

# UNITED STEELWORKERS OF AMERICA

## BY LAWS: LOCAL 9346

### ARTICLE 1

#### Name

This organization shall be known as United Steelworkers, Local Union 9346 (hereinafter referred to as “the Local Union”).

### ARTICLE II

#### Objects

**First.** To unite in this Local Union, regardless of race, creed, color, sex, or nationality, all working men and women who are members of the United Steelworkers of America (hereinafter referred to as the “International Union”) and who are within the jurisdiction of this Local Union.

**Second.** To establish through collective bargaining adequate wage standards, shorter hours of work and improvements in the conditions of employment for workers in industry.

**Third.** To engage in educational, legislative, political, civic, social, welfare, community and other activities; to advance and safeguard the economic security and social welfare of workers in industry, the International Union, its Local Unions and the free labor movements of the United States, Canada and the world; to protect and extend our democratic institutions and civil rights and liberties; and to perpetuate and extend the cherished traditions of democracy and social and economic justice in the United States, Canada and the world community.

**Fourth.** To take all steps and actions consistent with the Constitution and policies of the International Union, and these By-Laws, to implement and carry out the objects, rights, activities and responsibilities of this organization and the International Union.

## **ARTICLE III**

### **Eligibility**

**Section 1.** All members in good standing of the International Union who are within the jurisdiction of this Local Union shall, by virtue of such membership in the International Union, constitute the membership of this Local Union.

**Section 2.** Persons having supervisory power shall be eligible to membership subject to the terms established by the International Executive Board.

**Section 3.** No person shall be eligible for membership, or for nomination or election or appointment to , or to hold any office, or position, or to serve on any Committee in the International Union or this Local Union or to serve as a delegate therefrom who is a member, consistent supporter, or who actively participates in the activities of the Communist Party, Ku Klux Klan, or of any fascist, totalitarian, or other subversive organization which opposes the democratic principles to which the United States and Canada and our Union are dedicated.

This eligibility requirement shall be in addition to any other eligibility requirement imposed by any other Article or Section of the Constitution.

## **ARTICLE IV**

### **Officers and Elections**

**Section 1.** Officers of this Local Union shall be: President, Vice President, Recording Secretary, Financial Secretary, Treasurer, Guide, two (2) Guards, and three (3) Trustees.

**Section 2.** No member shall at the same time be a candidate for or hold more than one of the offices named in Section 1 of this Article.

**Section 3.** Officers and Grievance Committee Members shall be elected for a term of three years at the last meeting in April 2012, or on such other day and/or such other hours in April 2012 as the membership shall determine and which will enable all members who so desire to vote. Elections shall be by a plurality vote of the members in good standing participating in a secret ballot vote. Those elected in April 2012 shall be installed at the first regular meeting in May 2012 and shall serve until their successors are elected and qualified, at which time all money, official records and documents, and all property belonging to the Local Union shall be turned over to such successors. In any case in which only one eligible member has been nominated for an office, and that member has indicated acceptance of the nomination within the time limits and in the manner prescribed by the approved By-Laws or rules of the Local Union, no election need be held

for that office, and the member who has been so nominated shall be deemed elected. An officer who retires from an enterprise serviced by the local union shall not be permitted to continue in office.

**Section 4.** The date of Local Union elections for Local Union Officers and Grievance Committee Members must be advertised among members at least fifteen (15) days previous to the date of the election by mailing notice of the date, place and hours of the election to each member in good standing at the member's last known home address. The notice must also specify the Local Union offices to be filled. Nominations shall be made at the immediately preceding meeting. However, where a Local Union holds two meetings in each month, nominations may be made at the last meeting in the month preceding the month in which the election is held. Notice of the nominations meeting shall be given to the membership at least one (1) week in advance of the meeting.

**Section 5.** No member shall be eligible for election as a Local Union Officer or Grievance Committee Member unless

(a) The member shall have been in continuous good standing for a period of 24 months immediately preceding the month in which the election is held; and

(b) The member is employed in an enterprise, public or private, or other place within the jurisdiction of the Local Union; and

(c) In order to be eligible for elections as a Local Union Officer or Grievance Committee Member in any regular election or election to fill a vacancy, a member shall have attended at least one third (1/3) of the regular meetings held by the member's Local Union during the twenty-four (24) month period immediately preceding the month in which the election is to be held.

Meetings which a members was prevented from attending because of such member's Union activities, working hours, service in the armed forces of the United States or Canada, sickness which confines, death in the immediate family, or jury duty, shall not be counted as meetings held in determining such member's eligibility under this Section; provided, that the member shall have the burden of proving inability to attend for one of the prescribed reasons, in accordance with procedures specified in the Local Union Elections Manual.

**Section 6.** Local Union elections shall be conducted in accordance with the provisions of the Local Union Elections Manual adopted by the International Union.

**Section 7.** Local 9346 shall form an Executive Committee. Such a Committee shall be made of the Executive Officers, the Grievance/WCB Chairperson and the Chairperson of the O.H.S.C. The duties of the Committee and its' respective members are those specified in Article V, By-Laws for Local Unions.

**Section 8.** OHSC representatives shall be elected every three (3) years at the same time as the election of other Local Union Officers.

**Section 9.** Any elected or appointed Official is expected to attend one-third (1/3) of Regular Membership Meetings in one (1) year in order to remain in those positions. Attendance provisions as per International Union Constitution, Article 7, Section 10, provisions shall apply.

add “Plant, Warehouse, Mine Operations, and Mine Maintenance”  
add “ and shall include the Grievance Committee Chairperson”

**Section 10.** (a) For the purpose of negotiations, the Bargaining Committee shall have representation from all departments: 1 from Plant, 2 from Mine Operations, and 1 from Mine Maintenance and shall include the Grievance Committee Chairperson.

(b) Elections for Bargaining Committee Members shall be held within one year, but not less than six months prior to the expiry date of the Collective Agreement and members so elected shall immediately assume their duties and responsibilities.

**Section 11.** The Grievance Committee has final say whether or not a grievance proceeds to arbitration and appeal of the grievance may be made at the next general membership meeting.

## ARTICLE V

### Duties of Officers

#### Section 1. Duties of President.

(a) The President shall preside at all meetings of the Local Union and preserve order, and shall decide all questions of order, subject to an appeal to the Local Union. The President shall have the right to vote at all elections of Officers, and when the members are equally divided on other questions, shall have the deciding vote.

(b) The President shall call special meetings by request of ten members in good standing of the Local Union. This request shall be in writing, shall state clearly the purpose of the meeting and shall be signed by those making such request. Notice of all special meetings must be given the members of the Local Union by bulletin board posting or other reasonable means. The business of the special meeting shall be confined to the subject for which the meeting was called, and the meeting shall be conducted in accordance with the same procedures as govern regular meetings. The above provision concerning the holding of a special

meeting does not require the Chair at such meeting to entertain a motion to vote on a matter which was acted upon after the notice at a previous meeting. In the absence of a provision of the International Constitution or the Local Union By-Laws specifying the method of voting at such meeting shall determine the method of voting.

(c) The President shall enforce the provisions of the International Constitution and of these By-Laws and the policies and Manuals of the International Union, and shall appoint all committees not otherwise provided for and be ex officio member of all committees. The President shall perform such other duties as the Local Union may assign.

(d)(1) In the event that a vacancy occurs in the office of Vice President, Recording Secretary, Financial Secretary, Treasurer, Guide, Guard or Trustee or in the position of Grievance Committee Member at any time during the term of office, the remaining Local Union Officers shall, by majority vote, select a successor to serve for the remainder of that term.

(d)(2) Wherever a Local Union Officer (except President) or Grievance Committee Member, because of receipt of an extended vacation benefit or otherwise, will be unable to serve during an extended temporary period, a temporary replacement will be designated as provided in sub-paragraph (d) (4) of this section. The temporary replacement shall carry out all the duties of the office or post during such temporary period.

(d)(3) Where the temporary vacancy is in the office of Local Union President, the Vice President shall assume the duties of the President including the authority to be one of the signatories to cheques, and shall be known as “Temporary Acting President.” When the temporary period has ended, the “Temporary Acting President” shall revert to the position of Vice President.

(d)(4) Where the temporary vacancy is in a Local Union Office (other than President) or in a Grievance Committee Post, the Local Union Officers shall, by majority vote, select a “Temporary Acting” replacement. Temporary Acting Treasurers and Financial Secretaries shall be authorized, during the temporary period of their service, to be signatories to cheques. A replacement shall serve only until the temporary period is ended.

(d)(5) In the event of a vacancy none of the remaining officers either alone or acting together may perform the functions of the vacant office but rather the vacancy must be filled in accordance with the provisions set forth above.

## **Section 2. Duties of Vice President.**

The Vice President shall assist the President in the discharge of the President's duties and during the President's absence shall perform the duties of the President. In the event that a vacancy occurs in the office of President, the Vice President shall act as President for the unexpired term.

### **Section 3. Duties of Recording Secretary.**

(a) The Recording Secretary shall record the proceedings of the Local Union in a book kept for that purpose, read all papers and perform such other duties as are required by the International Constitution, these By-Laws, the various Manuals and policies of the International Union, and the Local Union. The Recording Secretary shall also have custody of the Local Union Seal, and shall be responsible for any misuse of same.

(b) The Recording Secretary shall read to the Local Union communications which require attention.

(c) The Recording Secretary shall be entitled to book-off as needed each month for completion of the Recording Secretary's book.

### **Section 4. Duties of Financial Secretary.**

(a) The Financial Secretary shall receive all money due the Local Union and pay the same to the Treasurer, from whom the Financial Secretary shall take a receipt. The Financial Secretary shall also keep accurately the accounts of the Local Union with its members, and shall at all times have the books open for examination by the Trustees, and perform such other duties as are required by the International Constitution, these By-Laws, the various Manuals and policies of the International Union, and the Local Union. The Financial Secretary shall make out the various reports required by the International Secretary-Treasurer and forward such reports to the International Secretary-Treasurer in accordance with instructions.

(b) Should it be proved that the Financial Secretary has failed to report monthly the full membership of the Local Union as provided for in the report to the International Secretary-Treasurer and transmit the full amount of initiation fees and dues, the Financial Secretary shall be suspended from all privileges and benefits until the deficiency is made good, and shall be liable to the International Union for the full amount unpaid.

(c) The Financial Secretary shall keep a record of all transfer request forms issued and received.

(d) The Financial Secretary's accounts shall be subject at all times to audit by the International Secretary-Treasurer.

(e) The Financial Secretary shall make a detailed financial report at least once each month at the Local Union meeting covering the receipts and expenditures of all funds of the Local Union. If the expenses of the Local Union exceed its current income or impair its reserves, the Financial Secretary is obliged to call this fact to the attention of the membership.

(f) The Financial Secretary shall be entitled to book-off as needed each month to discharge the duties of the Financial Secretary.

### **Section 5. Duties of Treasurer.**

(a) The Treasurer shall receive from the Financial Secretary all money collected by the Financial Secretary and shall deposit all money belonging to the Local Union in a bank designated by it. All initiation fees and dues shall be deposited in a separate bank account to be designated as a trust fund for the International Union. The Treasurer shall cause to be issued to the Financial Secretary a receipt for all money turned over to the Treasurer or deposited to the Treasurer's credit in the regular bank account. The Treasurer shall issue a separate receipt for the amount of money turned over at any time or for such deposit made, and shall sign cheques and have the countersigned by the President and the Financial Secretary.

(b) The Treasurer shall keep regular and correct accounts of all money received and paid by the Treasurer, and report at each meeting the balance of cash shown by the last report, the amount received since, the total cheques issued and authorized, and the balance remaining. The Treasurer's accounts shall be open for examination by the Trustees at any time when called upon. The Treasurer's books shall be subject at all times to the United Steelworkers of America. The Treasurer shall perform such other duties as are required by the International Constitution, these By-Laws, the various Manuals and policies of the International Union, and the Local Union.

(c) All money paid out by the Local Union from its treasury must be approved by the members at a Local Union meeting. Under no circumstances shall officers or members pay bills without authorization by a Local Union meeting, nor shall the members authorize payment of any bill or incur any obligation for which funds are unavailable, nor shall the members authorize the payment of or incur a debt for any activity not in accordance with the Constitution and policies of the International Union and these By-Laws. Bills charged to the Local Union should be submitted to the Recording Secretary, who in turn shall submit them to the Local Union meeting for approval.

(d) Recurring standard bills (fixed salaries which have been previously authorized, taxes-local, state and federal-rent, light, heat, etc. ) may be paid by the Treasurer on a single authorization by the Local Union to pay such bills when due.

(e) Under no circumstances shall any of the dues collected by the Local Union be spent before being sent to the International Secretary-Treasurer.

(f) The Treasurer shall be entitled to book-off as needed each month for completion of the Treasurer's Audit.

**Section 6. Duties of Guide.**

It shall be the duty of the Guide to see that all present are entitled to remain.

**Section 7. Duties of Guards.**

It shall be the duty of the Guards to take charge of the door and see that no one enters who is not entitled to do so.

**Section 8. Duties of Trustees.**

It shall be the duty of the Trustees to have charge of the hall and all property of the Local Union, subject to the direction of the Local Union. They shall audit the books and financial records of the Local Union every three months and give a report of such audit at the next regular Local Union meeting. They shall perform such other duties as the Local Union may require.

The Trustees shall be entitled to book-off as needed each month for completion of Trustee's duties.

**Section 9.** This Local Union shall enforce the International Constitution, the various International Manuals and policies, and these By-Laws, as affecting its membership.

The funds and property of the Local Union shall be managed, invested, expended or otherwise used to implement and carry out the objects, rights, activities and responsibilities of the Local Union or the International Union, and to administer the affairs of the Local Union, in accordance with the Constitution, Manuals and policies of the International Union and these By-Laws.

**Section 10.** It shall be the duty of the President, Financial Secretary and Treasurer to insure that the funds and property of the Local Union are preserved, managed, invested and expended in accordance with the International Constitution, Manuals and policies and these By-Laws.

## ARTICLE VI

### Compensation for Services

**Section 1.** Salaries and expenses for Officers and employees of this Local Union shall be as follows.

(a) The Executive Committee shall be empowered to pay a reimbursed personal expense up to \$10.00 per day in Sparwood unless a receipt is submitted then reimbursement will be the cost of the receipt up to a maximum of \$34.00 per day, \$57.00 per day out of Sparwood (overnight), \$34.00 per day on the day of return, to all members of this Local Union for the purpose of conducting Official Local Union business, subject to the approval of the membership.

(b) The Executive Committee shall be empowered to pay an out of town travel expense of \$0.52/kilometer for the first five thousand kilometers, \$0.46/kilometer over five thousand kilometers, per year, to all members of this Local Union for the purpose of conducting Official Local Union business, subject to the approval of the membership.

*Cents/kilometer payment shall be for a maximum of 100 kilometer radius of Union Hall. Beyond the 100 Kilometer radius up to 300 kilometer radius a flat rate of \$60.00 shall apply for the entire distance traveled to a maximum of \$120/week. Beyond the 300 Kilometer radius, the travel shall be reviewed by the executive to determine the best mode of transportation and method and amount of travel payment, subject to the approval of the membership.*

*Every effort shall be made to limit multiple long distance travel days in a week and where ever possible, car pooling shall be used.*

*If an individual is booked off to attend Union related business and would normally drive themselves to work there shall be no travel reimbursement. The exceptions to this would be those individuals that pay to carpool or pay for a bus ride or COOP van.*

(c) Monthly stipends shall be paid to the Executive Officers for use of their personal vehicle while doing Union Business as follows:

President - \$160.00	Vice President - \$50.00
Financial Sec. - \$50.00	Recording Sec. - \$50.00
Treasurer - \$50.00	Trustees - \$50.00
Grievance/WCB Chairperson - \$50.00	Guide - \$50.00

Guard - \$50.00

OHSC Chairperson - \$50.00

A Stipend of \$10.00 per day shall be paid to any person running ballot boxes for any election.

(d) The Financial Secretary shall be empowered to buy meals for all day Committees and schools without prior approval of the membership. Such expenditures shall be reported at the next General Membership meeting.

**Section 2.** All tax requirements in connection with the above payments shall be complied with.

**Section 3.** Pursuant to voluntary authorization of dues deductions, the Financial Secretary shall be responsible for establishing a procedure to deduct from the Union pay of Local Union Officers and/or representatives monthly dues which are not deducted by the company in any given month.

## ARTICLE VII

### Meetings

**Section 1.** The Local Union shall hold a general membership meeting at least once every month, except that a Local Union may, with the approval of the Membership and the District Director, hold meetings, less often, but in no event less than quarterly.

**Section 2.** Regular Membership Meetings will be held on the third (3rd) Tuesday of each month at 5:30pm. The Executive Meeting shall be held at 4:30pm every first Thursday and third (3rd) Tuesday of each month.

## ARTICLE VIII

### Membership

**Section 1.** No applicant for membership shall be regarded as being a member in good standing until the full amount of initiation fee has been paid.

**Section 2.** A member shall pay dues promptly commencing with the month during which the member shall have been admitted, and shall continue to pay dues, assessments and fines or other obligations promptly when due in order to be and remain in good standing.

**Section 3.** A member who has not lost good standing under other provisions of the International Constitution shall be in good standing if not more than three (3) months in arrears in any constitutional obligations, except in respect to assessments on which the member shall be not more than one (1) month in arrears.

**Section 4.** Members who lose good standing shall stand automatically expelled and devoid of all membership rights, and shall not be reinstated in good standing except upon such terms as the Local Union and the International Executive Board may decide.

**Section 5.** Any member who retains employee status in a bargaining unit represented by the International Union but who because of layoff has not, for twenty-four (24) continuous months, performed at least five (5) days' work in any month in such bargaining unit shall be deemed not in good standing (but not expelled) and devoid of all membership rights until such time as the member is recalled or obtains employment in a bargaining unit represented by the International Union and resumes payment of current dues, at which time the member shall automatically be restored to good standing. No Local Union Officer or Grievance Committee Member shall lose good standing under this Section for the remainder of the term in office.

**Section 6.** A member not in good standing shall not be permitted to vote, nominate for office, hold office, or be a candidate for office.

**Section 7.** A member whose membership is terminated shall have no right or interest in any property of the Local Union or of the International Union, including any dues, assessments or other financial obligations paid by such member in advance of the effective date of such termination.

## **ARTICLE IX**

### **Discipline**

**Section 1.** Any member may be penalized for committing any one or more of the following offenses;

- (a) violation of any of the provisions of the International Constitution or of these By-Laws, any collective bargaining agreement, or rule of the Local Union;
- (b) obtaining membership through fraudulent means or by misrepresentation;
- (c) instituting, or urging, or advocating that a member of any Local Union institute action outside the Union against the International Union, Local Union or any of their officers without first exhausting all remedies through the forms of appeal of the International Union;
- (d) advocating or attempting to bring about the withdrawal from the International Union of any Local Union or any member or group of members;
- (e) publishing or circulating among the membership false reports or misrepresentations;
- (f) working in the interest of or accepting membership in any organization dual to the International Union;
- (g) slandering or willfully wronging a member of the International Union;
- (h) using abusive language or disturbing the peace or harmony of any meeting in or around any office or meeting place of the International Union;
- (i) fraudulently receiving any money due the organization or misappropriating the monies of the organization;
- (j) using the name of the Local Union or the International Union for soliciting funds, advertising, etc., of any kind without the consent of the appropriate body or officer of the International Union;
- (k) furnishing a complete or partial list of the membership of the International Union or of any Local Union to any person or persons other than those whose official position entitles them to have such a list;
- (l) deliberately interfering with any official of the International Union in the discharge of that official's duties;
- (m) deliberately engaging in conduct in violation of the responsibility of members toward the organization as an institution, and
- (n) deliberately interfering with the performance of the organization's legal or contractual obligations.

**Section 2.** Any member convicted of any one or more of the above offenses may be denied the right to be a candidate for or hold office or position in the Union, declared a member not in good standing, fined or otherwise appropriately disciplined.

**Section 3.** If any Officer of the Local Union, or delegate to an International Convention, is convicted of any one or more of the above-named offenses, such person may be penalized as described above, and removed from office or position.

## **ARTICLE X**

### **Trials of Members and Local Union Officers**

**Section 1.** Any charges against a member or Officer of the Local Union must be made in writing, signed by the member making the charges, and must be submitted to the Local Union. Upon submission of the charges, the Recording Secretary shall send a copy by certified or registered mail to the accused member at the member's last known address.

The charges shall be sufficiently specific so as to enable the accused to prepare a defense. This means that the charges should indicate both the provision(s) of the Constitution or the Union's other rules allegedly violated and also a brief statement of the facts (names, dates, places) constituting that violation. If there is more than one charging party, they must designate a person to be responsible for receiving and filing documents related to the charges. Where the charges fail to designate such person, then the first charging member named in the charge shall be considered the representative of the others.

**Section 2.** Charges must be submitted within sixty (60) days of the time the complainant becomes aware of the alleged offense.

**Section 3.** A separate Trial Committee composed of \_\_\_\_\_ members shall be(elected/appointed, subject to preference of the membership) for each individual trial, and shall be given the responsibility of conducting such trial provided that in the case of multiple related charges the same Trial Committee may be appointed to try all such charges and may consolidate them into one hearing. Neither the accuser nor the accused shall be eligible for membership on the Trial Committee. No one shall be eligible to serve as a member of the Trial Committee who is a witness to the facts alleged to constitute a violation or who has a personal interest in the outcome of the Trial.

The Local Union action (electing/appointing) the Trial Committee shall take place at the first meeting after the Local Union receives the charges unless the charges are received by the Local Union within five (5) days before the meeting in which event the Local Union action shall take place at the meeting following the first meeting after the Local Union receives the charges.

**Section 4.** Immediately after the Trial Committee has been selected by the Local Union pursuant to Section 3 of this Article, the Recording Secretary of the Local Union shall send by certified mail or registered mail to the accused member at the member's last known address written notice of the time and place when the hearing will be held before the Trial Committee, a copy of which written notification of time and place shall also be sent to the member preferring the charges; and the accused member shall appear before the Trial Committee on said charges. A copy of the charge and notice of hearing shall also be sent to the International Secretary-Treasurer of the International Union by the Recording Secretary.

**Section 5.** The hearing shall be held no sooner than two (2) weeks and no later than four (4) weeks from the date of the mailing of the notice and the charges to the accused member.

**Section 6.** Every effort shall be made to schedule the Trial so that it does not conflict with the working schedules of the parties. The hearing shall be conducted by the Trial Committee in an orderly manner and shall assure the full presentation to the Committee of all the facts. The accused shall be entitled to be present at all times during the hearing, investigation or argument of the case and shall be entitled to question all witnesses appearing in the matter so long as the questioning does not become insulting, unduly argumentative or repetitious. In the event that the accused fails to appear at the hearing at the time and place provided in the notice and presents no reasonable excuse for absence, the hearing shall proceed with the same force and effect as if the accused were present.

**Section 7.** The Trial Committee shall record minutes of its meetings and proceedings, and these minutes, together with any documents submitted, shall constitute the official record of the Trial Committee.

**Section 8.** A member placed on trial shall be permitted representation by a representative of the member's own choice, who shall be a member of the International Union; such representative, however, shall be required to abide by the trial procedure as established by the Trial Committee and as provided in these By-Laws. The same procedure shall be available to the person filing the charges.

**Section 9.** The Trial Committee, upon completion of the hearing upon the evidence and argument, shall go into closed session to determine the verdict and penalty. The Trial Committee shall prepare a report in writing, stating the facts briefly as it found them, and its conclusion and recommendations. A majority vote of the members of the Trial Committee shall be required to find the accuse guilty.

**Section 10.** In case the accused is found guilty, the Trial Committee may recommend that the accused be reprimanded; assessed a fine, assessed a fine with automatic suspension and removal from office or position or expulsion in the event of the failure of the accused to pay the fine within a specified time; suspended or removed from office or

position in the Local Union; or suspended or expelled from membership in the International Union; or otherwise appropriately disciplined.

**Section 11.** The Trial Committee shall submit its written report to the Local Union within two (2) weeks following completion of the hearing. At the same time a copy of the report shall be mailed to the International Secretary-Treasurer of the International Union and to the accuser and the accused by the Trial Committee.

**Section 12.** The Local Union Officers may convene a special meeting of the membership to consider the report of the Trial Committee. In such event the notice of the membership meeting shall inform the members that the report of the Trial Committee will be presented at such special meeting. Notice of such special meeting must also be given to the accused member(s) and accuser(s).

**Section 13.** In the event the report of the Trial Committee is to be presented to the next regular meeting of the Local Union, the membership must be advised by special notice that the report of the Trial Committee will be considered at such regular meeting.

**Section 14.** The meeting at which the report of the Trial Committee shall be considered shall not be held earlier than one week or later than four weeks following the submission of the report of the Trial Committee to the Local Union.

**Section 15.** At the meeting of the Local Union, the Trial Committee shall present its written report. The report of the Trial Committee shall become effective only upon approval by a majority vote of the members present at the Local Union meeting. The Local Union meeting may approve or reject the report of the Trial Committee, modify the report of the Trial Committee, modify the report in any respect, or order a new trial.

**Section 16.** The accused member shall be afforded full opportunity to present to the Local Union meeting the accused member's position on all matters bearing upon the trial and the report of the Trial Committee.

**Section 17.** A report of the Local Union's decision shall be forwarded immediately to the International Secretary-Treasurer of the International Union by the Recording Secretary.

**Section 18.** A copy of the decision of the Local Union shall be forwarded by certified or registered mail to the accused member and to the person who originally filed the charges by the Recording Secretary. The accused or the accuser may appeal from the decision of the Local Union to the International Executive Board and thereafter to the next regular International Convention, provided that such person files notice of appeal with the International Secretary-Treasurer within thirty days after the mailing of the notice of the decision of the Local Union or the International Executive Board from which the appeal is taken. On appeals, the International Executive Board or such body as it designates-either itself or through a Commission or other mechanism-affords all parties the opportunity to present all arguments and facts whether or not presented in the proceedings

at the Local Union level. Decisions on such appeals are based on the evidence presented in the appeal. The International Executive Board shall not, in making its decision, be limited to the arguments or testimony presented at the earlier stages in the proceedings and shall be permitted to cure by its appeal proceedings procedural defects which may have occurred at earlier stages in the proceedings.

**Section 19.** The decision of the Local Union and of the International Executive Board shall be given full force and effect unless a stay thereof is obtained from the International Executive Board.

**Section 20.** It shall be the duty of a member to exhaust all internal remedies and appeals provided under the Constitution and policies of the International Union and these By-Laws.

## **ARTICLE XI**

### **Notification to Employers Regarding Status of Members**

**Section 1.** Whenever a member has lost good standing by virtue of having become in arrears in the payment of dues or initiation fees, and the Local Union desires to have such person discharged from employment in accordance with the provisions of the outstanding collective bargaining agreement with the employer, the Local Union shall communicate with the International Secretary-Treasurer, setting forth the facts.

**Section 2.** The International Secretary-Treasurer will determine whether the employer should be notified that in accordance with the provisions of the contract the particular person must be discharged. The Local Union shall refrain from communicating with the employer until advised by the International Secretary-Treasurer as to the procedure to be followed on requesting the discharge.

## ARTICLE XII

### Finances

**Section 1.** The initiation fees shall be Ten Dollars (\$10.00).

**Section 2.** Monthly dues for a member shall be an amount equal to 1.3% of said member's total earnings during the month provided that monthly dues shall not be less than five dollars (\$5.00) and provided further that monthly dues shall not be more than 2.5 times the member's average hourly earnings. For lump sum payments, dues shall be calculated separately by applying the 1.3% to such payments. The International Executive Board shall issue appropriate interpretive rulings.

**Section 3.** The full amount of all dues and initiation fees and assessments collected by the Local Union shall be deposited by the appropriate Officers of the Local Union in a bank account designated as a trust fund held for the International Union. The Officers of the Local Union shall forward to the International Secretary-Treasurer, within fifteen days after the close of any month, the full amount of the dues and initiation fees and assessments collected by the Local Union.

**Section 4.** Compulsory assessments may not be imposed by the Local Union unless approval has first been secured from the International Union and unless agreed to by a two-thirds (2/3) majority vote of the membership of the Local Union, voting by secret ballot after prior notice to the membership. At no time shall the Local Union assessment exceed \$2.00 per member in any one year.

**Section 5.** An individual member shall be entitled to exoneration from the payment of dues for any month for which the member has not become entitled to five days' pay or its equivalent in wages and benefits in lieu of wages. The International Executive Board shall adopt rules and regulations governing the implementation, application and administration of this Section.

**Section 6.** In all cases, other than the one provided in Section 5 of this Article, where the Local Union desires exoneration from the payment of dues or initiation fees for certain of its members, the request for exoneration must be signed by the Local Union President, the Local Union Financial Secretary and the Local Union Recording Secretary, and approved by the District Director and the International Secretary-Treasurer.

**Section 7.** When exoneration is granted, the request on the required report must be renewed each month.

**Section 8.** The Local Union President, Financial Secretary, and Treasurer shall be bonded in amounts to be determined by the International Executive Board. Such bonds shall be obtained by the International Secretary-Treasurer. Clerks employed by the Local Union

and handling finances in any way must be bonded by the Local Union through arrangement with the International Secretary-Treasurer.

**Section 9.** All motions with respect to spending money of the Local, moved by a member at large, must be presented in writing to the Executive Committee not less than (15) days prior to the General Membership Meeting in order to be placed on the General Membership Agenda.

**Section 10.** Request for donations of any kind from the Local Union shall be sent to the Executive Committee in writing not less than (15) days prior to the General Membership Meeting at which the request is to be made.

**Section 11.**

Training Courses and Seminars

- Members attending training courses or seminars should have demonstrated an active interest in the Union.
- Preference shall be given to members who have not received any previous training, or are members of a new unit.

In the selection to attend conferences, training courses, or seminars, those members who meet the above described criteria, and who have not had the opportunity in the past to attend one of the above (as applicable), will have preference over those that have.

The Executive will have the responsibility of recommending names of members who should attend conferences, seminars and training courses.

Section 12.

The Office of the President will be full time and be paid at the highest rate in Local 9346's Collective Bargaining Agreement.

Section 13.

This section will be utilized at the discretion of the Executive.

The Office of the Grievance Chairman will be full time and be paid at the highest rate in Local 9346's Collective Bargaining Agreement.

Section 14.

Full-time officers shall be granted benefits that members of this Local Union are entitled to by virtue of the Collective Bargaining Agreement with the employer.

## ARTICLE XIII

### Delegates to International Convention

**Section 1.** No member shall be eligible to be a delegate to an International Convention unless the member

(a) is employed in an enterprise, public or private, or any other place within the jurisdiction of the International Union or is one of the staff representatives of the International Union;

(b) shall have been in continuous good standing for a period of twenty-four (24) months immediately preceding the International Convention; and

(c) has attended at least one-third (1/3) of the regular meetings held by the member's Local Union during the twenty-four (24) month period immediately preceding the month in which a member was prevented from attending because of such member's Union activities, working hours, service in the armed forces of the United States or Canada, sickness which confines, death in the immediate family, or jury duty, shall not be counted as meetings held in determining such member's eligibility under this Section; provided, that the member shall have the burden of proving inability to attend for one of the prescribed reasons, in accordance with procedures specified in the Local Union Elections Manual.

**Section 2.** Delegates to the International Convention must be elected at an official meeting of the Local Union or by referendum ballot election, after the Call for the International Convention is received and has been read to the Local Union. The Recording Secretary shall issue a Notice, signed by both the Recording Secretary and the Local Union President, at least one week prior to such meeting or election, stating that delegates are to be elected on a certain day.

**Section 3.** The Local Union may choose to have the Local Union President, if nominated at the official meeting, elected separately as a delegate by acclamation. In such event, the President shall be a delegate if approved by a majority of the members voting. Otherwise, the delegates to be selected from among the nominees must receive a plurality vote of the members voting.

## ARTICLE XIV

### **Workers' Compensation Committee, Safety and Health Committee, Civil Rights Committee, and Organizing Committee**

**Section 1.** A Worker's Compensation Committee and a Safety and Health Committee, under the direction of the International Union or its designate representative, shall be established in the Local Union.

**Section 2.** A Civil Rights Committee, under the direction of the International Union or its designated representative, shall be established in each Local Union to implement our Union's commitment to the protection and extension of civil rights and liberties.

**Section 3.** An Organizing Committee under the direction of the International Union or its designated representative shall be established in each Local Union to assist in organizing unorganized workers in the geographic area in which the Local Union is situated.

## ARTICLE XV

### **Transfer Certificates**

**Section 1.** The Local Union may issue to a member in good standing a "transfer request" transferring membership to another Local Union. All transfer request forms must be obtained from the International Secretary-Treasurer by the Local Union Financial Secretary.

**Section 2.** All members must immediately transfer to the Local Union having jurisdiction over the enterprise, public or private, at which they are employed.

**Section 3.** Transfer request issued in violation of this Article shall be invalid.

## ARTICLE XVII

### **Order of Business for Local Union Meetings**

1. Call meeting to order.
2. Roll call of Officers - by Recording Secretary
3. Reading of the minutes of the previous meeting.
4. Reading of Communications

5. Report of Officers
6. Report of Organizer or International Representative
7. Initiation of New Members
8. Report of Special Committees
9. Reports of Standing (or Permanent) Committees
10. Unfinished Business
11. New Business
12. Good and Welfare
13. Adjournment

## **ARTICLE XVIII**

### **Effective Date**

**Section 1.** The provisions of these By-Laws which conform, as required, with the provisions of the standard By-Laws approved by the International Union are automatically in full force and effect. Any additions or amendments to additions to such standard By-Laws shall be in full force and effect after their adoption by vote at a regular meeting of the Local Union in accordance with the form and procedure provided for in Article XIX, and approval by the International Union.

**Section 2.** Notwithstanding anything to the contrary herein, these By-Laws and any additions or amendments to additions thereto shall be subject to, and shall not in any way be construed to supersede any of, the provisions of the International Constitution or the Manuals and policies of the International Union.

## **ARTICLE XIX**

### **Additions and Amendments to Additions**

Additions and Amendments to additions may be made in the following manner:

1. Any additions or any amendments to an addition to the standard By-Laws approved by the International Union must be in the form of either a new Subsection under the proper Section, a new Section under the proper Article, or a new Article.
2. All additions and amendments to additions to the standard By-Laws must not conflict with such standard By-Laws and must be submitted to the International Union for approval. Such additions shall become effective only after approval by the International Union.
3. Proposed additions or amendments to additions must be submitted in writing and read at two consecutive Local Union meetings, and passed by a two-thirds (2/3) majority vote of the membership present at the next regular meeting. The subject matter of such additions or amendments to additions must be advertised to the membership through bulletin board or other medium prior to the meeting at which the vote thereon is to be taken. Such additions or amendments to additions shall become effective only after approval by the International Union.