

# Constitution of International Union

**UNITED STEELWORKERS**

AFL-CIO-CLC

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**MANUAL**

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**UNITED STEELWORKERS**



**UNITY AND STRENGTH FOR WORKERS**

ADOPTED AT  
LAS VEGAS, NEVADA  
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# ARTICLE I

## Name

This Organization shall be known as the United Steel, Paper and Forestry, Rubber, Manufacturing, Energy, Allied Industrial and Service Workers International Union (to be known in short as the "United Steelworkers" and by the acronym "USW"). This document shall be known as the Constitution and By Laws of the International Union and it shall also be the Constitution of each Local Union chartered by the International Union.

# ARTICLE II

## Objects

**First.** To unite in this union all working men and working women eligible for membership.

**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 seek to eliminate all forms of discrimination; 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 function as an autonomous International Union affiliated with other international unions in national and international federations in the United States, Canada and the free world; to unify and solidify the International Union, its Local Unions and the entire labor movement; and to provide financial and other aid and assistance to labor and other organizations in the United States, Canada and other parts of the world.

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

## **ARTICLE III**

### **Eligibility**

Section 1. All working men and working women in the United States, Canada, insular areas adjacent there to and the Western Hemisphere, for whom the union assumes or seeks to assume the collective bargaining and other responsibilities set forth in Article II, and all officers, staff representatives and employees of the International Union, are eligible for membership.

Section 2. Persons having supervisory power shall be eligible for 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 a Local Union or to serve as a delegate who is a consistent supporter of, or who actively participates in, the activities of any hate based-racist, terrorist, or other organization which advocates violence to affect government policy or to oppose 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 14 Article or Section of this Constitution.

## **ARTICLE IV**

### **International Officers, International Executive Board, International Tellers, Delegates to the Conventions of the Federation and Rubber /Plastics Industry Conference**

Section 1. The International Officers of the International Union shall be the International President, the International Secretary-Treasurer, the International Vice President (Administration), the International Vice President (Human Affairs) and the Canadian National Director. There shall be one District Director for each District. The persons duly elected to such positions shall perform the functions set forth in this Constitution.

Section 2. The term of office of the International Officers and District Directors shall be four (4) years, except as otherwise contemplated in Article V, Section 2, of this Constitution.

Section 3. No member shall be eligible for nomination or election as an International Officer or District Director unless the member (a) shall be in continuous good standing for a period of five (5) years immediately preceding the election, (b) is a citizen of the United States or Canada or other country in which the United Steelworkers represents members or has legally declared the intention of becoming a citizen, and (c) has worked for three (3) years in an enterprise, public or private, or any



other place within the jurisdiction of the International Union, or is an International Officer, District Director or a Staff Representative of the International Union.

Section 4. No member shall accept nominations for or hold two or more positions set forth in Section 1 above and Section 28 below at the same time.

## **International President**

Section 5. The International President shall attend and preside at all International Conventions and at all sessions of the International Executive Board. The President shall convene regular and special meetings of the International Executive Board whenever necessary, or when requested by a majority of the members of the International Executive Board.

Section 6. The President shall interpret the meaning of the Constitution and the President's interpretation shall be subject to review by the International Executive Board. Between sessions of the International Executive Board the President shall have full power to direct the affairs of the International Union subject to the approval of the Executive Board. The President may in person, or designate an International Officer or a Staff Representative, to visit or inspect the office of any Local Union or District.

Section 7. The International President shall have the authority to appoint, direct, suspend, or remove such organizers, representatives, agents and employees as the President may deem necessary. The President shall fix their compensation and, where appropriate, shall establish job rates, subject to the approval of the International Executive Board.

Section 8. The International President shall appoint, prior to the opening date of the International Convention, and subject to the approval of the International Convention, such committees as are necessary to conduct the affairs of the International Convention. Such committees shall meet before the opening date of the International Convention and shall proceed to consider all resolutions, appeals, reports and constitutional amendments submitted to the International Convention.

Section 9. The International Officers shall make a full joint report of the administration of their offices and of the affairs of the International Union to the International Convention.

Section 10. The International President shall perform all such duties as pertain to the President's office.

## **International Vice Presidents**

Section 11. The International Vice Presidents shall assist the International President in the performance of the President's duties and shall work under the direction of the International President.

## **International Secretary-Treasurer**

Section 12. The International Secretary-Treasurer shall be the chief custodian of all files, records, books, documents and effects of the International Office, except such records as properly belong to the offices of the International President and the International Vice Presidents. The Seal of the International Union shall be held in trust by the International Secretary-Treasurer. The Seal shall be in a form and design approved by the International Executive Board. The International Secretary-Treasurer shall cause to be recorded the proceedings of all International Conventions and shall cause a record to be kept of all actions taken by the International Executive Board. The International Secretary-Treasurer shall perform the functions set forth in Articles V, VI and VII of this Constitution and shall assist the President in the performance of the President's functions under Articles IX, XII and XIII.

Section 13. The International Secretary-Treasurer shall be the chief financial officer of the International Union, shall receive and collect all monies due to the International Union, and shall be in charge of and preserve all monies and properties of the International Union. The International Secretary-Treasurer shall pay all bills and current expenses unless otherwise ordered by the International President. The International Secretary-Treasurer shall furnish to the International Officers and Executive Board quarterly reports of the financial operations of the International Union.

Section 14. The International Secretary-Treasurer shall make the necessary arrangements for the maintenance of financial books and records, the receipt of all funds due the International Union and shall deposit all such funds in the name of the International Union in depositories approved by the International Executive Board. The International Secretary-Treasurer shall invest all such funds as may be deemed by the International Executive Board to be in excess of current need in such securities as the International Executive Board may decide.

Section 15. The International Secretary-Treasurer shall give a bond in an amount to be fixed by the International Executive Board to insure the faithful discharge of the International Secretary-Treasurer's duties. Said bond shall be approved by the International Executive Board. In addition, bonds for the other International Officers, Executive Board members and employees of the International Union, to the extent and in such amounts deemed necessary by the International Executive Board, shall be provided and approved by the International Executive Board. The cost of said bonds shall be paid out of the funds of the International Union.

Section 16. The International Secretary-Treasurer shall keep copies of all important correspondence sent out and received by the International Secretary Treasurer's office. The International Secretary-Treasurer shall perform such other duties as pertain to the International Secretary-Treasurer's office or may be assigned by the President or the International Executive Board.

Section 17. The International Secretary-Treasurer shall have the authority, subject to the approval of the International President, to employ with compensation such assistants as may be necessary to conduct the affairs of the International Secretary-Treasurer's office. The compensation

and, where appropriate, job rates fixed for such assistants shall be subject to the approval of the International Executive Board.

### **Canadian National Director**

Section 18. The National Director of Canada shall be the spokesperson for the Union in Canada on national issues and on Union issues applicable to more than one Canadian District. The National Director of Canada shall chair the National Policy Conference which is the Union's forum in Canada to set priorities and policies for legislative and collective bargaining matters in Canada consistent with this Constitution and the Union's overall policy.

### **International Executive Board**

Section 20. International Executive Board members shall attend all regular and special meetings of the International Executive Board and shall administer the affairs of the International Union in their Districts and perform such duties as may be assigned to them subject to the direction of the International President. The International Executive Board shall meet twice a year and at such other times as provided for herein. It shall enforce the Constitution and carry out the instructions of the International Conventions and, between the International Conventions, shall have power to direct the affairs of the International Union. It shall cause the books of the International Secretary-Treasurer to be audited by certified public accountants annually and shall transmit a copy of the audit to all Local Unions upon the completion thereof. The funds and property of the International Union shall be managed, invested, expended or otherwise used to implement and carry out the objects, rights, activities and responsibilities of the International Union, and to administer the affairs of the International Union, in accordance with the Constitution and policies of the International Union.

Section 21. The annual salary shall be \$105,000 for the International President, \$90,000 for the International Secretary-Treasurer, \$85,000 for the International Vice President (Administration) and International Vice President (Human Affairs), \$80,000 for the National Director of Canada and \$70,000 for District Director.

Each January 1, the annual salary shall be changed by the same percentage that average annual earnings for USW members for the most recent calendar year changed from the average annual earnings for the year which preceded it.

International Executive Board Members, International Officers, representatives and employees of the International Union shall receive, in addition to their salaries, reimbursement for their legitimate expenses, and such fringe benefits as have been or may from time to time be approved by the International Executive Board.

Section 22. Real estate necessary to the affairs of the International Union may be acquired, held, leased, mortgaged and disposed of by the International Executive Board in the names of the International President and the International Secretary-Treasurer and their successors in office as trustees for the International Union.

Section 23. The International Executive Board shall have the power to remove any of the officers or officials enumerated in Section 1 and Section 28 hereof who, (a) after due trial upon written charges of which a copy shall be given to the accused at least fifteen (15) days before trial, is found guilty of dishonesty, malfeasance or maladministration, or (b) has been expelled as a member of the International Union in accordance with the provisions of this Constitution.

Section 24. Vacancies among the International Officers and vacancies among District Directors shall be filled by the International Executive Board for the balance of the term. The International Executive Board shall have the power to fill vacancies among International Tellers for the unexpired term. Any member designated by the International Executive Board to fill a vacancy pursuant to this Section must meet the eligibility requirements for the office involved.

Section 25. The International Executive Board shall have the power to decide all appeals made to it and its decisions shall be effective when rendered, except that it may stay execution of the decision pending an appeal to the International Convention, notice of which shall be filed with the International Secretary-Treasurer within thirty (30) days after the International Executive Board's decision is made known to the parties interested. The International Executive Board may delegate or assign all or part of its authority under this Section to a committee of its members.

Section 26. A quorum of the International Executive Board shall be a majority of the members. Questions coming before the International Executive Board shall be decided by a majority vote of its members present at a quorum, except as otherwise provided in this Constitution. Any member may demand a roll call vote on any question and in such event each member of the International Executive Board shall have one (1) vote and one (1) additional vote for each 1,000 members or majority fraction thereof in good standing in the District which such International Executive Board member represents. In the absence of a roll call vote, the International Officers shall be entitled to one (1) vote each. In the event a roll call vote is taken, the International President shall be entitled to a vote equal to the number of votes cast by the Board member who has the highest number of votes. Each International Officer, other than the International President, shall have a vote equal to one half (1/2) of the vote of the International President.

Section 27. The International Executive Board shall have the power to effectuate the merger or affiliation of any other labor organization with the United Steelworkers. Where such action is necessary to effectuate the merger or affiliation, the International Executive Board may for a period of up to four (4) years waive the application of any provision of this Constitution to the members of the newly merged or affiliated labor organization or continue in existence for those members any provision of such other labor organization's constitution with such modifications as are appropriate.

## **International Tellers**

Section 28. There shall be five (5) International Tellers elected at the Convention in 2011 and at each regular Convention thereafter which precedes an International election without another Convention intervening. The International Tellers shall be elected according to geographical areas

designated by the International Executive Board for a term which shall expire at the next Convention where International Tellers are elected. The method of election shall be established by the International Executive Board. The International Tellers shall perform their duties in connection with elections to International offices as provided in this Constitution. No paid staff representative of the International Union shall be eligible for the position of International Teller. The International Tellers may separate into hearing panels in order to expedite the hearing of election contests. To be eligible to serve as an International Teller, a member must meet the requirements of Section 3 of this Article IV.

Section 29. Each International Teller shall receive \$150.00 per day and legitimate expenses for each day employed.

### **Delegates to the Conventions of the Federation**

Section 30. The members of the International Executive Board shall be the delegates of the International Union to the conventions of the National Federation with which the International Union is affiliated (hereinafter referred to as the "Federation"). Delegates to the conventions of the Federation shall represent the International Union. They shall render a report to the regular International Convention immediately following the convention of the Federation which they last attended. The delegates to the conventions of the Federation shall cast their vote as a unit, on all questions coming before the convention in accordance with the instructions of the International Convention or the International Executive Board. In the absence of such instructions, the decision of a majority of the delegates shall determine.

### **Rubber/Plastics Industry Conference**

Section 31. Notwithstanding the other provisions of Articles IV and V, the Executive Vice President of the Rubber/Plastics Industry Conference (R/PIC) is a member of the International Executive Board with the voting strength and salary of an International Vice President. The Executive Vice President (R/PIC) shall be elected in September 1996 at the Rubber/Plastics Industry Conference. That term of office shall expire February 28, 1998 with the successor elected at the Rubber/Plastics Industry Conference held in September 1997 and taking office March 1, 1998. That term and any terms that follow shall expire at the same time as the term for International Officers under Article V, Section 2.

### **International Vice President at Large**

Section 32. Effective with the adoption of this Section of the Constitution, a new International Vice President at Large position is created. This Vice President at Large will be a member of the International Executive Board, have the voting strength and salary of an International Vice President, and be assigned duties by the International President. The term of office shall expire on February 28,

2010, and thereafter the International Vice President at Large shall be elected for the same term, in the same manner and at the

## **ARTICLE V**

### **Nominations and Elections of International Officers and International Executive Board Members**

Section 1. The International President, the International Secretary-Treasurer, the International Vice President (Administration) and the International Vice President (Human Affairs) shall be elected by referendum vote of the members of the International Union. The National Director of Canada shall be elected for the same term in the same manner and at the same time as the other International elections by the members within Canada.

The members of the International Union within each District shall elect their District Director by referendum vote.

Such elections shall be conducted in accordance with the provisions of this Constitution and an International Union Elections Manual to be adopted by the International Executive Board prescribing procedures and rules governing nominations and elections under this Article.

The candidates for the respective positions receiving a plurality of the votes cast and meeting the eligibility requirements set forth in Section 3 of Article III and Sections 3 and 4 of Article IV, shall be declared elected.

Section 2. The next election of the International Officers and District Directors shall be held on Tuesday, November 24, 2009, and in every fourth year thereafter on the Tuesday immediately preceding the U.S. Thanksgiving, and the persons elected shall assume their duties beginning March 1, 2010 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 International Union shall be turned over to such successors.

Section 3. All members in good standing shall be entitled to vote.

Section 4. Each Local Union shall have the right to nominate a member for each office to be filled. During the month of June, 2009 each Local Union shall designate a date, time and place for the holding of a nomination meeting to be held in the month of September, 2009. Each Local Union Recording Secretary shall have the duty to transmit immediately to the International the information respecting the date, time and place selected for the nomination meeting. The International Secretary-Treasurer shall provide a notice reasonably calculated under the circumstances to inform the members of each Local Union of the nomination meeting in their Local Union.

The International Secretary-Treasurer shall prepare nomination certificates and envelopes and send them to the Local Unions not later than August 17, 2009. The Local Union Recording Secretary shall complete the nomination certificate; filling in the names of the members nominated by the Local Union for the various offices, together with the vote recorded, and shall forward the same to reach the

International Secretary Treasurer's office not later than eight (8) days after the Local Union's nomination meeting.

Section 5. The International Tellers shall meet at the Headquarters of the International Union to open and tabulate the nomination returns and shall file a report with the International Secretary-Treasurer setting forth the names of all the members nominated and the total number of nominations received. Only those nomination returns which conform to the requirements of this Article and the International Union Elections Manual shall be tabulated by the Tellers, except that timely returns which are deficient only in ministerial respects shall be tabulated if the International Tellers are able to ascertain by independent investigation that they are authentic and accurate. The International Secretary-Treasurer shall, not later than October 12, 2009, notify all candidates of the tabulation of nomination returns and ask them to have the officers of their Local Union certify to their membership in good standing.

For the International President, the International Secretary-Treasurer, the International Vice President (Administration) and the International Vice President (Human Affairs), the required number of Local Union nominations shall be five (5) plus one for each 10,000 members (or majority fraction thereof) in good standing as of March 31, 2009.

The required number of Local Union nominations for the National Director of Canada shall be five (5) plus one for every 10,000 members (or majority fraction thereof) in good standing in Canada as of March 31, 2009. The required number of Local Union nominations for District Director shall be five (5) plus one for every 10,000 members (or majority fraction thereof) in good standing in the District as of March 31, 2009.

Section 6. Any nominees notified in accordance with Section 5 of this Article who desire to continue as candidates must have their certificate of membership in good standing attested by the officers of their Local Union and return said certificate to the International Secretary-Treasurer by October 21, 2009.

All protests in connection with nominations must be filed with the International Executive Board and must be received by the International Secretary-Treasurer not later than October 7, 2009, except for protests filed pursuant to the fourth paragraph of this Section which must be received by the International Secretary-Treasurer by October 21, 2009.

The Board shall have the power to decide all questions involved in such protests, including the question of whether any violation is sufficient to require invalidation of a particular Local Union nomination.

If a protest alleges that a candidate was properly nominated by a particular Local Union but was not credited with that nomination because the return was not received or was not received in timely fashion, and if the International Executive Board determines that a candidate was in fact properly nominated by such Local Union, it shall credit the candidate involved with such nomination. The Board shall invalidate any protested Local Union nomination if it finds that there was a violation which may have affected the outcome of the nomination at that Local Union.

If the International Executive Board invalidates the nomination of one or more Local Unions, and if the International Executive Board determines that the rerun of such Local Union nominations might enable a candidate to have a sufficient number of nominations to appear on the ballot, then the International Executive Board shall direct immediate new nominations to be run under its supervision in any Local Unions whose nominations were invalidated. In such event, the International Executive Board is

empowered to postpone the election for the office involved where, in its judgment, it is necessary to do so. The Local Union nominations which are not invalidated shall remain in effect. The new date for any postponed election shall be set by the International Executive Board, and the International Secretary-Treasurer shall institute the machinery for such new nominations.

Immediately following the ruling of the International Executive Board on the nomination protests, the International Secretary-Treasurer shall notify all candidates who have received the required number of nominations and ask if they desire to be placed on the ballot. In order to be placed on the ballot, candidates must respond in writing within five (5) days of the date of notification.

The procedure set forth in this Section is the only procedure by which protests in connection with nominations may be processed. Nomination protests are not subject to further review within the Union following the election. A candidate who does not receive sufficient nominations to appear on the ballot, following the disposition of any nomination protests under this Section 6, shall have received the final disposition of such efforts to become a candidate.

If only one eligible member receives a sufficient number of nominations, no election for that position shall be held and such member shall automatically be declared the person elected for that office.

Section 7. No nominee filing an acceptance with the International Secretary-Treasurer shall be allowed to withdraw such acceptance.

If a nominee for International Officer or District Director who has complied with Section 6 above shall die prior to the date of the election, the election for the office involved shall be postponed and nominations for that office reopened. Any other nominees for said office who have complied with Section 6 above shall continue to be candidates and hold the nominations from the Local Unions previously received by such nominees. The International Executive Board shall set a new early election date for the office involved and the International Secretary-Treasurer shall institute the machinery to permit additional candidates to be nominated for that office in the same manner as in the case of regular elections, subject to the previous sentence.

Section 8. The International Secretary-Treasurer shall prepare ballots giving the names and places of residence of those accepting nominations, also showing the positions for which the various nominees are candidates, and forward them to the Local Unions in sufficient numbers to supply each member not later than two (2) weeks prior to the date of election. "Tally Sheets," one "Return Sheet," and one envelope for "Return Sheet," must accompany the ballots sent each Local Union. In arranging the ballots, the International Secretary-Treasurer shall place the names of the different candidates on the ballot in graduated order, in accordance with the number of nominations received.

The ballot shall be prepared on special paper, employing a special watermark, to protect against duplication of the ballot.

The ballot shall be numbered in the upper left-hand corner, in such a manner that the number can be torn off before the ballot is placed in the ballot box.

The ballot shall contain a statement instructing the voter to tear off the number before depositing the ballot in the ballot box, and assuring the voter that when this is done, it will be impossible to determine which ballot the voter has cast.

Notwithstanding any other provision in this Article, the International Executive Board may establish standards for the authorization of the use of voting machines under procedures which provide safeguards for their proper use.



Section 9. Every Local Union with members eligible to vote shall be required to conduct an election. In the event that the International Secretary-Treasurer should conclude that any such Local Union may not be planning to conduct an election, the International Secretary-Treasurer shall contact the Local Union to assure that the Local Union is planning to hold such election or, failing such assurance, shall make arrangements for the International Union to conduct such election at Local Union expense.

Section 10. Each Local Union shall designate, at a regular meeting of the Local Union held in June, 2009, the place or places where its November 24, 2009 election shall be held, the hours of the election at each such place, and the place where the votes shall be tabulated. The voting place or places so designated shall be the official voting place or places of such Local Union. The hours designated shall be such as will permit all members who so desire to vote. Each Local Union shall promptly furnish to the International Secretary-Treasurer the information respecting the place or places and hours of its election and the place where votes shall be tabulated when requested to do so by the International Secretary-Treasurer. At least fifteen (15) days prior to the election, notice of the date, place and hours of the election and the offices to be filled shall be mailed by the International Secretary-Treasurer to each member in good standing of the Local Union to the member's last known home address. Each candidate for International Office or District Director shall, upon request, following the International Executive Board's disposition of all nomination protests filed pursuant to Article V, Section 6, be entitled to obtain from the International Secretary-Treasurer the information concerning the date, place and hours of the election and the place where the votes are to be tabulated in each Local Union under procedures set forth in the International Union Elections Manual. Under no circumstances shall the votes of any Local Union be tabulated in any place other than the place so designated for such tabulation by the Local Union. No member shall be allowed to interfere with the official Local Union Tellers during the tabulation.

Section 11. No member shall be allowed more than one (1) vote for any candidate for a particular office, nor shall the Local Union Tellers record the vote of any member who is not present at the time the election is held, except that any member whose work will require the member to be more than fifty (50) miles away from the polling place and any member who is prevented from appearing at the polls because of service in the armed forces or vacation may cast an absentee ballot under procedures specified in the International Union Elections Manual.

Section 12. Each Local Union shall establish a committee of Local Union Tellers. The committee shall consist of the Local Union President, Financial and Recording Secretaries, who shall automatically be Local Union Tellers. The Local Union may elect additional Local Union members to serve as Tellers on the committee. The Local Union Tellers shall supervise the election, and when requested, assist the members in voting, and tabulate the votes cast by the members for the respective offices, and enter on the "Return Sheet" furnished by the International Secretary-Treasurer for that purpose the total number of votes cast for each candidate. The correctness of the "Return Sheet" must be attested with the Local Union seal and signatures of the President and Recording Secretary of the Local Union. A member who has not attended at least one-third (1/3) of the regular meetings held by the member's Local Union during the six (6) month period immediately preceding the month in which the Local Union

Tellers are selected shall not be allowed to act as a Local Union Teller. Meetings which a member is 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 12; provided, that the member shall have the burden of proving inability to attend for one of the prescribed reasons, in accordance with the procedures to be specified in the International Union Elections Manual.

Section 13. Should it be proved that more votes are recorded on the "Return Sheet" than were actually cast by the members, the vote of the Local Union shall be invalidated, and those responsible for the fraud shall be punished.

Section 14. After the votes have been tabulated and the "Return Sheet" attested, it shall be turned over to the Recording Secretary, whose duty it shall be to see that the "Return Sheet" is properly attested, enclosed in a special envelope furnished by the International Secretary-Treasurer for that purpose, and forwarded at once by certified mail or some other method demonstrating transmission to the International Tellers, in care of the International Headquarters. "Return Sheets" postmarked later than ten (10) days after the election shall not be tabulated by the International Tellers.

Section 15. The envelopes for "Return Sheets" furnished the Local Unions must have the name of the International Tellers, and the address of the International Headquarters, and the following printed thereon:

### **Election Returns**

From L.U. No \_\_\_\_\_ District \_\_\_\_\_

The Local Union Recording Secretary shall insert the numbers of the Local Union and District in the blank spaces on the envelope.

Section 16. When the "Return Sheets" reach the International Tellers, they shall examine the envelopes to see if they are intact, make a proper record of their receipt, and deposit them unopened in a securely locked receptacle provided for that purpose.

Section 17. The International Tellers shall retain the services of a public spirited and impartial organization experienced in the conduct of elections. The organization so retained by the International Tellers shall, under the supervision of the International Tellers; tabulate the votes cast for the various nominees and file this tabulation with the International Tellers.

Section 18. Except as hereinafter provided in Section 27, all contests in connection with the votes of any Local Union must be received by the International Tellers within fifteen (15) days of the election. Such contests can be filed only by a member of the Local Union whose vote is contested for any of the offices for which such Local Union was voting, or by any candidate for the office for which the

member was running, in accordance with the International Union Elections Manual to be adopted by the International Executive Board.

Section 19. Except as hereinafter provided in Section 27, the International Tellers shall decide the legality of the votes of any Local Union. The International Tellers shall not count the votes of any Local Union that is not in good standing. The International Tellers shall not count the votes of any Local Union that has cast more votes than the number of members in good standing during the month preceding the one in which the election is held unless and until they determine that there is a satisfactory explanation therefore. The International Tellers shall not count the votes of any Local Union whose "Return Sheet" is not attested as required by Section 12 of this Article unless and until they have investigated and verified that the "Return Sheet" is authorized and accurate.

Section 20. The votes cast by members of each Local Union shall be tabulated, and the results published separately. The entire total vote shall also be tabulated. The complete report shall be printed and sent out to the Local Unions, to each member or group of members of a Local Union who filed a contest, and to each candidate by the International Tellers not later than February 12, 2010. In the event the International Tellers refuse, for any reason to tabulate the vote of any Local Union, their reason must in every instance be shown on their report. Any of those receiving a copy of the report of the International Tellers who disagree with the disposition by the International Tellers of a contest filed pursuant to Section 18 of this Article may file comments on the report with the International Executive Board. In addition, a candidate or an affected Local Union may file with the International Executive Board a contest to the report of the International Tellers if the contest arises initially out of the report of the International Tellers (for example, failure of the International Tellers to include in their tabulation the vote of a Local Union). Such a contest must be received within fifteen (15) days following the mailing of the report of the International Tellers.

Section 21. The International Executive Board shall consider the report of the International Tellers, the report of the Campaign Conduct Administrative Committee referred to in the last paragraph of Section 27 of this Article, any contest filed pursuant to Section 18 or Section 20 of this Article and any comments on either of these reports and shall render its decision on the election prior to March 1, 2010. If the International Executive Board invalidates the vote of one or more Local Unions, and if the International Executive Board determines that the outcome of the election for any office may have been affected by the invalidated votes, then the International Executive Board shall direct a rerun of the entire election under its supervision or, in its discretion, shall direct that a new election under its supervision be held in the Local Unions whose votes were invalidated and the results of the voting in those Local Unions shall be added to the total valid votes of the candidates.

If a contest protests the failure to count a "Return Sheet" because it was postmarked too late, received after the International Tellers have issued their report, or was not properly attested, and if the International Executive Board determines that the votes shown on the "Return Sheet" accurately reflect a proper vote of the Local Union, then the International Executive Board shall count the votes of the Local Union. If a contest alleges that a valid election was held in a Local Union which failed to send in its "Return Sheet" and the International Executive Board determines that a Local Union did properly vote but failed to send in its "Return Sheet," then the International Executive Board shall credit each

candidate with the number of votes received.  
No other contests or appeals will be permitted.

Section 22. In case of a tie vote for any of the candidates for a particular office, another election shall be held for that office among the candidates involved in the tie.

Section 23. The Local Union Tellers shall seal the ballots on completion of their tabulation and shall turn over such sealed ballots and all other records in their possession pertaining to the election to the Recording Secretary at the conclusion of their report to the Local Union. Such sealed ballots and other records pertaining to the election shall be retained by the Recording Secretary for at least one (1) year. The Financial Secretary shall retain the records in the Financial Secretary's possession pertaining to the election for at least one (1) year.

Section 24. No member shall be allowed to loiter around the voting place or to interfere in any way with the elections of any Local Union. If a candidate so desires, that candidate shall have the right at the candidate's expense to have an observer, who shall be a member of the International Union, at the polls and at the counting of the ballots at each Local Union.

Section 25. Local Union Tellers shall be held personally responsible for any irregularities in connection with the conduct of the elections in their Local Unions.

Section 26. It shall be the imperative duty of the Local Union Tellers to make a complete report of the election at the first regular meeting of their Local Union following the election, and it shall be further the duty of the Local Union Recording Secretary to make a complete record of same in the minutes of said meeting.

## **Campaign Conduct Administrative Committee**

Section 27. No candidate (including a prospective candidate) for any position set forth in Article IV, Section 1, and supporter of a candidate may solicit or accept financial support, or any other direct or indirect support of any kind (except an individual's own volunteered personal time) from any non-member. For purposes of this Section, the term non-member means any person who is either not eligible for membership under Article III or not in good standing or any foundation, corporation or other entity whose funds are derived in whole or in part from any person not eligible for membership under Article III or not in good standing.

The International Executive Board shall adopt regulations, for incorporation into the International Union Elections Manual, as necessary to implement this provision and to assure conformity with the obligations prescribed in this Section. Such regulations shall include requirements for reporting by candidates and their supporters of information pertinent to administration of and compliance with this Section, with such frequency, not to exceed weekly, as the International Executive Board deems appropriate.

A Campaign Conduct Administrative Committee shall administer and enforce this Section. This Committee shall consist of three persons who shall be distinguished, impartial citizens who are not members of the International Union. The term of the present Committee shall end on July 31, 2012.

Upon the completion of this term and each subsequent term, the International Executive Board shall appoint successors for a four year term. If a Committee member dies or resigns, the International Executive Board shall appoint a replacement. A quorum shall consist of two members of the Committee. The International President shall fix the compensation and expenses of the Committee members, and shall arrange for the provision of supplies, services, and all other assistance required by the Committee. The Committee shall have the following powers:

(a) The Committee shall have the authority to contact any and all non-members who it feels may be providing, or attempting to provide, prohibited support to any candidate, and attempt by persuasion to convince such non-members to refrain from providing such support.

(b) The Committee shall have the power (i) to direct any candidate, or any supporter, to cease and desist from any course of conduct which the Committee believes breaches this Section or the regulations of the International Executive Board adopted pursuant to this Section, and (ii) to direct any candidate, supporter or non-member to take such corrective action as the Committee deems appropriate to cure the effects of any violation and/or assure that any improper conduct will not have an effect upon the election.

(c) The Committee shall receive and promptly review the information candidates and their supporters are required to file by the regulations of the International Executive Board and by such additional requirements as the Committee may establish. The Committee may require candidates and their supporters to report whatever additional information the Committee deems appropriate to perform its functions.

(d) In the event that a candidate, or a supporter of a candidate with that candidate's knowledge or acquiescence, willfully and substantially breaches the obligations prescribed in this Section, or the regulations adopted by the International Executive Board pursuant to this Section, the Committee shall, upon notice and hearing under such expedited conditions as the Committee deems appropriate in the circumstances, have the power to declare such candidate disqualified, and to so notify the International Tellers.

(e) If the Committee in its sole discretion determines that legal proceedings are necessary for the enforcement of this Section 27, it may institute whatever legal proceedings it deems appropriate, in the name of the International Union. The Committee shall be the only party authorized to institute legal proceedings to enforce the provisions of this Section 27.

(f) The Committee may recommend to the International Executive Board that additions or amendments be made to the regulations adopted by the International Executive Board pursuant to this Section and shall have such other powers as the International Executive Board determines are necessary for the implementation of this Section or, if the International Executive Board deems it advisable, any other Section of Article V.

Any member who believes that another member is violating these provisions may file a complaint with the Committee. The Committee shall process that complaint in such manner as it deems appropriate, and may adopt rules with respect to the filing and processing of member complaints.

With respect to any pre-election matters within its jurisdiction, decisions of the Committee shall be final and binding, and not subject to review by any tribunal within the Union. The Campaign Conduct Administrative Committee shall have exclusive jurisdiction of all post-election contests to all or part of the election based upon the following grounds:

- (1) Alleged violations of this Section 27;
- (2) Alleged violations of any rules or regulations adopted pursuant to this Section 27; or
- (3) Alleged violations of the prohibition (contained in the International Union Elections Manual adopted pursuant to Article V) against the use of union or employer funds or facilities for campaign purposes.

A candidate who wishes to file a contest on any of the above grounds must, in order to perfect such contest, file the contest with the Campaign Conduct Administrative Committee within such time period and pursuant to such rules as the Committee shall establish. The Committee shall investigate such contests, make determinations on those contests and make a report of its determinations and recommendations to the International Executive Board in time to be considered by the International Executive Board prior to March 1, 2010.

## **ARTICLE VI**

### **Conventions**

Section 1. The next regular International Convention shall be held on the third Monday of April, 2011, and regular International Conventions shall be held on the same date every three years thereafter at such places as may be determined by the International Executive Board, provided that the date of holding such Convention may be advanced or postponed upon a resolution to that effect adopted by the International Executive Board and approved by a majority of the members of the International Union upon a referendum vote.

Where availability of suitable facilities or other related circumstances warrant or require, the date of holding such Convention may be advanced or postponed, without referendum vote of the membership, to another date in March through August of the Convention year, by action of the International Executive Board.

The Call for each regular International Convention shall be mailed by the International Secretary-Treasurer at least sixty (60) days prior to the convening of the Convention.

Section 2. Each Local Union shall be entitled to the number of delegates to the International Convention as follows:

1-200 members	1 delegate
201-350 members	2 delegates
351-700 members	3 delegates
701 and over	3 plus 1 additional delegate for each additional 500 members or majority fraction thereof

Each delegate to the International Convention shall have one (1) vote for the first 100 members or less in the Local Union which the delegate represents and one (1) additional vote for each additional 100 members or majority fraction thereof, but no delegate shall have more than ten (10) votes.

Amalgamated Local Unions may elect delegates through the alternative method below:

Amalgamated Locals may elect delegates by Unit. Each Unit with two hundred (200) members or more may elect their own delegate to the International Convention and those with less than two hundred (200), may be grouped together to reach the minimum of two hundred (200) members and vote as a miscellaneous group.

If election of delegates by Unit is selected, each Unit of two hundred (200) members or more shall be allowed election of their own delegate and all others shall be combined to allow the maximum number of delegates. It shall be the responsibility of the Local Union to notify the International Secretary-Treasurer of its intent to select delegates by the amalgamated option method, stipulating the designated Units and any and all combining of Units.

In no event shall the total number of delegates elected using the alternative method allow more than one and one-half times the delegates allowed under the standard method.

Section 3. Representation shall be based upon the average of the paid and exonerated membership of the Local Union for the first three quarters of the year preceding the year in which the International Convention is held. Such membership shall be based upon the records of the International Union. A Local Union which has been chartered for less than three (3) months preceding the month in which the International Convention is held shall be entitled to send guests only to the International Convention.

Section 4. Local Unions of less than 500 members may combine with similar Local Unions within a reasonable radius of one another in the same District, and elect delegates to represent them, but no delegates so elected shall be entitled to more than ten (10) votes in the International Convention.

Section 5. No Local Union shall be entitled to representation at the International Convention unless the Financial Secretary has paid to the International Secretary-Treasurer all dues, initiation fees and assessments collected from the members.

Section 6. Any Local Union becoming delinquent must comply with Section 9 of Article XIV and be in good standing for four (4) months previous to the month in which the International Convention is held, before it will be entitled to representation.

Section 7. 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. The International Officers and the members of the International Executive Board shall be ex-officio delegates to all International Conventions; (b) shall have been in continuous good standing for a period of twenty-four (24) months immediately preceding the International Convention; or if the member's Local Union has been in existence for less than twenty-four (24) months prior to the International Convention, the member must have been in continuous good standing from the time that said member joined such Local Union; 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 the delegate election is to be held. Meetings 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 7(c); provided, that the member shall have the burden of proving inability to attend for one of the prescribed reasons, in accordance with procedures to be specified 2 in the Local Union Elections Manual.

Section 8. The International Secretary-Treasurer shall furnish the Local Unions with credential blanks in duplicate, which must be attested as required on the blanks. The duplicate shall be retained by the delegate and the original forwarded to the International Secretary-Treasurer and no credentials shall be accepted later than ten (10) days prior to the date for convening the International Convention without the consent of the Convention.

Section 9. The Credentials Committee shall not transfer votes to any delegate unless authorized by the Local Union to do so.

Section 10. Delegates to the International Convention must be elected at an official meeting of a 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 the Recording Secretary and the Local Union President, at least one (1) week prior to such meeting or election, stating that delegates are to be elected on a certain day. Delegates must receive a plurality vote of the members voting.

Section 11. When any delegate's credentials are to be contested, notice of such contest shall be sent to the International Secretary-Treasurer not later than five (5) days prior to the date for convening the International Convention. Any delegate whose credentials are contested may be unseated at any time during the International Convention.

Section 12. All Local Union resolutions to be considered by the International Convention must be adopted by the Local Union and shall be sent to the International Secretary-Treasurer. They must be in the International Secretary-Treasurer's hands not later than ten (10) days prior to the convening of



the International Convention. The International Secretary-Treasurer shall submit all Local Union resolutions and any recommendations of the International Executive Board to the chairpersons of the appropriate committees.

Section 13. Resolutions bearing on different subjects must be typewritten on separate papers and only on one side of the paper. Resolutions must be properly signed by the President and Recording Secretary of the Local Union and impressed with the Local Union seal, otherwise they will not be considered official.

Section 14. International Conventions shall not consider internal appeals or grievances unless they have been previously considered by the lower tribunals of the organization.

Section 15. On questions coming before the International Convention a roll-call vote shall be taken upon a request of thirty (30) percent of the delegates. The Secretary-Treasurer shall have a roll of accredited delegates prepared and make such other arrangements as will expedite and facilitate the calling of the roll.

### **Special International Conventions**

Section 16. Special International Conventions shall be called by the International President when so instructed by the International Executive Board, or upon request of twenty-five (25) percent of the Local Unions.

Section 17. Representation in special International Conventions shall be upon the same basis as govern regular International Conventions.

Section 18. Local Unions demanding a special International Convention must state the reason or reasons why such International Convention is desired, and it shall be the duty of the International President to state said reason or reasons in the Call for the special International Convention.

Section 19. Special International Conventions shall not have authority to consider any matter other than that which is specifically stated in the Call for the special International Convention.

### **Credentials Committee**

Section 20. Prior to the opening date of any regular or special International Convention, the International Executive Board shall meet and constitute itself, or a subcommittee, as the Credentials Committee for the International Convention. Appeals from its decisions shall be made to the International Convention. The International Convention shall not be constituted for business until the Credentials Committee shall have examined and reported on the credentials of all delegates present at the scheduled time of opening.

## **ARTICLE VII**

### **Local Unions**

Section 1. One hundred (100) or more persons eligible for membership in the International Union shall constitute a Local Union upon receipt of a charter from the International Secretary-Treasurer under the terms herein provided, except that the International President may authorize the International Secretary-Treasurer to issue a charter to a Local Union with less than this number in special circumstances.

The International Executive Board may establish rules and procedures under which all or part of the jurisdiction of one Local Union may be transferred to another Local Union, with appointment of provisional Unit officials and 13 Amalgamated Local Officers where necessary.

Section 2. Upon approval of the charter application by the International Officers, subject to review by the International Executive Board, the International Secretary-Treasurer shall issue to the applicants a Local Union charter which shall contain such provisions as the International Union may require; the International Secretary-Treasurer shall also deliver to said applicants one Local Union seal and such other initial supplies as may be necessary to conduct the affairs of the Local Union.

Section 3. No Local Union shall be dissolved, except with the approval of the International Executive Board.

Section 4. The Local Unions shall be charged with the duty of enforcing this Constitution as affecting their 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 and policies of the International Union and the By-Laws of the Local Union.

Section 5. Local Unions may adopt, subject to approval by the International Union, such by-laws and rules as do not conflict with any of the provisions of this Constitution or the policies of the International Union. Local Unions which do not adopt such by-laws shall be deemed to have adopted the standard By-Laws for Local Unions issued by the International Union.

Notwithstanding any provisions of the Constitution to the contrary, the International Executive Board shall issue rules and special by-laws governing Amalgamated Local Unions, and may issue special by-laws governing Construction Local Unions, and may also issue special by-laws governing other Local Unions whose particular circumstances warrant special by-laws with respect to Local and International elections and other administrative matters.

Notwithstanding any provisions of the Constitution to the contrary, the International Executive Board shall issue special by-laws for Local Unions representing Great Lakes seamen in the lake transportation industry and employees working on river craft to deal with the special needs, circumstances and conditions of members in such industries on such matters as Local Union and

International Union elections, conduct of meetings, formation of committees, duties of Local Union Officers, and trial of members.

Section 6. Local Unions 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 7. All Local Unions are required to affiliate with the appropriate central and local bodies chartered by the Federation.

Section 8. All Local Union Officers and Grievance Committee Members shall be elected for a term of three (3) years at the last meeting in April, 2009 (or during such other hours or day in April designated by the membership) by a plurality vote of the members participating in a referendum vote, 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. The International Executive Board shall establish procedures which permit members who are prevented from appearing at the polls because of service in the armed forces or vacation to vote by absentee ballot.

An officer who retires from an enterprise serviced by the Local Union shall not be permitted to continue in office.

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.

The requirements regarding method of election and notices may be modified for Local Unions in Canada by the International Executive Board.

No member shall at the same time be a candidate for or hold more than one of the following offices: President, Vice President, Recording Secretary, Financial Secretary, Treasurer, Guide, Guard, and Trustee.

A Local Union which has a membership of one hundred (100) or less may adopt a by-law provision providing only for the offices of President, Vice President, Recording Secretary, Financial Secretary and Treasurer, and the by-laws shall provide how the duties of the offices of Guide, Guard and Trustee are to be allocated among these five (5) offices. In the alternative, a Local Union which has a membership of one hundred (100) or less may adopt a by-law provision which, in addition to providing for the five (5) offices mentioned above, combines the office of Guide and/or Guard with the office of Trustee.

Section 9. 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 twenty-four (24) months immediately preceding the month in which the election is held, or if the

member's Local Union has been in existence for a lesser period prior to the election, the member must have been in continuous good standing from the time that the member joined such Local Union; and

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

Section 10. In order to be eligible for election 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 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 10; provided, that the member shall have the burden of proving inability to attend for one of the prescribed reasons, in accordance with procedures to be specified in the Local Union Elections Manual.

In the event none of the members nominated for a particular office is eligible, then both Section 9(a) and this Section 10 will be considered waived automatically for that office and the election for that office will be conducted among those members nominated who meet the requirements of Section 9(b) of this Article.

Section 11. A Workers' Compensation Committee and a Safety and Health Committee, under the direction of the International Union or its designated representative, shall be established in each Local Union.

Section 12. A Civil Rights Committee (which may also be known as a Human 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 and human rights and liberties.

With respect to an Amalgamated Local Union, the Local Union President shall for each Unit either appoint a Unit Representative to the Committee or cooperate with the Unit Chair to establish a Unit-based Committee.

Section 13. To further our commitment to encourage activism, leadership development and greater understanding of gender issues in our Local Unions with female membership, a Women's Committee, under the direction of the International Union or its designated representative, shall be established by such Local Unions.

Section 14. An Organizing Committee under the direction of the International Union or its designated representatives 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 VIII**

### **Duties of Local Union Officers**

Section 1. Duties of President. 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. The President shall call special meetings by request of ten (10) members in good standing of the Local Union, and shall enforce the provisions of this Constitution. The President 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.

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.

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. 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 required under this Constitution and as the Local Union may assign. The Recording Secretary shall also have custody of the Local Union Seal, and shall be responsible for any misuse of same.

Section 4. Duties of Financial Secretary. 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 Auditing Committee, and perform such other duties required under the Constitution and as the Local Union may assign. 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. Should it be proved that a Local Union 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.

The Financial Secretary shall keep a record of all transfer request forms issued and received. The Financial Secretary's accounts shall be subject at all times to audit by the International Secretary-Treasurer.

Section 5. Duties of Treasurer. 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 all checks and have them countersigned by the President and the Financial Secretary.

The Treasurer shall keep regular and correct accounts of all money received and paid, and report at each meeting the balance of cash shown by the last report, the amount received since, the total checks issued and authorized, and the balance remaining. The Treasurer's accounts shall be open for examination by the Auditing Committee at any time when called upon. The Treasurer's books shall be subject at all times to audit by the International Secretary-Treasurer of the United Steelworkers. The Treasurer shall perform such other duties required under the Constitution and as the Local Union may assign.

Section 6. 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 and policies and Local Union By-Laws.

Section 7. Duties of Guide. It shall be the duty of the Guide to see that all present are entitled to remain.

Section 8. 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 9. 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, and perform such other duties as the Local Union may require.

## **ARTICLE IX**

### **Suspension or Revocation of Local Union Charters**

Section 1. In the event the International President shall have reason to believe that any Local Union is failing to comply with any provision of the Constitution, or that action may be required for one of the purposes specified in the following Section, the International President may, unilaterally or at the request of officers or members of the Local Union, institute proceedings, with due notice of the basis therefore and of a hearing before any member or members of the International Executive Board or representative or representatives designated by the International President. The Local Union shall be afforded a full and fair hearing. Upon the basis of the hearing the International Executive Board is authorized to render a decision, dismissing the proceedings, suspending or revoking the charter of any such Local Union, or directing such other action as may be necessary to secure compliance with the

Constitution. The International Executive Board may act at a meeting or by means of a mail or telegraphic poll.

Section 2. Included in the other action which the International Executive Board (or such committee of its members as it may select to perform all or part of its functions) may direct are the removal, by it or by the Administrator provided for in this Article, of all or any of the Local Union Officers, grievance or other committee members or stewards, and appointments of an Administrator over the affairs and property of any such Local Union for any of the following purposes: (a) correcting corruption or financial malpractice, (b) assuring the performance of collective bargaining agreements or other duties of a bargaining representative, (c) restoring democratic procedures, or (d) otherwise carrying out the legitimate objects of the International Union or such Local Union.

If the decision of the International Executive Board on the report and recommendations of the hearing commission is rendered by means of a poll when it is not in session, the matter shall be considered again at the next meeting of the International Executive Board following request for such consideration by an aggrieved party provided such request is filed with the International Secretary-Treasurer within thirty (30) days after the decision is made known to the Local Union.

Section 3. Notwithstanding anything to the contrary herein, in case of emergency, where in the opinion of the International President the best interests of the International Union or Local Union require, the International President is empowered to suspend officers of, and establish an administratorship over, the affairs and property of a Local Union prior to notice and hearing. In such cases notice shall be given and a hearing as specified above shall be conducted within sixty (60) days following the emergency action.

Section 4. The Local union shall be notified of the time and place of any meeting of the International Executive Board at which the Local Union's status will be considered. The parties shall have the right to appear before the International Executive Board at such meeting. The International Executive Board may affirm, reverse or modify the action of the International President and shall render its decision as soon as practicable following such hearing.

Section 5. The decision of the International Executive Board may be appealed to the next International Convention, provided that notice of the appeal is filed with the International Secretary-Treasurer within thirty (30) days after the decision is made known to the Local Union. Pending the appeal the decision of the International Executive Board shall remain in full force and effect. The International Convention may affirm, reverse or modify the decision of the International Executive Board.

Section 6. In the event that an Administrator is appointed for a Local Union, the Administrator shall take full charge and conduct all the affairs of the Local Union until the International Executive Board determines that the Local Union is capable of conducting its own affairs in conformance with the Constitution and policies of the International Union and By-Laws of the Local Union. The Administrator shall have the right to demand and receive in the name of the International Union, and the Local Union Officers shall have the obligation to turn over, the charter and all books, records, monies, assets and property of the Local Union, to be held in trust for the Local Union and to be used and expended only in the proper conduct of its affairs. The Administrator shall have the right to replace officers, grievance or

other committee members or stewards removed by the International Executive Board or the Administrator, by appointing temporary officers, grievance or other committee members or stewards. All officers, grievance or other committee members or stewards, incumbent or temporary, shall function under the supervision, direction and control of the Administrator. The International President shall have the right, with or without cause, to remove or replace the Administrator at any time. It shall be the policy of the International Executive Board to terminate an administratorship as soon as it deems practicable under all the circumstances. When the International Executive Board determines to restore the autonomy of an administered Local Union, the Administrator shall (unless the International Executive Board or its delegate determines otherwise), prior to such restoration, be responsible for conducting an election, in accordance with the applicable provisions of the Constitution and policies of the International Union and By-Laws of the Local Union, to fill vacant offices and other elective positions vacated on account of removal or departure of the former elected incumbents.

Section 7. In the event an enterprise, public or private, which constitutes the sole jurisdiction of a Local Union, is abandoned, the International Secretary-Treasurer with the consent of the International Executive Board may revoke the charter of said Local Union.

Section 8. In the event of a suspension of a Local Union, the members thereof and the Local Union shall not be deemed to be in good standing during the period of suspension.

Section 9. In the event that a Local Union's charter is revoked, or the Local Union disbands, the charter and all books, records, monies, assets, and property shall be delivered and turned over immediately to the International Union on demand by the International Secretary-Treasurer or the International Secretary-Treasurer's designee.

Section 10. After a charter of a Local Union has been revoked, the International Executive Board may charter a new Local Union having the same jurisdiction as the Local Union whose charter was revoked. The members of the Local Union whose charter was revoked may be readmitted only by action of the International Executive Board.

## **ARTICLE X**

### **Districts**

Section 1. The International Union shall be divided, except as may be changed in accordance with Section 2 hereof, into the following Districts:

District Number	District Name
1	Ohio
2	Michigan and Wisconsin
3	Alberta, British Columbia, Manitoba, Northwest Territories, Nunavut, Saskatchewan and the Yukon
4	Connecticut, Delaware, Maine, Massachusetts, New



	Hampshire, New Jersey, New York, Puerto Rico, Rhode Island and Vermont
5	Quebec
6	New Brunswick, Newfoundland and Labrador, Nova Scotia, Ontario and Prince Edward Island
7	Illinois and Indiana
8	The District of Columbia, Kentucky, Maryland, Virginia and West Virginia
9	Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee and the Virgin Islands
10	Pennsylvania
11	Iowa, Kansas, Minnesota, Missouri, Montana, Nebraska, North Dakota, South Dakota and Wyoming
12	Alaska, Arizona, California, Colorado, Hawaii, Idaho, Nevada, New Mexico, Oregon, Utah and Washington
13	Arkansas, Louisiana, Oklahoma and Texas

Section 2. The territorial boundaries of the Districts have been fixed by vote of the International Executive Board. The International Executive Board, by a two-thirds (2/3) vote, shall have the authority, as conditions may require, to change the boundaries of the Districts or to consolidate two or more Districts. In the event of such consolidation, the Executive Board shall have the authority, by a two-thirds (2/3) vote, to determine which District Director among the consolidated Districts shall be the District Director of the single District.

Section 3. In the event the International Executive Board between International Conventions establishes a new District, it shall proceed to arrange for an election of a District Director for such new District by a referendum vote of the members of the International Union in such new District in the same manner as a regular election.

## **ARTICLE XI**

### **Membership**

Section 1. No applicant for membership shall be regarded as being a member in good standing until the full amount of the 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 all 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 this 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.

The International Secretary-Treasurer shall, upon request and under procedures established by the International Executive Board, issue honorary withdrawal cards to members in good standing whose membership is involuntarily terminated.

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.

Section 8. To further organization in Canada and elsewhere, the International Executive Board, during organizational campaigns and until collective bargaining contracts are negotiated, may grant dispensations from payment of initiation fees, dues or other financial obligations or may reduce the amount of dues, initiation fees or other financial obligations payable by members and prospective members and may determine the apportionment thereof between the International Union and Local Unions when, in its judgment, such dispensation or reduction will promote the growth or interests of the International Union, and such members, meeting all other eligibility requirements of the Constitution, shall be regarded as being members in good standing during such organizational period, for all purposes, any provision of this Constitution relating to initiation fees, dues and other financial obligations to the contrary notwithstanding.

## **ARTICLE XII**

### **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 this Constitution, any collective bargaining agreement, or by-laws or rules 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<sup>1</sup>; (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<sup>1</sup> (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. It is an offense under this Constitution to harass a member at a union or workplace-related location or activity on the basis of race, creed, color, sex, sexual orientation, age, disability, nationality, or other legally protected status.

Section 3. 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 4. 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.

<sup>1</sup> A resolution of the International Executive Board adopted on February 11, 1976 in accordance with applicable law restricts enforcement of this provision in the United States.

## **ARTICLE XIII**

### **Trials of Members and Local Union Officers<sup>2</sup>**

Section 1. Any charges against a member or a Local Union officer must be first submitted in writing to the Local Union of which the individual charged is a member or an officer. The charges shall be sufficiently specific so as to enable the accused to prepare a defense.

<sup>2</sup>An August 11, 1999 resolution of the International Executive Board prohibits the processing of charges instituted as a means of retaliating against a member for asserting rights under Civil Rights legislation in the United States and Human Rights legislation in Canada, regardless of whether such rights are asserted using the Union's internal procedures, contractual provisions or external statutory procedures.

Section 2. Upon the submission of the charges, the Recording Secretary of the Local Union shall send a copy thereof by certified mail or registered mail to the accused member at that member's last known address. The charges must be presented to the membership at the next regular meeting of the Local Union for designation of a Trial Committee.

Section 3. The Local Union shall designate a Trial Committee in a manner to be specified by the Local Union By-Laws. Neither the accuser nor the accused shall be eligible for membership on the Trial Committee. Immediately after the Local Union meeting referred to in Section 2, the Recording Secretary shall provide the accused and the accuser at their last known home addresses with written notification of the time and place when the hearing will be held before the Trial Committee. The hearing shall take place no sooner than two weeks and no later than four weeks after the mailing of said notice.

Section 4. The Trial Committee shall report its findings to a meeting of the Local Union. The membership shall be given adequate notice of the fact that the findings will be presented at the particular meeting. The Local Union shall take such action on the report of the Trial Committee as it may deem proper and, in the event the accused is found guilty of the charges preferred, shall impose such penalties as in its judgment it may deem fitting and proper.

Section 5. 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 6. The accused or the accuser may appeal 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 (30) days after notice of the decision of the Local Union or the International Executive Board from which the appeal is taken. For appeals to the International Executive Board, the International Executive Board shall adopt procedures which insure that all parties are afforded the opportunity to present all arguments and facts whether or not presented at the earlier stages in the proceedings and that decisions on such appeals are based upon 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. The decisions 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.

The Executive Board, in its discretion, may in reversing a decision order a Local Union to compensate an individual member for any loss incurred as a result of said decision.

Section 7. At any time during the processing of charges alleging a serious violation by a Local Union official of Section 2 of Article XII, the International President may, upon written request (sent by certified mail, overnight courier or other means providing proof of receipt), and where supported by preliminary investigation conducted on behalf of the International President, summarily remove such Local Union official from office during all or a portion of the time necessary to process the charge.

Section 8. It shall be the duty of a member to exhaust all said member's internal remedies and appeals provided under the Constitution and policies of the International Union and the Local Union By-Laws.

Section 9. Notwithstanding any provisions of this Article XIII to the contrary, any member of the International Executive Board who believes that a violation of the International Constitution or the International Union Elections Manual has occurred and that such violation is not being properly pursued under this Article XIII may file a charge alleging such violation. The International Executive Board may (1) cause a hearing on such charge to be conducted and issue a decision thereon, or (2) refer such charge to the Local Union involved for appropriate handling under Article XIII.

## **ARTICLE XIV**

### **Finances**

Section 1. Except for newly organized Units, where initiation fees are waived pursuant to Section 2, the initiation fees shall be Ten Dollars (\$10.00).

Section 2. The International Executive Board may grant dispensations from payment of initiation fees when in its judgment such dispensation will promote the growth or interests of the International Union.

Section 3. 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 \$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 4. Notwithstanding any other Section of this Article, Local Unions whose dues at the time of the adoption of this Constitution exceed the amount provided for in Section 3 of this Article may maintain such differential. In such cases the dues shall be computed by adding such differential to the amount required by the applicable provisions of this Article.

In addition, a Local Union which has removed the cap of 2.5 times (or other multiplier) the member's average hourly earnings referred to in Section 3 of this Article may, with the approval of the International Secretary-Treasurer, establish a supplemental local strike and defense fund to be financed by an increase in dues adopted by the Local Union by secret vote, which increase shall not exceed \$3.50 per member per month. Distributions from the local supplemental strike and defense fund shall be in accordance with the rules of the International Strike and Defense Fund and such additional rules as may be established by the International Secretary-Treasurer.

Section 5. The full amount of all dues and initiation fees and assessments collected by each 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 each Local Union shall

forward to the International Secretary-Treasurer within fifteen (15) days after the close of any month, the full amount of the dues and initiation fees and assessments collected by such Local Union.

Section 6. The International Secretary-Treasurer shall, upon receipt of any remittance of initiation fees referred to in Section 1 of this Article, determine and remit to the Local Union Financial Secretary a per capita refund which shall be one-half (1/2) of the amount received, the balance to be retained by the International Secretary-Treasurer subject to the provisions of Section 14 of this Article.

Section 7. The International Secretary-Treasurer shall, upon receipt of any remittance of dues referred to in Section 3 of this Article, allocate, determine and remit such dues in the following manner:

- (a) 1% to the applicable District Education Fund operated under guidelines established by the International Executive Board
- 1% to the applicable District Political Education and Legislative Fund operated under guidelines established by the International Executive Board
- 7% to Strike and Defense Fund
- 3% to Organizing
- 44% to the Local Union Financial Secretary as a per capita refund
- 44% to the International Union

(b) With the approval of the International President, the International Secretary-Treasurer is authorized to deduct from the per capita refunds of Local Unions per capita payments to state and provincial federations and provide for their payment.

(c) The additional amounts referred to in Section 4 of this Article shall be returned or sent to the Local Union Financial Secretary as a per capita refund.

Section 8. When any Local Union fails to report and remit to the International Secretary-Treasurer the full amount of initiation fees and dues and assessments as provided for herein, said International Secretary-Treasurer shall notify the Local Union President and the Recording Secretary of the Local Union of the fact, and failing to receive a satisfactory response within ten (10) days thereafter, the Local Union shall stand suspended. The International Secretary-Treasurer may publish and distribute a delinquent list of all such Local Unions so suspended.

Section 9. Local Unions placed on the delinquent list shall not be reinstated until they have filed all delinquent reports and have complied with any penalties prescribed by the International Executive Board.

Section 10. 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 11. In all cases, other than those provided in Section 10 of this Article, and Article XI, Section 8, where Local Unions desire exoneration from the payment of dues or initiation fees for certain of their 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. No dues shall be deducted from the pay of a deceased member regardless of when it was earned.

Section 12. When exoneration is granted, the request on the required report must be renewed each month.

Section 13. Local Union Presidents, Financial Secretaries and Treasurers 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 a Local Union and handling finances in any way must be bonded by the Local Union through arrangement with the International Secretary-Treasurer.

Section 14. The International Executive Board on request of a Local Union shall have the power to make special arrangements with respect to the dues schedules established in this Article where unusual circumstances justify such arrangements. The International Executive Board shall establish a procedure under which any individual, who is required as a condition of employment to pay dues to the International Union pursuant to a union security arrangement, who has elected to be a financial core member and thereby has no rights of membership, and who objects to supporting partisan political or ideological expenditures by the International Union which are not necessarily or reasonably incurred for the purpose of performing the duties of an exclusive collective bargaining representative shall have the right upon perfecting a notice of objection to obtain a reduction of a portion of such individual's dues obligation commensurate with such expenditures unrelated to Collective Bargaining as required by law.

Section 15. The International Secretary-Treasurer shall cause to be established a separate Strike and Defense Fund, to be financed in the manner provided in this Article. The depositing and investment of the monies in this Fund shall be in accordance with Article IV, Section 14. Expenditures from the Fund shall be determined by the International President and International Secretary-Treasurer subject to the review of the International Executive Board. Withdrawals from the Fund shall require the signatures of the International President and the International Secretary-Treasurer. For any month for which the General Fund balance of the International Union drops below \$18,000,000, the International President with approval of the International Executive Board is authorized to transfer from the Strike and Defense Fund to the General Fund an amount up to the amount necessary to bring the level of the General Fund to \$20,000,000.

Section 16. Effective January 1, 1999, an Organizing Fund will be created that will be funded and administered as follows:

- (a) Effective January 1, 1999, monthly dues for a member shall be an additional \$.01 per hour for hours 2 included in total earnings during the month. Effective 3 January 1, 2000, monthly dues for a member shall be 4 an additional \$.01 per hour, for a total of \$.02 per hour, 5 for hours included in total earnings during the month.

(b) The International Secretary-Treasurer, upon receipt of any remittance of dues referred to in this Section, shall allocate such dues in the following manner:

(1) 50% to approved district organizing plans, which will include assistance for local union organizing programs.

(2) 25% to industry-wide multi-district organizing programs that will involve Local Unions from the particular industries being targeted.

(3) 25% for ongoing training and development of local union organizers.

(c) The \$.01 (or \$.02) per hour dues for the Organizing Fund will end on the first day of the second month following twelve consecutive months during which the Union has organized an average of 8% or more of its average dues paying membership.

(d) The International Secretary-Treasurer shall have authority to allocate Organizing Fund revenue to cover Strike and Defense Fund and member mobilization and communications costs.

(e) The International Executive Board shall issue appropriate interpretive rulings.

Section 17. To improve the ability of the Union to support the membership through the use of the Strike and Defense Fund, member dues shall be increased as described below, and the full amount of the increase shall be designated for the Strike and Defense Fund.

(a) Effective November 1, 2008, monthly dues for a member shall be increased by 0.15% to 1.45% of total monthly earnings, but in no event shall monthly dues be more than 2.8 times the member's average hourly earnings ("cap"). For lump-sum payments, dues shall be calculated separately by applying the 1.45% (1.3% plus 0.15%) to such payments. The International Executive Board shall issue appropriate interpretative rulings.

(b) Alternatively, in lieu of the 0.15% increase, for the period November 1, 2008 through December 31, 2012, a Local Union on a Local Union-wide basis may elect to increase monthly dues for each member by an additional three cents (\$0.03) per hour for hours included in total earnings during the month. Effective January 1, 2013 and thereafter, the 0.15% option will apply. A Local Union adopting this subsection must notify the International Secretary-Treasurer of its determination by September 30, 2008.

(c) Notwithstanding (a) and (b) above, the Union will continue to honor merger agreements that provide for dues transition schedules and equivalent dues arrangements. The International Executive Board shall take these agreements into account in determining the level of Strike and Defense Fund benefits.

(d) In addition, a Local Union may, by secret vote and with the approval of the International Secretary-Treasurer, further increase members' monthly dues by a percentage no higher than 0.1% of its members' total earnings during the month, provided that monthly dues shall not be less than \$5.00 nor more than an appropriate adjusted cap as determined by the International



Secretary-Treasurer. This additional dues of up to 0.1% shall be distributed in accordance with Section 7 above.

## **ARTICLE XV**

### **Transfer Certificates**

Section 1. A Local Union in good standing 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 requests issued in violation of this Article shall be invalid.

Section 4. The International Secretary-Treasurer may issue transfer requests to the members of any Local Union which is being disbanded in accordance with the provisions of this Constitution.

## **ARTICLE XVI**

### **Strikes**

No strike shall be called without the approval of the International President.

## **ARTICLE XVII**

### **Contracts**

Section 1. The International Union shall be the contracting party in all collective bargaining agreements and all such agreements shall be signed by the International Officers.

Section 2. Where check-off clauses are contained in collective bargaining agreements, they shall provide that the Company shall make the check payable to and be sent to the International Secretary-Treasurer.

Section 3. The International Union and the Local Union to which the member belongs shall have the right to exclusivity in presenting, maintaining, negotiating, adjusting and settling any grievance or other matter relating to a member's wages, hours and conditions of employment.

Section 4. No officer, member, representative, or agent of the International Union or of any Local Union or of any subordinate body of the International Union shall have the power or authority to counsel, cause, initiate, participate in, or ratify any action which constitutes a breach of any collective bargaining contract duly entered into.

Section 5. No Local Union or other subordinate body, and no officer, agent, representative, or member thereof shall have the power or authority to represent, act for, commit, or bind the International Union in any matter except upon express authority having been granted therefore by this Constitution or in writing by the International President or the International Executive Board.

## **ARTICLE XVIII**

### **Associate Membership**

The International Executive Board is authorized to establish, on a geographic, employer and/or other basis, associate organization(s) to serve the needs and advance the interests of the categories of workers described below. Such associate organization(s) shall be affiliated with the United Steelworkers. Those eligible for membership in a USW associate organization shall include former and potential members. Those eligible for regular membership in USW pursuant to Article III shall not be eligible for membership in a USW associate organization. Persons who meet the conditions for membership in a USW associate organization shall not be entitled to vote or run for an office or position in an election governed by Articles IV, V, VI or VII of this Constitution. However, such persons shall be entitled to vote and hold office and otherwise participate fully in the associate organization to the extent and under rules provided by the International Executive Board.

## **ARTICLE XIX**

### **Steelworkers Organization of Active Retirees (SOAR)**

Section 1. The Steelworkers Organization of Active Retirees (SOAR), an affiliate organization of the United Steelworkers, is governed by By-Laws which are subject to amendment by the International Executive Board of the United Steelworkers.

Section 2. All members in good standing of the International Union who retire shall, at the time of retirement, be granted membership in SOAR. All members of SOAR shall be eligible for SOAR chapter membership under conditions and with such rights as are set forth in the SOAR By-Laws.

Section 3. Local Unions and SOAR Chapters

(a) Each Local Union having more than twenty five (25) retired members is encouraged to form and sponsor a SOAR Chapter. Local Unions may, where appropriate, form one

SOAR Chapter for the retirees of several Local Unions within a geographical area or region.

(b) Each Local Union is encouraged to select a representative to serve in an advisory capacity to the SOAR Chapter and each SOAR Chapter is encouraged to select a designee to serve in an advisory capacity to the Local Union.

(c) In each set of collective bargaining negotiations conducted by the Union, the bargaining committee shall be expected to meet with the appropriate SOAR representative to become acquainted with the needs of the retirees, to attempt to arrange for a SOAR representative to be present during negotiations for the purpose of making a presentation on those matters of concern to the retirees and to keep the SOAR representative advised of the progress of negotiations on those matters.

Section 4. The elected members of the SOAR Executive Board, as established by By-Laws, shall be ex-officio delegates to all International Conventions and entitled to one vote each.

## **ARTICLE XX**

### **Effective Date**

This Constitution shall become effective July 3, 2008<sup>1</sup>.

## **ARTICLE XXI**

### **Amendments**

This Constitution may be amended by majority vote at the International Convention, provided that no amendment shall have the effect of shortening the term of any of the offices specified in Article IV, Section 2, before the expiration of such term.

<sup>1</sup> While this is the effective date of the new Constitution as a whole, specific constitutional amendments may have a different effective date.

## **ARTICLE XXII**

### **Severability**

In the event any clause or provision of this Constitution is determined to be unlawful or unenforceable, in whole or in part, such clause or provision shall, in the jurisdiction in which and to the extent that it is unlawful or unenforceable, be considered severable from all other clauses and provisions of this Constitution and all other provisions of this Constitution shall remain in full force and effect.

## **ARTICLE XXIII**

### **Merger with PACE**

In order to implement the merger with the Paper, Allied-Industrial, Chemical and Energy Workers International Union (PACE), Appendix A sets forth a portion of the Merger Agreement between the International Union and PACE which the 32nd Constitutional Convention approved, and the terms of Appendix A shall take precedence over other provisions of this Constitution during the period that such provisions are effective.

## **APPENDIX A**

### **Transitional Structure of the USW**

In order to effectively and efficiently merge the governing organizations of the USWA and PACE, as well as to assure continuity of our organizing and political and workplace representation in the United States and Canada, the International Executive Boards and Districts of our two labor organizations will be merged progressively as provided herein.

#### **A. Initial Transition Period (Merger Effective 18 Date – February 28, 2006)**

1. **International Executive Board.** From the effective date of the merger through February 28, 2006 ("Initial Transition Period"), the International Executive Board of the merged labor organization shall be:

- a. An International President, being the incumbent International President of the USWA.
- b. An International Executive Vice President, 4 being the incumbent International President of PACE.

- c. An International Secretary-Treasurer, being the incumbent International Secretary-Treasurer of the USWA.
- d. An Associate Secretary-Treasurer, being the incumbent International Secretary-Treasurer of PACE.
- e. An International Vice President (Administration), International Vice President (Human Affairs), Executive Vice President of the Rubber/Plastic Industry Conference (R/PIC), and National Director of Canada, being the USWA incumbents in these USWA offices.
- f. A Vice President at Large, Administrative Vice President, and Vice President/Organizing, being the PACE incumbents in these PACE offices.
- g. Twelve (12) District Directors, being the incumbent Directors of the current USWA Districts.
- h. Ten (10) Regional Directors, being the incumbent Directors of the current PACE Regions.

**2. Districts and Regions.** During the Initial Transition Period, the existing USWA Districts and PACE Regions will continue to function separately and as in the past.

**B. Interim Transition Period (March 1, 2006 – 2 February 28, 2010)**

**1. International Executive Board.** Effective 4 March 1, 2006 through February 28, 2010 ("Interim Transition Period"), the International Executive Board will comprise the following members:

- a. USWA Offices. An International President, International Secretary-Treasurer, International Vice President (Administration), International Vice President (Human Affairs), Executive Vice President (R/PIC), National Director of Canada, and eleven (11) District Directors, being those individuals elected in accordance with the existing USWA International Constitution in the USWA International Election scheduled for November 2005 for terms of office running March 1, 2006 through February 28, 2010. Only members of USWA Locals in existence as of the day before the effective date of this merger will be eligible to vote or run for office in this election.
- b. PACE Offices. The terms of office of the current International Officers and Regional Directors of PACE shall be extended to include their service in the new positions and terms of office outlined herein. With the exception of the position described in section 4 below, such terms will run no later than February 28, 2010.

**2. Districts and Regions.** Effective March 1, 2006, the existing USWA Districts and PACE Regions will be combined into a single administrative structure consisting of thirteen (13) Districts administered by thirteen (13) District Directors.

a. The initial geographic scope of each of these Districts shall be identical to the current USWA Districts except that:

(1) A new District 13 shall be created consisting of the states of Arkansas, Louisiana, Oklahoma, and Texas.

(2) District 9 shall consist of the current District 9, minus Louisiana.

(3) District 11 shall consist of the states of Iowa, Kansas, Minnesota, Missouri, Nebraska, Montana, Wyoming, North Dakota, and South Dakota.

(4) District 12 shall consist of the states of Alaska, Arizona, California, Colorado, Hawaii, Idaho, Nevada, New Mexico, Oregon, Utah, and Washington.

b. Effective March 1, 2006, the Directors of Districts 2, 4, and 13 will be the incumbent PACE Directors of its Regions 10, 1, and 6, respectively. If any Director of Districts 2 or 13 leaves office prior to February 28, 2010, for any reason, the vacancy shall be filled by the Interim Transition Executive Board members choosing from among those USW members who were PACE members as of the day before the effective date of this merger. The Director of each District other than 2, 4, and 13 of the merged labor organization shall be the successful candidate in the Steelworker November 2005 election.

All other PACE Regional Directors, as well as the Director of District 4 elected in November 2005, shall become Co-Directors of the Interim Executive Board. Co-Directors shall retain their current salary and the right to speak and vote on all issues coming before the Executive Board through the Interim Transition Period.

c. Although it is anticipated that Districts and Regions will be fully merged effective March 1, 2006, this date may be extended for individual PACE regions by up to six months if the International President and International Executive Vice President agree that this is necessary.

**3. International Executive Vice President.** The position of International Executive Vice President shall be eliminated upon the retirement of the incumbent and thereupon replaced with the position of International Vice President to be filled by the Executive Board from among then incumbent members of the Initial or Interim Executive Board who were PACE members as of the effective date of this merger, and provided further that the replacement will be based upon the recommendation of a majority of the eligible Executive Board members. During the transition period, the individual serving in this International Vice Presidency shall be assigned by the International President to be responsible for paper industry bargaining. The term of any such appointment shall in no event extend beyond February 28, 2010. For the term beginning March 1, 2010, this position will be filled by the normal election process. For subsequent bargaining in the paper industry, the person assigned by the International President shall come out of, and be knowledgeable about, paper industry bargaining.

**4. Administrative Vice President.** The position of Administrative Vice President shall be renamed International Vice President upon the retirement of the incumbent. The current process in the PACE Constitution shall be continued for the election of this position at the 2008 International Convention, with a term beginning March 1, 2009, and ending February 28, 2014. The individual serving in this position shall be assigned by the International President to be responsible for the National Oil Industry Bargaining Program. For the term beginning March 1, 2014, the position will be filled by the normal election process unless otherwise determined by the International Convention in 2011. For subsequent administration of the National Oil Industry Bargaining Program, the person assigned by the International President shall come out of, and be knowledgeable about, oil industry bargaining.

**5. Other Positions.** The positions of Associate Secretary-Treasurer, Executive Vice President (R/PIC), Vice President at Large, Vice President/Organizing, and the positions of Co-Director shall be eliminated upon the retirement of the incumbent, or on February 28, 2010, whichever occurs earlier.

**6. Vacancies.** Except as described above, vacancies that occur in any of the positions of the Transitional Board not subject to elimination as described above shall be filled for the remainder of the Interim Transitional Period by the remaining members of the Board in accordance with Article IV, Section 24 of the USWA International Constitution.

#### **C. Permanent International Executive Board**

Beginning March 1, 2010, the merged Union will be governed by an International Executive Board consisting of an International President, International Secretary-Treasurer, four (4) International Vice Presidents, the National Director of Canada, and thirteen (13) District Directors. All officers of the Permanent International Executive Board for the term beginning March 1, 2010, shall be elected by referendum election in accordance with the USW Constitution in November 2009 with the exception of the office created in section (4), above.

\* \* \* \*

**Proportional Voting.** The International Executive Board is authorized to establish a proportional voting formula for the additional members provided for above in the unlikely event that a roll-call vote under Article IV, Section 26 of the USW Constitution is required during the Transition Period.

## NOTES



# MANUAL

## Opening of Meeting

The hour of the meeting having arrived, the President shall take the chair and give one rap with the gavel, upon which all officers and members shall be seated. If no regular Guards are present, the President shall appoint one of the members to see that none but members of the Union are admitted.

President: The time for opening this meeting having arrived, I declare this meeting duly convened and qualified to consider measures tending to conserve the best interest of this Local Union, and the United Steelworkers.

## ORDER OF BUSINESS FOR CONDUCTING 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.** After the minutes have been read by the Recording Secretary a motion must be made and seconded that the minutes be "approved" (or adopted) as read. Such a motion means that in the opinion of the members, the Secretary has recorded the minutes of the previous meeting correctly. Should the reading reveal any errors or omissions, a member may move to correct the minutes. If this motion is carried, another motion should follow that the minutes "as corrected" now be approved.

IT IS VERY IMPORTANT THAT BRIEF, COMPREHENSIVE MINUTES OF EACH MEETING BE KEPT BY THE RECORDING SECRETARY. THESE MINUTES ARE THE OFFICIAL RECORD OF THE BUSINESS TRANSACTED BY THE LOCAL UNION MEETING. A REGULAR BOOK IS PROVIDED BY THE INTERNATIONAL UNION FOR THIS PURPOSE AND SHOULD ALWAYS BE KEPT UP TO DATE.

4. **Reading of Communications.** RECORDING SECRETARY: The Recording Secretary reads the letters which require attention. Those which do not require much discussion may be dealt with immediately; others may be laid over to "New Business" or referred to a standing committee. If no action is required or desired, the communications may be read and, upon a motion, filed. The Recording Secretary keeps the files of the Local Union.
5. **Report of Officers.** FINANCIAL SECRETARY: The Financial Secretary should 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 obligated to call this fact to the attention of the membership.

**TREASURER:** The Treasurer is the custodian of the Local Union funds. The Treasurer should report to each meeting the money received from all sources, such as rebates from the International Office and other monies turned over to the Treasurer for deposit by the Financial Secretary. The Treasurer should be certain that the amount reported by the Financial Secretary to the Local Union as having been turned over agrees with what the Treasurer actually received and that the Recording Secretary records the amount in the minutes.

**TRUSTEES:** The Trustees are the custodians 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 (3) months and give a report of such audit at the next regular Local Union meeting.

**6. Report of Organizer or International Representative.**

**7. Initiation of New Members.**

**8. Report of Special Committees.** Such as: Celebrations, picnics, relief, citizenship, etc.

**9. Reports of Standing (or Permanent) Committees.**

- a. Grievance Committee.
- b. Report of delegates to Federation Council.

**10. Unfinished Business.** These matters are those remaining over from previous meetings. They are usually recorded in the minutes of the previous meeting. The Recording Secretary should inform the President of any unfinished business so it may be included in the order of business in this section.

**11. New Business.** These are matters which have been laid aside earlier in the meeting or which have come up since the last meeting.

**12. Good and Welfare.** All miscellaneous matters for the good of the Union which should be brought to the attention of the meeting should come to the floor at this time. These matters usually do not require any action by the meeting. They are simply matters of information and education.

**13. Adjournment.** **PRESIDENT:** The business of this meeting having been duly transacted, I declare it adjourned until our next regular session, unless you are especially called together, when I hope to see all members present.

**NOTE:** All money paid out by the Local Union from its treasury must be approved by the members at a Local Union meeting. Bills charged to the Local Union should be submitted to the Recording Secretary, who in turn submits them to the Local Union meeting for approval. If the Local Union agrees that the bills should be paid a motion should be made, seconded and passed authorizing the Treasurer to draw up a check and pay the bill. All Local Union checks must be signed by the Treasurer and countersigned by the Financial Secretary and the President. Under no circumstances is it legal for officers or members to 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 unavail-

able, 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 the By Laws for Local Unions.

Under no circumstances shall any of the cash dues or fees collected be spent before it is sent to the International Secretary-Treasurer.

It is of prime importance that the Trustees shall audit the books and financial records of the Local Union every three (3) months and give a report of such audit at the next regular Local Union meeting. The Trustees should give special attention when checking disbursements recorded by the Financial Secretary and Treasurer that proper authorization for such payments have been entered by the Recording Secretary in the Minutes of the Local Union. (Constitution: Article VII, Section 4; Article VIII, Section 6. By Laws for Local Unions: Article V.)

## **INITIATION OF NEW MEMBERS**

President - Raise your right hand.

“Recognizing that the United Steelworkers is a strong labor organization dedicated to the advancement of my interests and the interests of all working men and women and that the strength of the Union depends on the commitment which its members make to it and to each other, I do sincerely promise, of my own free will, to abide by the laws of this Union; to bear true allegiance to, and keep inviolate the principles of the United Steelworkers; never to discriminate against a fellow worker on account of creed, color, sex, or nationality; to defend freedom of thought, whether expressed by tongue or pen, to defend on all occasions and to the extent of my ability the members of our organization, and never to reveal to any employers or their agent a member's name without proper authorization. I will cease work when authorized and approved by the organization to do so.

That I will look upon my fellow members of this Union as my brothers and sisters and will never knowingly wrong a member or see a member wronged if I can prevent it. That I will assist all members of our organization to obtain the highest wages possible for their work; that I will not accept a member's job who is idle for advancing the interests of the Union or seeking better remuneration for the member's labor; and, as the workers of the entire country are competitors in the labor world, I promise to provide my solidarity and support whenever I am called upon by the organization to do so. And I further promise to help and assist all members in adversity, and encourage all workers to organize and join our Union in order to enjoy more fully the fruits of their labor.

To all this I pledge my honor and I further pledge that at every opportunity I shall ‘Say A Good Word About My Union.’”



Our Father who art in Heaven, we bow before Thee in humble submission to Thy will. Our hearts are sore with the sorrow of bereavement. We come to Thee for consolation. Grant, O Lord, that the balm of Thy healing spirit may be poured down upon us like the balm of Gilead to our wounded hearts. May the peace that passeth all understanding, which Thou alone can give, abide with the family of our deceased Brother (Sister). Comfort them in their affliction. Guide us all in the paths of righteousness while we live, and when we are done with this life receive us into that home which Thou hast prepared for all Thy children, eternal in the Heavens. Amen.

## **BENEDICTION**

And now may the grace, mercy and peace of God, the Father, Son and Holy Spirit, rest and abide with you now and forever. Amen.