements jointly with our International Union, its subordinate bodies, its affiliated locals, or other labor organizations, and further to obligate this organizations to national, area, craft or trade division agreements negotiated and executed by them. Upon such direction being made, the representatives of the Union shall obligate us accordingly.

**Section 20.02.** Every person, whether a member or not, who is directly affected by a collective bargaining agreement negotiated and executed by this organization shall, upon request, be forwarded a copy thereof without charge, but a reasonable charge shall be made for additional copies. In the case of agreements to which our Union is obligated but does not negotiate and execute, copies shall be available at the principal office for the inspection of any person whose rights are affected thereby.

**Section 20.03.** The Secretary-Treasurer shall submit to Joint Council 13 two (2) copies of all proposed collective bargaining agreements with a company in an industry in which there is an area standard established by pre-existing agreements or amendments thereto, or where otherwise directed to do so by the Joint Council, for approval before submission to the employer. If no Joint Council exists, such proposals shall be submitted to the State Conference for its approval. In those cases where the proposed agreement is for operations which are already subject to an area-wide agreement, or a prospective area-wide agreement is already planned, the proposed agreement shall be submitted to the Director of the appropriate Trade Conference or Division for approval before submission to the employer.

**Section 20.04.** Strike votes shall not be required in any case where a collective bargaining agreement then in existence authorizes such strike for the purpose of enforcing the terms of such agreement. Nor shall a strike vote be required for a strike in support of demands that an employer agree to the terms and conditions of an agreement already negotiated and approved on a state, multi-state, multi-area, multi-employer or national, company-wide or area basis of which unit such employer is a member. In either case, the Local Union Executive Board, subject to the approval of the General President, may call the strike in support of its position, and may also, with the approval of the General President, terminate such strike without vote.

**Section 20.05.** Ratification of agreements or amendments shall be subject to vote in the same manner as provided for in connection with bargaining demands as set

forth in Article XX, or in the case of area-wide, conference-wide or national agreements in accordance with the Constitution and rules adopted by such bargaining group, except that where the General Executive Board has directed the Local Union to refrain from executing such agreement, no proposed agreement shall be considered ratified by any vote until and unless it is specifically approved by the General Executive Board. Where a final contact proposal has been reduced to writing at the time it is to be submitted for vote, copies of the written proposal shall be made available to the affected membership. True copies of the final agreements arrived at by the Local Union shall be filed by the Secretary-Treasurer with the Economic and Contracts Departments of the International Union within sixty (60) days after execution, together with a list of the names and locations of employers and number of employees covered by such agreements. The Secretary-Treasurer shall, as of January first of each year, submit to the Economic and Contracts Departments of the International Union a list of agreements in effect, showing the name of the employer or employers, parties thereto, location or locations and the expiration date.

**ARTICLE XXI - General Rights, Privileges, Duties and Obligations of Officers, Agents, Representatives, Employees and Members**

**Section 21.01.** Except as specifically limited by this Constitution and Bylaws or by the International Constitution, no provision of these Bylaws, rule of parliamentary procedure or action by the Local Union or its officers shall be administered in such a way as to deprive individual members of their rights under applicable law and the following membership rights:

- 1) the right to nominate candidates or vote in elections or referendums of the Union;
- 2) the right to attend membership meetings, and to participate in the deliberations and voting upon the business of such meetings;
- 3) the right to meet and assemble freely with other members and to express any views, arguments, or opinions, and to express at meetings views upon candidates in an election of the Union or upon any business properly before the meeting, subject to the organization's established and reasonable rules;
- 4) the right to information concerning the conduct of the Local Union business; and,
- 5) the right to institute an action in any court or in a proceeding before any administrative agency, irrespective of whether the Local Union or its officers are defendants in the actions, or to appear as a witness in a judicial, administrative or legislative proceeding, or to petition any legislator, subject to the exhaustion of intraunion remedies as required by the International Constitution, these Bylaws and applicable law.

For the purposes of this Section 21.01 only, the term "meeting" includes any public meeting in which members of the Local Union are invited.

**Section 21.02.** The rights provided in Section 21.01, above, must be exercised in ways which do not conflict with the provisions of this Constitution and Bylaws, the provisions of the International Constitution, the responsibilities of the members of this organization as an institution, and the duties of this organization to perform its legal or contractual obligations. Further the rights provided in Section 21.01 shall be subject to reasonable application and shall be subject to the



right of the Executive Board to impose reasonable limitations upon the exercise of these rights by the members.

**Section 21.03.** Every member of this organization shall have the following obligations and responsibilities:

- 1) Every member by virtue of his membership in this Local Union is obligated to abide by this Constitution and Bylaws and the International Constitution with respect to his rights, duties, privileges and immunities conferred by them. Each member shall faithfully carry out such duties and obligations and shall not interfere with the rights of fellow members.
- 2) Every member, covered by a collective bargaining agreement at his place of employment, authorize his Local Union to act as his exclusive bargaining representative with full and exclusive power to execute agreements with his employer governing terms and conditions of employment and to act for him and have final authority in presenting, processing and adjusting any grievance, difficulty or dispute arising under any collective bargaining agreement or out of his employment with such employer in such manner as the Local Union or its officers deem to be in the best interests of the Local Union, all subject to Article XII and other applicable provisions of the International Constitution relating to such matters. The Local Union and its officers, business representatives and agents may decline to process any grievance, complaint, difficulty or dispute if in their reasonable judgment such grievance, complaint or dispute lacks merit. The provisions of Article XII Section 2 relating to area, multi-area, national, company-wide or industry-wide contracts, shall supersede any provision of this subsection.
- 3) No member shall interfere with the elected officers or business agents of this organization in the performance of their duties, and each member shall, when requested, render such assistance and support in the performance of such duties as may be required by them, provided that this does not interfere with the individual rights of members. Each member and officer shall adhere to the terms and conditions of pertinent collective bargaining agreements and shall refrain from any conduct that would interfere with the performance by this Local Union of its legal or contractual obligations.
- 4) No member shall engage in dual unionism or espouse dual unionism or disaffiliation, or be a party to any activity to secure the disestablishment of the Local Union as the collective bargaining agent for any employee.
- 5) No member shall be permitted at any Union meeting or assembly to engage in any of the conduct hereinbefore described.
- 6) Every member shall follow the rules of order at all meetings of the Local Union.
- 7) Membership in this Local Union shall not vest any member thereof with right, title or interest in or to the funds, property or other assets belonging to the Local Union now or hereafter and no member shall have a property right to membership in this organization.
- 8) No member seeking to resign from membership in any Local Union may do so except by submitting such resignation in writing to the Secretary-Treasurer of the Local Union. Any member who resigns before he has paid all dues,

assessments, fines and other financial obligations owing to any subordinate body shall be obligated to pay such obligations to his former Local Union. All members acknowledge that any obligations owing at the time of resignation shall be collectible by the Local Union in any appropriate forum. This shall not relieve any member of any obligation to comply with any other provision of this Constitution regarding acquisition or maintenance of membership in good standing.

- 9) Each member shall refrain from accepting less than the wages, hours and working conditions set out in the contract under which he is employed, and from engaging in any conduct which would have the effect of undermining Union conditions.
- 10) Every member shall endeavor to patronize only Union establishments and to purchase only goods bearing the Union label.
- 11) No member shall accept vacation money in lieu of actually taking earned vacations, except with the consent of the Executive Board.
- 12) Any member taken sick or injured must himself see that his steward and the Union office are notified.

**Section 21.04.** Business Agents and Assistant Business Agents shall be appointed by the President, subject to the approval of the Executive Board, and may be removed at will only by the President, subject to the approval of the Executive Board, elected officers may be appointed as Business Agents or Assistant Business Agents. Business Agents cannot be appointed for a period beyond the term of office of the President.

**Section 21.05.** All officers of this Local Union when installed after election shall be required to take the following obligation of office: I, (give name), do sincerely promise, upon my honor as a trade unionist and a Teamster, that I will faithfully use all of my energies and abilities to perform the duties of my office, for the ensuing term, as prescribed by the Constitution and Bylaws of this Union. As an officer of this great Union, I will, at all times, act solely in the interests of our members, devote the resources of our Union to furthering their needs and goals, work to maintain a Union that is free of corruption, to preserve and strengthen democratic principles in our Union and to protect the members' interests in all dealings with employers. I will never forget that it is the members who put me here, and it is the members whom I will serve. I further promise that I will faithfully comply with and enforce the Constitution and laws of the International Union and Bylaws of this Union, that I will, at all times, by example, promote harmony and preserve the dignity of this Union. I also promise that at the close of my official term, I will promptly deliver any money or property of this Union in my possession to my successor in office.

**Section 21.06.** All officers are required to carry out their respective duties. In the event an officer declines to perform his duties as prescribed by the International Constitution, these Bylaws or by law, he shall be subject to charges files in accordance with Article XIX of the International Constitution and Article XXII of these Bylaws. In appropriate situations in which misconduct or failure to perform duties assigned by these Bylaws jeopardizes the interests of the Local Union an officer may be subject to summary removal from office. In accordance with Article XIX, Section 1(e) of the International Constitution.

**Section 21.07.** The right to assume office or hold office or position in the Local Union, as distinguished from accrued or vested benefits, shall never be deemed a property right, but shall be a personal privilege and honor only. Any action taken by an officer in good faith and within the scope of his authority and power under these Bylaws shall not be the basis for any personal liability against such officer.

**Section 21.08.** All officers in the performance of their duties shall adhere to the terms of this Constitution and Bylaws and to the terms of the International Constitution.

**Section 21.09.** The officers, Business Agents, other representatives of this Local Union, and Stewards occupy positions of trust in relation to the Local Union and its members as a group and are, therefore, accountable to the membership with respect to the performance of their duties in handling funds and property of the Local Union. The failure or refusal by an officer, Business Agent, other representative of this Local Union or Steward, upon demand of the Local Union Executive Board or of any individual member for good cause, to render a proper and adequate accounting or explanation respecting the performance of his duties in handling funds and property of the Local Union shall constitute a ground for charges under Article XIX of the International Constitution on which trial shall be had under the provisions set forth in Article XXIII hereof.

**Section 21.10.** The officers and employees of this organization must, as a condition of holding office or being employed, complete, execute, and file all necessary forms required by law to be filed with any federal or state agency either for and on behalf of the Local Union or as an officer or employee thereof, but accidental default shall not be considered a violation of the duty imposed by this Section. In connection with any such form, officers and employees shall maintain records on the matters required to be reported which will provide in sufficient detail the necessary basic information and data from which the reports may be verified, explained, clarified, and checked for accuracy and completeness including the preservation of vouchers, work sheets, receipts and applicable resolutions, for periods required by law.

Reports required of this Union by the Labor-Management Reporting and Disclosure Act of 1959 shall be made available to the members of this organization pursuant to the requirements of said law. For just cause shown, members shall be permitted at reasonable times and places to examine any books, records, and accounts necessary to verify said reports provided however, members desiring to make such an examination must make a request in advance in writing and state the just cause they have for their requesting such examination for verification.

**Section 21.11.** No member of this organization shall be fined, suspended, expelled or otherwise disciplined except for nonpayment of dues unless such member has been (a) served with written specific charges; (b) given a reasonable time to prepare his defense; and (c) afforded a full and fair hearing, all as hereinafter provided for in Articles XXII and XXIII.

**Section 21.12.** This labor organization shall not, directly or indirectly, make any loan or loans to any officer or employee which results in a total indebtedness on the part of such officer or employee to the organization, in excess of \$2,000.00. Nor shall this organization, directly or indirectly, pay the fine of any officer or employee who may be convicted of any willful violation of the Labor-Management Reporting and Disclosure Act of 1959. No member shall be subject to

fine, suspension, expulsion or other discipline because of the exercise of any right to which he is entitled under the terms and provisions of the Labor-Management Reporting and Disclosure Act of 1959.

**Section 21.13.** This Constitution and Bylaws provides the exclusive means whereby each and every member shall pursue the remedies to which he is entitled hereunder and under applicable laws. Therefore, no member shall resort to proceedings before any court, administrative agency, or governmental official until he has first exhausted the internal remedies provided for him in this Constitution and Bylaws. Provided, however, his duty to exhaust his internal remedies shall expire and cease to be binding upon him if a final decision has not been rendered in his case within four months after he has invoked them. Provided further, it shall be the duty and obligation of every member to pursue his internal remedies with promptness and dispatch so that a final decision may be rendered within four months. The four-month limitation provided for herein shall be modified to three months in the single case of the election procedures referred to in Section 15.09.

#### **ARTICLE XXII - Offenses for Which Officers and Members May Be Charged and Tried**

**Section 22.01.** The basis for charges against officers and members of this organization for which they shall be required to stand trial as hereinafter provided shall consist of, but not be limited to, one or more of the following:

- a) Violation of any specific provision of the Constitution, Local Union Bylaws, or rules of order, or failure to perform any of the duties specified thereunder.
- b) Violation of oath of office or of the oath of loyalty to the Local Union and the International Union.
- c) Embezzlement or conversion of union's funds or property.
- d) Secession, or fostering the same.
- e) Conduct which is disruptive of, interferes with, or induces others to disrupt or interfere with, the performance of any union's legal or contractual obligations. Causing or participating in an unauthorized strike or work stoppage.
- f) Disruption of Union meetings, or assaulting or provoking assault on fellow members or officers, or failure to follow the rules of order or rulings of the presiding officer at meetings of the Local Union, or any similar conduct in, or about union premises or places used to conduct union business.
- g) Crossing an authorized primary picket line established by the member's Local Union or any other subordinate body affiliated with the International Union.
- h) Knowingly going to work or remaining in the employment of any person, firm or corporation, whose employees are on strike or locked out, unless the member has permission of the International Union, the Joint Council, or his Local Union.
- i) Knowingly giving or attempting to give, directly or indirectly, any information to any employer on an unfair list or whose employees are on strike or locked out, or whose employees are trying to secure an agreement or an

improvement in their working conditions, or whose employees are trying to prevent an increase in hours of labor or a decrease in wages, for the purpose of assisting such employer, or for any gain or promise of gain.

- j) Knowingly going to work or remaining in the employment of any person, firm or corporation on any unfair list of the International Union without permission from the International Union, the Joint Council or this Local Union.
- k) Wrongfully taking or retaining any money, books, papers or any other property belonging to the International Union, any Joint Council, this Local Union, or any other subordinate body of the International Union,
- l) Destroying any books, bills, receipts, vouchers, or other property of the International Union, any Joint Council, this Local Union, or any other subordinate body.

#### **ARTICLE XXIII - Charges and Trials**

**Section 23.01.** Every member of this organization shall be entitled to fair, equal and impartial treatment in the application of our rules and laws and in the interpretation and application of our rules relating to offenses, trials and appeals in accordance with the International Constitution and this Constitution and Bylaws. The fundamental principals of due process, notice, hearing and judgment based upon the evidence shall be observed, without, however, requiring any technical formality such as is followed in courts of law and administrative bodies.

**Section 23.02.** The provisions of this Article, which supplement the requirements of Article XIX of the International Constitution, are guides for justice and fair play, to be administered by labor men who are not trained in the law, and deviations from these procedures which do not substantially affect substantive rights of the members shall not suffice to invalidate any of our charges, trials or appeals.

**Section 23.03.** Any member or officer of this organization may be charged with violating any of the provisions of Article XXII, above. Charges shall be preferred by any member of this organization, shall be in writing and signed by those filing same, and must be filed in duplicate with the Secretary-Treasurer, who shall serve the charges and notice of hearing upon the accused either in person or by mail at least ten (10) days prior to the hearing. No hearing on any appeal shall be held less than ten (10) days from the date on which notice of the hearing has been served on the parties unless all parties agree to waive this requirement. In scheduling the time and place of the hearing, due consideration shall be given to the convenience of the accused and witnesses necessary in the case. The charges must set forth the provisions of the International Constitution or these Bylaws allegedly violated and the acts which allegedly constitute such violation in sufficient detail to inform the accused of the offense charged including, where possible, dates and places. If charges are failed, the charging party must include in the charges all alleged offenses of which he has knowledge, or in the exercise of due diligence should have had knowledge, as of the time of the filing of the charges. He may not subsequently file additional charges based upon facts of which he had knowledge, or in the exercise of due diligence should have had knowledge, as of the time of the filing of the charges. Unless otherwise required by this International Constitution, any charge based upon alleged misconduct which occurred more than five years before the discovery of the conduct giving rise to the charge is barred and shall be rejected by the Secretary-Treasurer except charges based upon the non-

payment of dues, assessment and other financial obligations, and, in no event, may charges be brought against elective officers of this Local Union which concern activities or actions which occurred prior to their current term of office, unless such prior activities and actions were not then known generally by the membership of this Local Union. No member or officer shall be required to stand trial on charges involving the same set of facts as to which he is facing criminal or civil trial until his final court appeal has been concluded. Nor shall a member or officer be required to stand trial on charges that are substantially the same as, or arise under the same circumstances as, prior internal Union charges against such member or officer provided that a decision was rendered on those prior charges. Charges may be preferred against a suspended member or an inactive member who has been issued a withdrawal card.

**Section 23.04.** Every member charged with a violation of these Bylaws or the International Constitution shall be accorded a full and fair hearing as required by law, and unless otherwise provided in the International Constitution, shall be tried by the Executive Board of this Local Union. No member of the Executive Board involved in the subject matter of the charge, shall sit on the trial board. The decision on disqualification under this provision, if raised by an interested party, shall be made in the first instance by majority vote of the Local Executive Board, whose decision shall be appealable as part of the case, in accordance with the appeal procedure of the International Constitution and this Constitution and Bylaws. The officer alleged to be involved shall not vote on whether he is qualified to remain on the hearing panel. If the member charged or preferring the charges is a member of the Executive Board, or if a member of the Executive Board is unable to attend the hearing for any reason, then the President of the Local Union shall appoint an uninvolved member as a substitute. If either the President or Secretary-Treasurer of the Local is charged or is preferring the charges, or is unable to attend the hearing for any reason, the other officer shall appoint the substitute.

If both the President and Secretary-Treasurer of the Local are charged or are preferring the charges, or for any reason are unable to attend the hearing, the remaining members of the Executive Board shall appoint the substitutes. Charges by, against, or involving a majority of the members of the Executive Board shall be filed with the Secretary-Treasurer of the Joint Council for trial by the Joint Council Executive Board. In no event shall any involved officer or member serve on a hearing panel, participate in the selection of a substitute member of a hearing panel, or participate in the decision-making process of the trial body.

Whenever the words "Joint Council" appear in other sections of these Bylaws, they shall mean Joint Council or State or Multi-State Joint Council and include State or Multi-State Conferences in all matters relating to disputes and appeals where there is no chartered Joint Council.

**Section 23.05.** Throughout the proceeding, there shall be a presumption of innocence in favor of the accused. In order to be sustained, the charges must be supported by a preponderance of reliable evidence, and a majority of the members of the hearing panel must vote to find the charged party guilty. The accused shall have the right to present testimonial or documentary evidence, rebut testimony against him, present witnesses favorable to him and cross-examine adverse witnesses. The charging party, the accused and the Local Union Executive Board may select only a member in good standing of the Local Union to represent them at a hearing conducted before any trial or appellate body and shall not be restricted to the rules of evidence and procedure applicable to court trials. Witnesses need not be members of the Union. The hearings shall be open to other members, subject to the

discretion of the Executive Board in maintaining order and in excluding witnesses except when testifying.

**Section 23.06.** The Local Union Executive Board shall have the authority to determine the manner of reporting the hearings and shall have the authority to exclude any method not authorized by it. Any request by a party that a verbatim record be made must be received by the Executive Board not later than five (5) business days prior to the scheduled commencement of the hearing and shall be honored. If the Local Union Executive Board decides to have transcript or recording of the hearing made, the Local Union Executive Board shall furnish a copy of the same to the accused and to other interested parties upon payment of the cost for same, or shall make such copy available to any interested party for copying or consultation without cost.

**Section 23.07.** Within a reasonable time after completion of the hearing, the Executive Board shall decide the case. The decision of the Executive Board shall be in writing and contain the charges, its own factual findings and decision, and a notice to the parties informing them of the proper body to which they may appeal, and the time within which the appeal must be filed. Disciplinary action, including fines, suspensions, expulsions, and removal of officers, if any is to be imposed, shall be clearly stated. A copy of the decision of the Executive Board must be forwarded to the parties without delay. A copy of all documents in the proceedings shall be kept available at the Local Union's principal office until final disposition is made of these charges.

**Section 23.08.** Depending upon the seriousness of the offense involved and the decision of the trial body under the facts, accused members and officers may be (1) exonerated and found not guilty of the charges, (2) found guilty in whole or in part without the imposition of any discipline, or (3) found guilty in whole or in part with the imposition of fines, penalties, suspensions, expulsions, removals from office, or other discipline.

**Section 23.09.** Any person aggrieved by any such trial body shall be guaranteed the rights of appeal and review for by the Constitution of our International Union.

**Section 23.10.** If the Secretary-Treasurer is the subject of a charge or is referring charges, all duties imposed upon the Secretary-Treasurer under this Article shall be performed by the President.

#### **ARTICLE XXIV - Standing Rules for Union Meetings**

**Rule 1.** The regular order of business may be suspended by a vote of the meeting, only after the reading of the minutes of the previous meeting, the treasurer's report, trustee's report, and the Executive Board meeting minutes without exception.

**Rule 2.** The Chairman of the meeting shall enforce these rules and regulations and may direct that members be removed from the meeting for violation of these rules.

**Rule 3.** Any conversation by whispering or otherwise, or any other activity which is calculated to disturb or may have the effect of disturbing a member while speaking or disturb the conduct of the meeting or hinder the transaction of business, shall be deemed a violation of order.

**Rule 4.** Attending meetings under the influence of intoxicating beverages or drugs not prescribed by a physician is basis for removal.

**Rule 5.** All business done in the Local Union shall be strictly secret to all outside the Local Union.

**Rule 6.** When a member wishes the floor, he shall rise and respectfully address the Chair, and if recognized by the Chair, he shall state his name.

**Rule 7.** If two or more members rise to speak, the Chair shall decide who is entitled to the floor.

**Rule 8.** Every member, while speaking, shall adhere to the question under debate and avoid all invective and indecorous language, as well as any reflection on this Local Union or any member thereof, but all members shall have the right to express their views, arguments and opinions upon candidates and upon any business properly before the meeting.

**Rule 9.** No member shall interrupt another member while speaking except for a point of order, and he shall definitely state the point, and the Chair shall decide the same without debate.

**Rule 10.** Any member, while speaking, being called to order by another, at the request of the Chair, shall cease speaking and be seated until the question of order is determined.

**Rule 11.** If any member shall feel himself aggrieved by a decision of the Chair, he may appeal from the decision of the Chair to the meeting without debate.

**Rule 12.** When an appeal is made from the decision of the Chair, said appeal shall be state by the Chairman to the meeting in these words: "Shall the decision of the Chair be sustained as the decision of this meeting?" The member taking the appeal will have the right to state the grounds of appeal, and the Chair will give his reasons for the decision. Thereupon, the members proceed to vote on the appeal without further debate, and it shall require a majority vote to overrule the Chair.

**Rule 13.** No member shall speak more than once on the same question until all members wishing to speak have had an opportunity to do so, more than twice without the permission of the Chair, nor more than ten (10) minutes at one (1) time.

**Rule 14.** All resolutions and motions, other than the first six in Rule 20, or to accept or adopt the report of a committee, shall be reduced to writing before the President shall state the same to the Local Union.

**Rule 15.** In presenting a motion, a brief statement of its objects may be made, but no discussion of its merits shall be admitted until the question is stated by the Chair.

**Rule 16.** Any member may call for a division of a question when the subject or sense admits thereof.

**Rule 17.** Except as limited by Section 16.04 (6) through (9), all votes other than amendments to this Constitution and Bylaws or Rules of Order may be reconsidered at the same or next succeeding meeting upon a motion made and seconded



by two (2) members who voted in the majority, provided a majority of the membership present and voting agrees thereto; but after a motion to reconsider has once been lost, it shall not be renewed.

**Rule 18.** No member shall enter or leave the hall during the reading of the minutes, installation of officers, or the taking of the yeas and nays, and no member shall be allowed to leave the hall without the permission of the Chairman.

**Rule 19.** No subject of a political or religious nature shall be at any time admitted, but subjects which affect the economic welfare of our members shall not be prohibited even though they are political in nature.

### **Privileged Questions**

**Rule 20.** The following motions shall have precedence in the following order: first, to adjourn; second, to close debate; third, to take up the previous questions; fourth, to lay on the table; fifth, to postpone indefinitely; sixth, to postpone to a definite time; seventh, to refer; eighth, to amend. The first four shall be decided without debate.

**Rule 21.** When a question is postponed indefinitely, it shall not come up again, except upon a majority vote of the members present and voting.

**Rule 22.** The motion to close debate may be made by two (2) members, and shall be put in this form: "Shall the debate now close?" If adopted, the President shall proceed to take up the question before the membership, according to priority, without further debate.

**Rule 23.** The call for the previous question on the original motion may be made by six (6) members and shall be put in this form: "Shall the main question be now put?" If adopted, the effect shall be to take up the question on the original motion to the exclusion of all debate and all amendments which have not been adopted.

**Rule 24.** If proper motion to amend has been made, the question on the amendment shall be put first; if more than one amendment has been offered, the question shall then be put as follows: (1) amendment to the amendment; (2) amendment: 3(3) original proposition.

**Rule 25.** A motion to adjourn shall always be in order except: (1) when a member has the floor; (2) when members are voting; (3) when a motion is pending.

**Rule 26.** A motion to adjourn having been put and lost shall not be in order again, provided there is further business before the Local Union, until fifteen (15) minutes have elapsed.

### **Voting**

**Rule 27.** The Chair shall state every question coming before the Local Union before permitting the opening of debate thereon. Immediately before putting it to a vote he shall ask: "Is the Local Union ready for the question?" Should no member rise to speak on the question, or if a majority shall vote to close discussion, the Chair shall put the question. After he has risen, no member shall be permitted to speak further upon it.

**Rule 28.** When the presiding officer has commenced taking the vote, no further debate or remarks shall be allowed, unless a mistake has been made, in which case the mistake shall be rectified and the presiding Chairman shall recommence taking the vote.

**Rule 29.** Every member present shall vote on all questions before the Local Union unless personally interested. A motion to excuse a member from voting shall be put without debate.

**Rule 30.** When a motion has been declared carried or lost by acclamation, any member, before the Local Union proceeds to other business, may call for a count, but the "yeas" and "nays" cannot be called unless demanded before the President rises to put the question.

**Rule 31.** The "yeas" and "nays" may be called for by two (2) members and upon the assent of one-third (1/3) of the members present shall be taken.

**Rule 32.** (a) Matters not provided for in this Article shall be governed by the ruling of the Chairman; (b) One (1) tap of the gavel shall call to order; two (2) taps to be seated; three (3) taps to rise.

**Rule 33.** All rulings of the presiding officer on procedure which are not challenged during the meeting become final and unappealable upon adjournment of the meeting.

#### **ARTICLE XXV - Saving Clauses**

**Section 25.01.** The provisions of this Constitution and Bylaws relating to the payment of dues, assessments, fines or penalties, etc. shall not be construed as incorporating into any union-security contract those requirements for good standing membership which may be in violation of applicable law, nor shall they be construed as requiring any employer to violate any applicable law. However, all such financial obligations imposed by or under the International Constitution and this Constitution and Bylaws (and in conformity therewith) shall be legal obligations of the members upon whom imposed and enforceable in a court of law.

The Executive Board is authorized to adopt any plan or arrangement relating to such requirements and obligations which may be imposed by applicable law.

**Section 25.02.** If any provision of this Constitution and Bylaws shall be declared invalid or inoperative by any competent authority of the executive, judicial, or administrative branch or federal or state government, the Local Union Executive Board shall have the authority to suspend the operation of such provision during the period of its invalidity and to substitute in its place and stead a provision which will meet the objections of its validity and which will be in accord with the intent and purpose of the invalid provision. If any Article, Section or Subsection of this Constitution and Bylaws should be held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of this Constitution and Bylaws or the application of such Article, Section, or Subsection to persons or circumstances other than those to which it has been held invalid, shall not be affected thereby.

**Section 25.03.** Where used in this Constitution and Bylaws, words in the masculine also shall be read and construed as in the feminine in all cases where such construction would so apply.

## ARTICLE XXVI - Amendments

### Section 26.01.

- a) Proposed amendments to this Constitution and Bylaws shall be submitted in writing at a regular meeting of the Local Union only in January of each year upon initiation either by petition of seven (7) members in good standing, or by resolution of the Local Union Executive Board. Under no circumstances may this Constitution and Bylaws be amended during a term of office to affect or modify the powers and duties of the incumbent officer or elected business agent. Such amendments may be made effective only as of the beginning of the next term of office.
- b) The proposed amendments shall then be read at two (2) consecutive regular meetings of the membership or at two (2) consecutive division, craft or place of employment or similar meetings (if the Local Union Executive Board has determined that membership meetings be conducted on such basis), and voted upon at the third meeting or meetings. A majority vote of the members in good standing voting at such meeting shall be required for passage.
- c) Amendments to this Constitution and Bylaws are subject to the approval of the General President, as provided in Article VI, Section 4 of the International Constitution and shall not be effective until such approval has been given.
- d) Nothing contained in this Article XXVI of this Constitution and Bylaws shall preclude the Local Union Executive Board, in the exercise of its discretion, from directing that a membership vote be conducted by mail referendum after appropriate notice and with safeguards to ensure the integrity of the balloting.

**Section 26.02.** The Executive Board shall have the power following adoption of amendments to this Constitution and Bylaws, but prior to printing thereof, to make such typographical, grammatical, and punctuation corrections, including the supplying or remedying of inadvertent omissions or errors, as are necessary to carry out the spirit and intent of any amendments so adopted. The Executive Board shall also have the authority to direct that any printing errors of a typographical, grammatical or punctuation nature be corrected.

## ARTICLE XXVII - Obligation

**Section 27.01.** Every person who becomes a member of this organization shall be required to take the following obligation when initiated.

Fellow worker, you will now take an obligation that will bind you as a member to the International Brotherhood of Teamsters and this Local Union, and that will in no way conflict with your religious belief or your duties as a citizen:

I, (give name), pledge my honor to faithfully observe the Constitution and laws of the International Brotherhood of Teamsters and the Constitution and Bylaws and laws of this Local Union.

I pledge that I will comply with all the rules and regulations for the government of the International Union and this Local Union.

I will faithfully perform all the duties assigned to me to the best of my ability and skill.

I will conduct myself at all times in a manner as not to bring reproach upon my Union.

I shall take an affirmative part in the business and activities of the Union and accept and discharge my responsibilities during any authorized strike or lockout.

I pledge not to divulge to non-members the private business of this Union, unless authorized to reveal the same.

I will never knowingly harm a fellow member.

I will never discriminate against a fellow worker on account of race, color, religion, sex, age, physical disability, national origin or sexual orientation.

I will refrain from any conduct that would interfere with the Union's performance of its legal or contractual obligations.

I will at all times bear true and faithful allegiance to the International Brotherhood of Teamsters and this Local Union.

You have now received all instructions that can be given you in this Union.

Let caution be engraved deeply in your heart. You must be ever watchful of all you say and do, and as you value your honor, be ever mindful of the obligations you have taken.

#### **ARTICLE XXVIII - Fiscal Year**

**Section 28.01.** The fiscal year of this organization shall commence on the first day of January.

#### **ARTICLE XXIX - Local Union Property**

**Section 29.01.** No property of the Local Union, and no property in the possession, custody or control of this Local Union or any of its officers, representatives or employees and no property held in trust by any trustee for and in behalf of this Local Union, express or implied, which was created or established by this Local Union itself, or the members of the Local Union or their beneficiaries, shall be given, contributed, donated or appropriated, either directly or indirectly, to aid or assist or be expended in behalf of any seceding, dual or antagonistic labor organization or group, nor to any Local Union which is acting in violation of the Constitution of the International Union.

#### **ARTICLE XXX - International Constitution**

**Section 30.01.** The Local Union acknowledges that the Constitution of the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America supersedes any provisions of this Constitution and Bylaws herewith or hereafter adopted which may be inconsistent with the International Constitution. This organization hereby re-adopts such International Constitution, and incorporates herein by reference, as though fully set forth herein, all such provisions of such

Constitution, as it may be interpreted, modified, or amended from time to time, which are applicable to Local Union matters and affairs, and shall perform all the duties imposed upon a Local Union by such Constitution.

This Constitution and Bylaws are subject to the Constitution and Bylaws of the International Brotherhood of Teamsters and applicable Conference and Joint Council Bylaws.

**Section 30.02.** Neither this Local Union, nor any of its officers, business representatives or employees, has the power to make any contract or agreement or to incur any liability which shall be binding upon the International Union or any of its affiliates other than this Local Union unless the written consent of the governing body or executive officer thereof has first been obtained authorizing such action. Neither this Local Union or any of its officers, representatives or employees has been authorized or empowered to act as an agent of the International Union nor any of its affiliated bodies and shall not be deemed an agent for any such body unless expressly authorized in writing by the governing body of such body to act in that capacity. No agreement or contract shall be binding upon this Local Union unless executed and delivered by its duly authorized officers, and a contract or agreement for personal services shall not be binding beyond the expiration of the term of the Executive Board at the time such contract or agreement is made. This shall not prevent a Local Union Executive Board from entering into a bona fide collective bargaining agreement with another union covering Local Union Employees, subject to the requirements of Article XXII, Section 2(b) of the International Constitution.

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Sec.18.08, Sec. 23.03