

Amended and Restated

BYLAWS

of

**AUTOMOBILE TRANSPORTERS,
NEW TRAILER AND ARMORED CAR DRIVERS,
AIRLINE, MECHANICS AND GARAGEMEN
LOCAL UNION NO. 964**

Affiliated with the International Brotherhood of Teamsters



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TABLE OF CONTENTS

| | <u>Page</u> |
|---|-------------|
| Article I Name | 1 |
| Article II Jurisdiction | 1 |
| Article III Principal Office | 1 |
| Article IV Objects | 1 |
| Article V Eligibility for Membership | 3 |
| Article VI Officers | 3 |
| Article VII President's Duties | 3 |
| Article VIII Duties of the Vice President | 4 |
| Article IX Duties of the Secretary-Treasurer | 4 |
| Article X Duties of the Recording Secretary | 7 |
| Article XI Duties of Trustees | 7 |
| Article XII Warden and Conductor | 7 |
| Article XIII Powers and Duties of the Local Union Executive Board | 8 |
| Article XIV Officers – Generally | 11 |
| Article XV Allowances, Expenses and Benefits | 12 |
| Article XVI Nominations and Elections of Officers: Rules | 13 |
| Article XVII Dues and Initiation Fees | 21 |
| Article XVIII Meetings | 22 |
| Article XIX Membership | 24 |
| Article XX Stewards | 27 |
| Article XXI Charges and Trials | 28 |
| Article XXII Exhaustion of Remedies | 31 |
| Article XXIII Bonding | 31 |
| Article XXIV Delegates | 32 |
| Article XXV Transfer, Withdrawal and Reinstatement | 33 |
| Article XXVI Standing Rules for Union Meetings | 33 |
| Article XXVII Standing Committees | 36 |

TABLE OF CONTENTS (cont'd.)

| | <u>Page</u> |
|--|--------------------|
| Article XXVIII International Constitution | 36 |
| Article XXIX Local Union Property | 37 |
| Article XXX Negotiations, Ratification of Agreements, Strikes and Lockouts | 37 |
| Article XXXI Savings Clause | 40 |
| Article XXXII Amendments | 41 |
| Article XXXIII Obligation | 41 |
| Article XXXIV Fiscal Year | 42 |

BYLAWS OF TEAMSTERS LOCAL UNION NO. 964

ARTICLE I NAME

This organization shall be known as Automobile Transporters, New Trailer and Armored Car Drivers, Airline, Mechanics and Garagemen Union, Local No. 964, and is affiliated with and is a Local of the International Brotherhood of Teamsters.

ARTICLE II JURISDICTION

The jurisdiction of this Local Union shall be as determined by the International Union from time to time.

ARTICLE III PRINCIPAL OFFICE

- A. The principal office of this organization shall be located in the City of Cleveland, County of Cuyahoga and State of Ohio. The organization may have such other offices either within or without the State of Ohio as the Executive Board may require from time to time.
- B. All books, records, and financial documents shall be kept at the principal office of the Local Union.

ARTICLE IV OBJECTS

- A. The objects of the Local Union shall be:
 - 1. To unite into one labor organization all workers eligible for membership, regardless of religion, race, creed, color, national origin, age, physical disability or sex, or sexual orientation;
 - 2. 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;

3. To secure improved wages, hours, working conditions and other economic advantages through organization, negotiations and collective bargaining, through advancement of our standing in the community and in the labor movement through legal and economic means, and other lawful methods;
4. To provide educational advancement and training for employees, members and officers;
5. 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;
6. 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;
7. To provide assistance, financial, moral or otherwise, to other labor organizations or other bodies having purposes and objectives in whole or in part similar or related to those of this organization;
8. To engage in community activities which will advance the interests of this organization and its members in the community and the nation, directly or indirectly;
9. To protect and preserve the Union as an institution and to perform its legal and contractual obligations;
10. To carry out the objectives of the International Union as an affiliate thereof and its duties as such an affiliate;
11. 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 and objects not inconsistent therewith as will further the interests of this organization and its members, directly or indirectly.

B. It is recognized that the 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 V
ELIGIBILITY FOR MEMBERSHIP

Eligibility to membership in this Local Union shall be as set forth in the International Constitution, and applicants for membership shall comply with and be subject to the requirements imposed by these Bylaws and the International Constitution, and it shall be the responsibility of the member to keep the Local Union informed of his current address.

ARTICLE VI
OFFICERS

- A. 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 Local Union. The term of office of all officers shall commence on the first of January in the year following the election.
- B. Eligibility to hold office shall be governed by the provisions of the International Constitution and these Bylaws.

ARTICLE VII
PRESIDENT'S DUTIES

- A. It shall be the duty of the President to preside at membership meetings of this Local Union and of the Executive Board, to preserve order therein, and to enforce the International Constitution, these Bylaws and the rules of order adopted by the Union; to see that all officers perform their respective duties. He 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, and such other duties as may be provided by the Executive Board or membership from time to time.
- B. The President shall decide all questions of order during membership meetings, subject to an appeal to the membership, shall have the right to vote in the election of officers; shall cast the deciding vote when a tie occurs on any question; shall announce the result of all votes and, compatible with law, enforce all fines and penalties; and shall have the power to call special meetings when he deems it necessary or when requested in writing by 10% of the membership, as provided for in Article XVIII, Section B of these Bylaws.
- C. He, 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.

**ARTICLE VIII
DUTIES OF THE VICE PRESIDENT**

It shall be the duty of the Vice President to 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.

He shall sign all checks or bank accounts in the absence of the Secretary-Treasurer or President.
[IBT Approved Amendment Effective 01/08/01]

**ARTICLE IX
DUTIES OF THE SECRETARY-TREASURER**

- A. The Secretary-Treasurer shall perform all the duties imposed upon Local Union Secretary-Treasurers by the International Constitution, by these Bylaws, and in general perform all duties incident to the office. He shall see that all notices and reports shall be given in accordance with the provisions of the International Constitution and these Bylaws or as required by law.

He shall make a report to the membership giving the financial standing of the Local on a current basis 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.

- B. The Secretary-Treasurer shall upon request make available a copy for inspection of any annual report to any member and shall forward a copy of the annual audit by a certified public accountant to the General Secretary-Treasurer. He shall also make available for inspection by a member at the Local Union's principal office during regular business hours any report which is subject, by statute, to such inspection. Upon a request of any member made in writing setting forth good and sufficient cause for requesting examination of any books, records, and accounts necessary to verify any report covering the period of his membership filed in compliance with any statutory requirement, he shall make arrangements to have the records desired available for inspection during the regular business hours at the principal office of the Local Union. In the event that he believes that just cause does not exist for the request made, he shall so inform the member in writing and that member may then appeal the matter within ten calendar days, in writing, to the Executive Board. Copying of any financial record to which a member is entitled by law shall be permitted provided that the member pays the actual cost of duplication. Membership lists may not be copied.
- C. 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 such proceedings; and shall keep important documents, papers, correspondence, as well as files on contracts and agreements with employers. 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 (1) 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 establishes that his rights are affected by such agreement, during the regular hours maintained at the principal office of the Local Union.

- D. The Secretary-Treasurer shall receive all monies paid by the Local Union, giving receipt therefore for any dues, initiation fees, or other fees, assessments or fines. All monies received from any source whatsoever shall be deposited in such reliable bank or banks in the name of the Local Union at least twice a month or more often, if possible, as the Executive Board may designate from time to time.
- E. The Secretary-Treasurer shall also maintain a record of all members in good standing with their last known address. Said record shall be open to inspection by any member as and to the extent required by statute.
- F. 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.
- G. 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.
- H. 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, including such amounts which in this judgment will further the best interest of the Union, subject to the approval of the Executive Board.
- I. The Secretary-Treasurer shall be the principal executive officer of this organization and subject to the control of the Executive Board, shall in general, supervise, conduct and control all of the business and affairs of this organization, its officers and employees, including without limitation, the right to appoint members of the union to chair meetings

and to preserve order therein.

- J. He shall have general charge and supervision of all the officers and employees of this organization and shall have the power to appoint, suspend, or discharge all business agents, organizers or other employees or professional assistance and services. He may designate any of the officers as business agents or assistant business agents. Business Agents who are not officers shall not exercise executive functions or determine policy. He shall appoint any and all committees, both general and special as may be required from time to time by this organization. In all cases where the duties of the officers, business agents or employees are not specifically prescribed by these Bylaws, the Constitution, or resolutions of the Executive Board or the membership, they shall obey the directions and orders of the Secretary-Treasurer.

Business Agents and Assistant Business Agents shall be appointed and may be removed at will only by the appointing authority. Elected officers may be appointed as Business Agents or Assistant Business Agents. Appointed Business Agents cannot be appointed for a period beyond the term of office of the appointing authority.

- K. The Secretary-Treasurer shall also have charge of all labor disputes involving this Union, subject to the provisions of the International Constitution and its Area Conference Bylaws.
- L. The Secretary-Treasurer may take such action as in his judgment will further the best interests of the union and its members, which action shall include, but not be limited to, the expenditure of monies for such purposes, subject to the approval of the Executive Board. Such actions may include aid and assistance, monetary or otherwise, to such other persons or organizations which the Secretary-Treasurer may feel are deserving of such aid in the best interest of the labor movement, all of which shall be subject to other pertinent provisions of these Bylaws.
- M. He shall have the authority to interpret these Bylaws and to decide all questions of law thereunder between meetings of the Local Union Executive Board and appoint all committees not otherwise provided for.
- N. 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 the funds of the organization to his successor in office. He shall also give to his successor all papers, documents, records, vouchers, worksheets, books, money and other union property that may have been entrusted to him by virtue of his office and shall obtain an appropriate receipt therefore. 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 not less than five years.

**ARTICLE X
DUTIES OF THE RECORDING SECRETARY**

It shall be the duty of the Recording Secretary to attend meetings of the Local Union and the Executive Board; to keep minutes of the proceedings of the Local Union and the Executive Board, which need not be verbatim; to keep a record of the names of the members comprising each committee; to handle, if requested by the President, all correspondence of the Local Union where required by the Bylaws. In his absence, the President shall appoint a member to act as Recording Secretary Pro Tempore and such Recording Secretary Pro Tempore shall have the duties herein set forth.

The President shall appoint a member or members to keep minutes of meetings which are held by division, craft or place of employment.

**ARTICLE XI
DUTIES OF TRUSTEES**

It shall be the duty of the Trustees to conduct or have conducted a monthly examination of the books of the Local Union and the results thereof shall be reported at the next regular membership meeting. They shall sign the books of the Secretary-Treasurer if they 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 membership shall not be a valid basis for refusing to sign the books. The Trustees' reports shall be sent to the General Secretary-Treasurer as required by the International Constitution. They 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. They shall have the duty to see that such bonds are current and enforceable. In the event of the unavailability of a Trustee, the remaining Trustees or Trustee shall perform the above functions. In performing their functions, the Trustees may avail themselves of the services of the Certified Public Accountants retained by the Local Union Executive Board. They shall perform such other duties as may be assigned to them from time to time by the President or the Executive Board. Where one of the Trustees is unable to act because of illness, absence or otherwise, the remaining two may act to carry out the duties imposed by this Article.

**ARTICLE XII
WARDEN AND CONDUCTOR**

- A. The Warden and the Conductor shall be appointed by the Chair and may be removed by him. The Warden shall have charge of the inner door and shall not admit any member

who is not in good standing. He shall not allow any member "under the influence" to enter the meeting place. He shall assist the Chair in maintaining order.

- B. It shall be the duty of the Conductor to assist the Warden and to bring the proposed new members to be obligated 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 XIII
POWERS AND DUTIES OF THE LOCAL UNION EXECUTIVE BOARD**

- A. Except as may be otherwise provided in these Bylaws, the Local Union 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 Local Union funds and property in the pursuit of accomplishment of the objectives set forth in the Constitution of the International Union and these Bylaws 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 Local Union Executive Board, in addition to such other general powers conferred by these Bylaws, is hereby empowered to:

1. Make and change rules and regulations not consistent with these Bylaws or the International Constitution for the management and conduct of the affairs of this Local Union; and to transact all business between membership meetings, except as provided for herein;
2. Provide for the salaries, allowances, direct and indirect disbursements, expenses and reimbursement of expenses for officers and agents and employees; and establish a dues checkoff procedure for Local Union officers and employees belonging to this Local Union;
3. Provide for direct and indirect loans for such purposes 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;

4. Provide for employment and payment of attorneys, accountants, and such other special or expert services as may be required for the organization; to secure an audit of the books of this organization by a certified public accountant at least once a year;
5. On behalf of the Local Union, its officers, employees or members, to 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;
6. 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.
7. Transact all business and to manage and direct the affairs of the Local Union between membership meetings, except as may otherwise be herein provided for. It may delegate to any of its officers any of the functions and powers herein set forth, other than the power to fill vacancies in office;
8. To 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 or convenient for the prosecution of its affairs, and which the organization is authorize to acquire, at such price or consideration and generally on such terms and conditions as they think fit, and at their discretion, to pay therefore either wholly or partly in money or otherwise, subject to the membership approval;
9. Sell or dispose of any real or personal estate, property, rights or privileges belonging to the organization whenever in its opinion its interests would thereby be promoted, subject to membership approval;
10. Create, issue and make deeds, mortgages, trust agreements, and negotiable instruments secured by mortgage or otherwise, and do every other act or thing necessary to effectuate the same, subject to membership approval;
11. Create trusts, terminate and effectuate the same;
12. Delegate any of the powers of the Executive Board in the course of current business of the organization to any officer or agent upon such terms as they may

see fit and to designate substitutes for the President or Secretary-Treasurer for the purpose of signing checks to pay bills in the event that either shall become ill or otherwise incapacitated;

13. They may adopt rules and regulations concerning the conduct of meetings not inconsistent with the Constitution or these Bylaws.
 14. 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;
 15. Affiliate this Local Union with Joint Council No. 41 and such other subordinate bodies of the International Brotherhood of Teamsters as it shall be required to do, or which it believes is in the interest of this Local Union, and to maintain such affiliations in good standing at all times;
 16. To do all acts whether or not expressly authorized herein, which the Board may deem necessary or proper for the protection of the property of the Local and for the benefit of the organization and members.
- B. The Local Union Executive Board shall hold regular meetings at least once a month without other notice than these Bylaws, and may hold other meetings at such time and place as shall be determined by the President.
- C. 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.
- D. By action of the Executive Board, Board members who are not full-time paid officers or employees of the organization may be paid their expenses, including wages lost, if any or a monthly stipend, 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.
- E. On matters requiring action by the Local Union Executive Board, when the Executive Board is not in formal session, the Executive Board may act by telegram, facsimile, letter or long distance telephone. When the President requires action by the Executive Board, he may obtain same by telegraphing, writing or telephoning the members of the Executive Board and such members may take action on the matter brought to their attention in the same manner. Such action so taken by the majority of the members of the Executive Board shall constitute action of the Board as though the Board were in formal session.

ARTICLE XIV
OFFICERS – GENERALLY

- A. All officers of the International Union and affiliated bodies when installed after election shall be required to take the following oath of office:

“I, _____, 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, and 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.”

- B. The right to assume office or hold office or position in the Local Union, 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.
- C. All officers of the Local Union must, as a condition of holding office, execute all necessary forms required by law in order to be filed with any federal or state agency either for and in 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.
- D. 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. The Principal Executive Officer shall have first priority. After the Principal Executive Officer, the remaining delegates shall be selected from the salaried elected officers and elected Business Agents (if any) in the following priority: President, Secretary-Treasurer, Vice President, Recording Secretary, Trustee in order of number of votes received in the most recent election; elected Business Agents in order of number of votes received in the most recent election.
- E. All officers in the performance of the duties shall adhere to the terms of these Bylaws and

the International Constitution.

- F. An officer-elect may be installed at the same meeting at which he is elected, provided he has otherwise qualified.

**ARTICLE XV
ALLOWANCES, EXPENSES AND BENEFITS**

A. Allowances

Recognizing that the officers 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 lodging and meals depending upon the city to which they travel, which amounts are sometimes less, but more 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 Constitution and these Bylaws; that such activities benefit the organization and its members; that the time spent in such activities is unpredictable and unascertainable, such officers, representatives and employees may be granted an allowance (both for in-town 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.

In addition to the allowances set forth above, all officers and employees may be reimbursed for, or credit provided for, all other expenses incurred in connection with their activities, provided that no officer or employees receives more than one payment for the same expense.

B. Expenses

When a representative of the organization is engaged in activities in the interest of or for the benefit of the organization and its members, the labor organization shall pay the expenses incurred therein, or reimburse the representative upon receipt of itemized vouchers from him or the supplier of such services.

C. Automobile Allowance

The Local Union shall provide its representatives as determined by the Secretary-Treasurer, with automobiles if the Local Union funds permit, or in lieu thereof, they shall be paid an allowance for mileage in such amount or at such rate as shall be determined by the Executive Board. In either event adequate insurance coverage shall be provided by

the Union which shall be in addition to all other automobile allowances.

In such instances where the Local Union either provides an automobile or provides and allowance for the use of the automobile, 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 its safe keeping. Accordingly, for the convenience of the Union and the officers or employees, such officers or employees 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. The Secretary-Treasurer is empowered to sell, exchange, or lease automobiles, or arrange financing therefore in behalf of the Local Union from time to time provided that in his opinion the Local Union funds permit

In addition to the above, the Executive Board may designate that such officers shall have the use of a telephone in their homes on a round-the-clock basis, the expense, cost and charges of which shall be borne by the Local Union.

D. Benefits

The 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. The Local Union Executive Board also shall be authorized to approve that any unused vacation shall be paid to the officer or Business Agent at the end of each year.

ARTICLE XVI
NOMINATIONS AND ELECTIONS OF OFFICERS: RULES

A. Time of Nominations and Elections

Meetings as hereinafter established for nominations of officers shall be held in October, subject to the provisions of the International Constitution. Elections shall be held not less than thirty (30) days after nominations have been closed. The Local Union Executive Board shall set the time and place of nominations and elections and such time and place and other relevant arrangements shall be convenient to the greatest possible attendance by all the members.

The Local Union shall elect its officers by secret ballot not less often than once every three years.

B. Notice of Rules, Nominations, Meetings and Election

At least twenty (20) days prior to the date of the nominations 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 the Bylaws and International Constitution which are available upon request.

C. Eligibility of Members

1. 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, vote for, or otherwise support the candidate 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 nominate, 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.
2. To be eligible for election to any office in this Local Union, 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.

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 by this Section 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 collective 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 checkoff 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.

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.

3. In addition to those conditions of eligibility listed in sub-section (2) above, a member must have attended at least fifty percent (50%) of the regular divisional meetings of this Local Union during the twenty-four (24) consecutive months prior to nomination in order to be eligible to run for office. The Local Union shall keep accurate records reflecting those members who are in attendance at each meeting and shall exempt from the attendance requirement any member who, because of illness, regular employment, or other good cause is unable to attend a meeting. This exemption system shall be uniformly and fairly applied.

D. Nomination Procedures

1. Nominations shall be held in accordance with provisions of Sections A and B above at a general or special membership meeting or meetings or at a meeting or meetings of each separate division, craft or place of employment authorized by the Local Union Executive Board to hold separate meetings. If nominations are held at separate division, craft or place of employment meetings, the members may nominate candidates from their own or any other division, craft or place of employment for election to Union office. Nominations and the conduct of the election and related questions shall be the first order of business at the nomination meeting and complete minutes shall be kept of that business. Nothing in this provision shall prohibit the holding of a special meeting at which meeting

nominations and the conduct of the election shall be the sole order of business.

2. 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. Nominations may also be submitted by mail petition specifying the name and signature of the nominator and seconder, the position sought, and the signature of the nominee. Candidates are advised to verify the good standing status of their nominator and seconder prior to the nomination meeting.
3. 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.
4. 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.
5. If an election committee is used, after nominations, each candidate for the office of President, Secretary-Treasurer and Recording Secretary may designate one (1) member for service thereon who shall thereupon be appointed by the President.
6. 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 elected by acclamation at the nominations meeting, effective as of the conclusion of the term of the previous incumbent.
7. 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 nomination 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. A member may also run for and be elected as a Business Agent or Assistant Business Agent, as provide in Article XXII, Section 8, of the International Constitution, and may hold both the office and the position if elected to both. 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.
8. If any nominee should die before the election, his name shall nevertheless appear on the ballot. In the event such name 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 Article XIII, Section A6 of these Bylaws.

9. 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.

E. Elections

1. After the nominations meeting, but not less than twenty (20) days prior to the election, specific notice of the date, time and place of the election and of the offices to be filled shall be mailed to each member at his last known home address, if no notice has previously been sent. The election shall be held not earlier than thirty (30) days after the nomination meeting, as may be designated by the Local Union Executive Board. The election shall be conducted by mail referendum balloting in accordance with the procedures promulgated by the Local Union Executive Board and United States Department of Labor. Ballots shall be mailed to all active members and shall be returnable to a secure post office box no earlier than thirty (30) days after the nominations meeting. Candidates shall have the right to have their observers present at all phases of the ballot processing procedure. It shall be the duty of the Local Union Executive Board to provide safeguards for the honest and fair conduct of such election.
2. 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 the Local Union 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 they so desire. 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 therefore. 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. Voting by writing the name of a person who was not duly nominated shall not be permitted. Any ballot shall be declared void if it contains any mark other than the voting mark.
3. 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, 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.

4. To be eligible to vote in the election, a member must have his dues paid 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 re-election between only the candidates who have tied for the highest number of votes and only for that principal 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 run-off election shall be held.
5. 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 trustee Local Union) during his term of office, except by authorization of the General President and the Local Union involved.
6. 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.
7. 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.

F. Duties of Secretary-Treasurer in Connection With Nominations and Election

1. The Secretary-Treasurer shall at least twenty (20) days prior to the holding of the nominations give notice, as above provided, to the membership of the time, place and date and the offices for which nominations will be made in order in connection with the election. Such notice shall be given in the manner determined by the Local Union Executive Board, consistent with these rules.
2. 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 the member within five (5) days thereafter to any interested member.
3. Unless a joint nomination-election notice was sent, the Secretary-Treasurer shall give written notice to the membership of the Local, at least twenty (20) days prior to any election date, of the time, place, date, hours, and number of offices upon which voting shall be held, by mailing such notice to the members' last home address.
4. Upon reasonable request of any declared and eligible candidate for office, the Secretary-Treasurer shall arrange for the distribution of any campaign literature by mail, or otherwise, provided that such candidate pays the reasonably estimated cost involved in advance. 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. The Secretary-Treasurer may require that all campaign literature shall be presented to him at the principal office of the Local Union no later than a reasonable number of days prior to the election and 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 such distribution in which case the cost of such distribution shall be assessed upon the candidates involved in a pro rata basis.
5. The Secretary-Treasurer, to the extent required by law, shall upon reasonable notice make available for inspection by any bona fide candidate the membership list of the Local Union covered by union security agreements once within thirty (30) days prior to the election date. No candidate shall be permitted by the

Secretary-Treasurer to copy any names or addresses of employees shown on such list and such inspection must be made in the presence of the Secretary-Treasurer or his designee.

6. 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 therefore, 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.

G. Nomination and Election Protests

1. 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 within forty-eight (48) hours of his knowledge of the event complained of and shall specify the exact nature and specifications of 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.
2. 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.

ARTICLE XVII
DUES AND INITIATION FEES

- A. 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. In no event shall monthly dues be less than the minimum established in the International Constitution.

The monthly dues rate for each member shall be based as follows:

Members whose hourly earnings are \$6.00 per hour but no more than \$11.00 shall pay a dues amount equal to two (2) times their hourly earnings plus \$3.00 per month.

The monthly dues rate for all members whose hourly earnings rate is more than \$11.00 shall be based on two and a half (2½) times the wage rate payable under the member's applicable collective bargaining agreement, plus three dollars (\$3.00). The monthly dues rate for each part-time or casual employee who is a member shall be two and a half (2½) times his or her hourly rate under the applicable collective bargaining agreement, plus three dollars (\$3.00).

[Above revised to conform to IBT Constitution 7/1/02]

The hourly earnings are the hourly wage plus commissions where applicable, exclusive of overtime, fringe benefits or A&P License (per Airline Director Don Treichler dated 1/10/03). When calculating the rate of monthly dues based upon two and a half times the hourly earnings, the total shall be rounded to the nearest whole dollar.

- B. Initiation fees for membership in this organization shall be One Hundred Fifty Dollars (\$150.00) provided, however, that such initiation fee may be waived or reduced in connection with the organization of unorganized employees discretion of the Local Union Executive Board.
- C. Re-initiation fees shall be One Hundred Fifty Dollars (\$150.00).
- D. Any member who shall be three (3) 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 and other charges shall be under a continuing obligation to pay dues during the period of his suspension. Upon payment of the delinquent dues and re-initiation fee, the member shall be restored to good standing status. However, payment of dues shall not restore good standing status if fines and other charges due are not paid. The Local Union 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.

- E. General or Special assessments and levies may be made from time to time in the manner provided hereinafter.
- F. 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.
 - 3. A majority vote by secret ballot of the members in good standing voting at such meeting shall decide the issue.
 - 4. This provision supersedes Article XXXII (Amendments) with respect to changing the dues and fees set forth in these Bylaws.
 - 5. Nothing contained in Article XVIII, Section A6 of 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. The International Union shall in no way be subject to the provisions of Article XVIII, Section A6 of these Bylaws.

ARTICLE XVIII MEETINGS

- A. General Membership Meetings
 - 1. General membership meetings shall be held monthly at such place and time as shall be designated by the Local Union Executive Board subject to disapproval by the membership. The time and place of meeting in effect when these Bylaws are adopted shall continue until changed by the Local Union Executive Board upon reasonable and adequate notice to the membership. Membership meetings shall be held the second Tuesday of each month. Membership meetings may be suspended during any three (3) months between June and October by action of the membership at a meeting after reasonable notice of the intention to vote upon such question.

2. Members in attendance at meetings shall have the right to express their views, arguments or opinions upon any business properly before the meeting subject to these 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 advocate any conduct which would interfere with the Local Union's performance of its legal or contractual obligations.

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.

3. 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 member 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 subsections A1 and 2 above.
4. When the Local Union Executive Board authorizes such meeting 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. Such special meetings shall not be considered a substitute for the regular monthly meeting for purposes of satisfying the meeting attendance requirement of Article XVI Section B.
5. 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.
6. Members at each separate division, craft or place of employment authorized to hold separate meetings may vote separately on initiation fees, dues and assessments which may apply to them alone, if higher or lower 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.

B. Special Meetings

Special meetings of the Local may be called by the Secretary-Treasurer upon reasonable notice to the membership which notice shall specify the business to be brought before such meeting and only the business so specified shall be considered at the meeting. Upon failure of the Secretary-Treasurer to call a special meeting within a reasonable time after a petition signed by ten percent (10%) of the membership has been filed therefore at the principal office of the organization which petition shall specify the business to be brought before such meeting, a majority of the Executive Board may call such meeting by giving reasonable notice to the membership by action taken at a duly-called Executive Board meeting.

C. Quorum

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

D. Referendum

The General President shall have the authority at his discretion to direct that a referendum vote, or a vote by membership in meeting assembled, be held by the membership of any Local Union or subordinate body or the membership in any division or craft of any Local Union or subordinate body or the membership at any place of employment or under any specific issue or proposition when, in his opinion, the welfare of such membership or the subordinate body of the Local Union or the International Union will be served thereby.

**ARTICLE XIX
MEMBERSHIP**

A. An applicant shall be considered a member when he shall meet all the following requirements for membership;

1. Written application for membership as determined by the Local Union.
2. He shall have signed a dues checkoff authorization permitting the initiation fee to be withheld from earnings. If no dues checkoff authorization 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. Acceptance of his application and dues by the union.
4. Taking the obligation at such time and place as the President or his designee shall prescribe.

In the event the applicant shall fail to take the obligation as prescribed by the President or his designee 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 due 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.

B. Good Standing

1. A member shall lose his good standing membership in the organization by suspension or expulsion from membership after appropriate proceedings consistent with these Bylaws, the International Constitution or applicable statutes. Non-payment of dues within the meaning of these Bylaws, the International Constitution or applicable statutes, shall be cause for suspension or expulsion.
2. A member losing his good standing status because of his failure to pay his dues or other obligations as required by the International Constitution and these Bylaws, if he has not been suspended or expelled from membership, may reinitiate his good standing for the purpose of attending local union meetings and voting at elections by the payment of all delinquent dues and other financial obligations prior to such meeting and election.

C. Issuance of Transfer and Withdrawal Cards

1. The issuance of transfer cards must be handled in strict compliance with Article XVIII, Sections 1 and 2 of the International Constitution. The acceptance of transfer cards must be in accordance with the provisions of Article XVII, Sections 3 and 4. The jurisdiction to issue honorable withdrawal cards must be handled in strict compliance with Article XVIII, Sections 6 and 7 of the International Constitution.

2. Where the Local Union is required to give to a member an honorable withdrawal card under the terms of the International Constitution and its Bylaws, it 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.
- D. Upon the approval of these 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 wages 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. Supervisory employees shall not be permitted to hold office unless permitted by federal, state, local or provincial law.
- E. Responsibility of Members to the Local Union
1. Every member by virtue of his membership in this Local Union is obligated to adhere to and follow the terms of the Local Union's Bylaws and the International Constitution with respect to his rights, duties, privileges and immunities conferred by them and by statutes. Each member shall faithfully carry out such duties and obligations and shall not interfere with the rights of fellow members.
 2. Every member, by virtue of his membership in the Local Union, authorizes 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 all 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 Section.
 3. No member shall interfere with the elected officers or business representatives 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 shall adhere to

the terms and conditions of 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 in the course of any meeting, shall not slander or libel the Local Union, its members or its officers, shall not 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 assembly or meeting of other members 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 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.

ARTICLE XX STEWARDS

Stewards are not officers or agents of the Local Union. They shall be selected and removed in such manner as the Local Executive board may direct, and shall have such duties as the Executive Board or President may assign them from time to time.

Members selected to serve as stewards with at least fifteen (15 or more members, as determined by the Local Union Executive Board, shall have their dues paid by this Local Union as Local Union funds permit and by the direction of the Local Union Executive Board. However, payment of dues by the Local Union shall not affect the eligibility of such stewards to run for office or their entitlement to any other rights or benefits provided by these Bylaws or the International Constitution.

ARTICLE XXI
CHARGES AND TRIALS

- A. Each member of this Union shall have the right to fair treatment in the application of union rules and law in accordance with the International Constitution and these Bylaws. In applying the rules and procedures relating to union discipline, the essential requirements of due process of law (notice, hearing, and judgment based upon the evidence) shall be observed, without, however, requiring the technical formality followed in courts of law. Recognizing that these requirements of fairness and due process of law will be administered by groups of laboring men and women, this Local Union adopts the following procedures which supplement the requirements of Article XIX of the International Constitution. The following procedural guides are designed to attain justice both to the individual member and the organization, and in instances where deviations from such procedures are not such as to substantially affect the member's substantive right, these procedures are not to constitute technically precise requirements of strict pleadings of courts of law.
- B. Trials and Appeals

1. Trial

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. No member of the Local Union 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 Union Executive Board, whose decision shall be appealable as part of the case, in accordance with the appeal procedure of the International Constitution and these 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 Local Union Executive Board, or if a member of the Local Union Executive Board is unable to attend the hearing for any reason, then the principal executive officer of the Local Union shall appoint an uninvolved member as a substitute. If either the President or Secretary-Treasurer of the Local Union 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 Local Union Executive Board shall appoint the substitutes. Charges by, against or involving a majority of the members of a Local Union 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 be 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.

2. Charges

Charges shall be in writing and signed by those filing same and must be filed in duplicate with the Local Union Secretary-Treasurer of the body which is to hear the charges, who shall serve the charges and notice of the hearing upon the accused either in person or by registered or certified 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 filed, 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. Any charge based upon alleged misconduct which occurred more than five (5) 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, assessments and other financial obligations. 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 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.

3. In the event of non-compliance with the decision handed down by a trial or appellate body, the member, elected Business Agent, officer or Local Union shall stand suspended from rights and privileges under the International Constitution until the provisions of the decision have been complied with, unless the General

President has waived payment of a fine or stayed the effectiveness of the decision pending appeal. If, however, the decision carries with it an order of expulsion, then such order of expulsion shall immediately take effect, unless the General President has stayed the effectiveness of the decision pending appeal.

4. Rights of the Accused.

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 panel must vote to find the charged party guilty. The accused shall have the right to present his own 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. Witnesses need not be members of the Union. The hearing as shall be open to other members, subject to the discretion of the Local Union Executive Board in maintaining order and in excluding witnesses when testifying.

5. Action by the Local Union Executive Board:

The Local Union Executive Board shall have the authority to determine the manner of reporting the hearings and shall have 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 a 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.

If on Appeal any appellate body makes a transcript or recording of the proceedings on appeal, such appellate body 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 a copy available to any party for copying or consultation without cost. Within a reasonable time after completion of the hearing, the Local Union Executive Board shall decide the case. The decision of the Local Union 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. A copy of the decision of the Local Union 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.

6. Appeals.

Appeals shall be taken pursuant to the provisions of Article XIX of the International Constitution.

**ARTICLE XXII
EXHAUSTION OF REMEDIES**

No member or officer of this Local Union shall resort to any court or agency outside this Local Union or the International Union unless and until he has exercised all his rights as a member and all forms of relief and avenues of appeal as provided by the International Constitution or these Bylaws have been exhausted by him, unless otherwise provided by statute.

**ARTICLE XXIII
BONDING**

- A. Every officer, agent, shop steward, employee, other representative of this Local Union who handles funds or other property of this organization within the meaning of Article XIII herein shall be bonded in accordance with the requirements of the International Constitution and Statute. The amount and type 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 funds of the Local Union.

- B. 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 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 Union the cost for bonding these persons in this Local Union, but such surety coverage shall conform to the requirements set forth in Section A of this Article.

- C. Should the bond of any person required to be bonded be canceled after surety coverages 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 A above to take place of the canceled bond. However, during the period such person 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.

- D. If an employee or officer referred to in Section A and C above cannot within thirty (30) days provide the surety bond required in conformity with the provisions of Section A above, the Local Union Executive Board shall be authorized and empowered to permit him to remain in his 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.

ARTICLE XXIV DELEGATES

- A. Each member of the Local Union Executive Board who shall be elected by secret ballot to his office shall, as a result of such election, be a delegate with full rights to the Joint Council and Area Conferences to which this Local Union is required to be affiliated. Executive Board members who have been appointed and business representatives who are not members of the Executive Board shall be required, as apart of their duties, to attend and participate in the deliberations of such body or bodies at the Union's expense, subject to the limitations uniformly imposed by the Constitution of the International and Joint Council or Area Conference Bylaws or by Statute.
- B. The Secretary-Treasurer may appoint as delegates, to central bodies, and delegates to all conventions of labor, including any trade, craft, regional or other conference, or to any other local, State or National Body, other than the bodies referred to in Section A above and other than the Convention of the International Brotherhood of Teamsters, any member of the Local Union who meets the qualifications imposed upon officers by the Constitution and these Bylaws.
- C. All delegates to the Convention of the International Brotherhood of Teamsters, which this Local Union is entitled to have represent it and their alternates shall be selected as per the provisions of Section 5 of Article III of the International Constitution.

The Secretary-Treasurer shall immediately after the election notify the International Union of the delegates and alternates elected, and he shall, together with the President, execute all credentials and place thereon the Local Union seal and forward them to the General Secretary-Treasurer at least thirty (30) days prior to the opening of the Convention.

- D. All delegates of this Local Union shall perform the duties imposed upon them by the Constitution, these Bylaws, and the Constitution and the Bylaws of the organization to which they are delegates, and their actions in accordance therewith shall be deemed in the best interests of the membership of this Local Union.

**ARTICLE XXV
TRANSFER, WITHDRAWAL AND REINSTATEMENT**

- A. Any member who secures employment in another craft must apply for and shall be given an honorable withdrawal card, provided he is in good standing and that all dues, assessments and fines have been paid by him prior to the date of withdrawal, and in the event such member shall not take such withdrawal card, his rights as a member shall be as set forth in Article XIX above.
- B. Transfer cards and withdrawal cards shall be issued and accepted as provided by the International Constitution and any person accepted as a member as a result shall be required to be present to take the obligation of membership as set forth in these Bylaws.
- C. Any expelled member may be subsequently reinstated to membership in the Local Union from which expelled, or permitted membership in another Local Union, only by the action of the General Executive Board.

**ARTICLE XXVI
STANDING RULES FOR UNION MEETINGS**

- Rule 1: The regular order of business may be suspended by a majority vote of the meeting at any time to dispose of anything urgent.
- 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 liquor 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 respectively 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, avoid all personality and indecorous language, as well as any reflection on the 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 or order is determined.
- Rule 11: If any member shall feel himself aggrieved by a decision of the Chair, he may appeal from the decision the meeting without debate.
- Rule 12: When an appeal is made from the decision of the Chair, said appeal shall be stated 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 will 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, nor 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 18, or to accept or adopt the report of a committee, shall be reduced to writing by the Recording-Secretary 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: All votes other than amendments to these Bylaws or Rules of Order may be considered at the same or next succeeding meeting upon a motion made and seconded by two (2) members who voted in the majority, provided the Local Union agrees thereto; but after a motion to reconsider has once been lost, it shall not be renewed.

Privileged Questions

- Rule 18: The following motions shall have precedence in the following order: First, to adjourn; second, to close the debate; third, to take up the previous question; fourth, to 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 19: The following motions are not debatable; one, to adjourn; two, to table; three, the previous question.
- Rule 20: When a question is postponed indefinitely, it shall not come up again, except upon a majority vote.
- Rule 21: 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 22: 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 23: 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) original proposition.
- Rule 24: A motion to adjourn shall always be in order except: (1) when a member has the floor; (2) when members are voting.
- Rule 25: 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 26: 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 27: When the presiding officer has commenced taking the vote, no further debate or remarks shall be allowed, unless a mistake had been made, in which case the mistake shall be rectified and the presiding officer shall recommence taking the vote.
- Rule 28: 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 29: When a motion has been declares carried or lost by acclamation, any member, before the Local Union proceeds to other business, may call for a count by the "Yeas" and "Nays," but such cannot be called unless demanded before the Chair has put the question.
- Rule 30: A count of the "Yeas" and "Nays" may be called for by two (2) members and upon the assent of the one-third (1/3) of the members present shall be taken.
- Rule 31: A. Any question on procedure in debate, not provided for herein shall be governed by Roberts' Rules of Order.
- B. One (1) tap of the gavel shall call to order; two (2) taps to be seated; three (3) taps to rise.

ARTICLE XXVII STANDING COMMITTEES

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

ARTICLE XXVIII INTERNATIONAL CONSTITUTION

The Local Union acknowledges that the Constitution of the International Brotherhood of Teamsters supersedes any provisions of these By-laws herewith or hereinafter adopted which may be inconsistent with such Constitution. The Local Union hereby re-adopts, as its Constitution, 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.

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 or 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 or executive officer 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.

ARTICLE XXIX LOCAL UNION PROPERTY

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 trustees for and in behalf of this Local Union, express or implied, which was created or established by this Local Union, and whose purpose is to provide benefits for the 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.

ARTICLE XXX NEGOTIATIONS, RATIFICATION OF AGREEMENTS, STRIKES AND LOCKOUTS

- A. Whenever a collective bargaining agreement is about to be negotiated, modified or extended at the request of this Local Union, the principal executive officer shall call a meeting at which the membership shall determine and authorize the bargaining demands to be made. The Local Union Executive Board shall determine whether such meeting shall be limited to the members in a particular division, craft or place of employment. Where this Local Union is a participant in an area-wide agreement, it is understood that the bargaining demands of the Local Union may be accepted, modified, or rejected by the overall negotiation committee in accordance with such rules and procedures as may be adopted by the area-wide, conference-wide or national bargaining group.

- B. The Secretary-Treasurer shall submit to Joint Council, 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, 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.
- C. 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 XXX, or in the case of area-wide, region-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. True copies of final agreements arrived at by the Local Union shall be filed by the Secretary-Treasurer with the Economic and Contracts Department 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 1st 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.
- D. If a settlement cannot be reached in connection with the negotiation or modification of a collective bargaining agreement between the members of this Local Union and an employer after the officers have used reasonable means of achieving a settlement throughout the process of collective bargaining, the matter shall be subject to the strike procedure, conditions and qualifications set forth in the Constitution. The Local Union Executive Board may, in its discretion, provide that the strike vote be limited to the members employed in a particular division, craft or place of employment. In such cases where area-wide, conference-wide or national agreements are involved, it is understood that the specified majorities of the members covered by such agreements must vote to strike as set forth in Article XII, Sections 1 or 2 of the Constitution, and in such event, such strike vote shall apply to this Local Union, irrespective of the individual vote of this Local Union on that question.
- E. 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.

- F. At least forty-eight (48) hours prior to a strike, and in the case of picketing, lawsuit or other serious difficulty, the Secretary-Treasurer shall immediately notify the Joint Council of which it is a member of any contemplated action, as required by the Constitution.
- G. Out-of-work benefits shall be payable to members only as provided by and in accordance with the Constitution. The Secretary-Treasurer shall be responsible for securing of such benefits where the Local Union is eligible to receive them, executing all documents required by the International and returning all monies to the International Union remaining unused by the Local Union at the close of the strike or lockout.
- H. Strikes which are not terminated by the conclusion of a collective bargaining agreement or by arbitration or otherwise may be terminated in such manner as the Local Union Executive Board shall determine appropriate.
- I. Contracts may be accepted by a majority vote of those members involved in negotiations and voting, or a majority of such members may direct further negotiations before a final vote on the employer's offer is taken, as directed by the Local Union Executive Board. When, in the judgment of the Local Union Executive Board, an employer has made a final offer of settlement, such offer must be submitted to the involved membership and can be rejected only by a majority vote of the members involved in the negotiations and voting or responding to a referendum mail ballot. If a settlement cannot be reached, the Local Union Executive Board shall order a secret ballot to be taken and it shall require a majority of those members of the Local Union involved in such negotiations and voting to adopt a motion to strike. The ballot must be "Yes" or "No" written on paper ballot or by approved mechanical device which assures secrecy. In the alternative, the Local Union Executive Board may conduct such strike vote by referendum mail ballot of the membership involved in such negotiations, in which event it shall also require a majority vote of those responding to the referendum mail ballot to authorize a strike. The failure of such membership to authorize a strike upon rejecting the employer's last offer shall require the Local Union Executive Board to accept such last offer or such additional provisions as can be negotiated by it.

A strike may be terminated by a majority vote of the involved members voting either by secret ballot or by mail referendum as directed by the Local Union Executive Board.

In any case where the General President believes that an employer has made a final offer of settlement but the Local Union Executive Board has refused to submit such final offer of settlement to the involved membership, the General President is authorized to submit such final offer to the involved membership by either secret ballot vote or by referendum

mail ballot.

The General President or the General Executive Board is authorized to direct that strike votes be taken by a referendum mail ballot or that the final offer of settlement before or during a strike shall be taken by referendum mail ballot or by secret ballot vote.

The General President or the General Executive Board shall have the authority to conduct, under their supervision, secret ballot votes or mail referendum balloting on such basis as they may determine in accordance with Article VI, Section 1(h) of the International Constitution, and in this regard the authority granted to the General President and the General Executive Board shall supersede any authority granted herein to the Local Union Executive Board and any action which may have already been taken under the direction of the Local Union Executive Board.

Where more than one Local Union is involved, and Article XII of the International Constitution is not applicable, the votes required by this subsection shall be taken among all the involved members of the Local Unions involved, and the result shall become binding and effective on all Local Unions involved and their members. All decisions concerning said votes. In the event the Local Union Executive Boards cannot agree, all such decisions shall be made by the General President pursuant to that authority granted under Article VI, Section 2 of the International Constitution.

ARTICLE XXXI SAVINGS CLAUSE

- A. The provisions of these 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 Constitution and these Local Union Bylaws (and in conformity therewith) shall be legal obligations of the members upon whom imposed and enforceable in a court of law.

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

- B. If any provision of these Bylaws shall be declared invalid or inoperative by any competent authority of the executive, judicial, or administrative branch of 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 to its validity and which will be in accord with the intent and purpose of the invalid provision. If any Article or Section of

these Bylaws should be held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of these Bylaws or the application of such Article or Section to persons or circumstances other than those to which it has been held invalid, shall not be affected thereby.

- C. Where used in these 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 XXXII AMENDMENTS

Any member may propose amendments to these Bylaws, which shall be in writing. The proposed amendments, unless otherwise directed by the Executive Board, shall be submitted to the Local Union and read at two regular meetings and voted upon at the next regular meeting. Amendments must be approved by a majority vote of those members present and voting. If approved, the amendment shall be sent to the office of the General President for approval and shall take effect immediately upon receipt by the Local Union of such approval.

ARTICLE XXXIII OBLIGATION

“Fellow worker, you will now take an obligation that will bind you 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 the laws of the International Brotherhood of Teamsters, and the 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 or 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."

**ARTICLE XXXIV
FISCAL YEAR**

The fiscal year of this organization shall be from January 1st to December 31st.

| | |
|--|-------------------|
| Read and Approved by General Membership meeting: | February 20, 2011 |
| Read and Approved by General Membership meeting: | March 20, 2011 |
| Read and Approved by General Membership meeting: | April 17, 2011 |

Date Last Revised: April 29, 2011
Approved by IBT: September 15, 2011