

PROTECTIVE SECURITY OFFICERS UNITED (PSOS UNITED)

BYLAWS

Effective October 1, 2017

SECTION 1 NAME

This labor organization/Union shall be known as Protective Security Officers United (PSOs United).

SECTION 2 OBJECTS

(A) The objects of this Union shall be:

- (1) To unite into one labor organization all security service professionals eligible for membership, regardless of religion, race, creed, color, national origin, age, physical or mental disability or gender, sexual orientation, gender identity or any other legally protected group or class;
- (2) To engage in organizing workers to provide the benefit of unionism to all security service professionals and to protect and preserve the benefits obtained for members of this organization;
- (3) To secure improved wages, hours, working conditions and other economic advantages through organization, negotiations and collective bargaining, through legal and economic means, and other lawful methods;
- (4) To provide educational advancement and training for members;
- (5) To safeguard, advance, and promote the principle of free collective bargaining, the rights of our members by political, educational and other community activity;
- (6) To engage in cultural, civic, legislative, political, fraternal, educational, charitable, welfare, social, and other activities which further the interests of this organization and its membership, directly or indirectly;
- (7) To engage in community activities which will advance the interests of this organization and its members in the community and in the nation, directly or indirectly;
- (8) To protect and preserve the organization as an institution and to perform its legal and contractual obligations;
- (9) To receive, manage, invest, expend or otherwise use the funds and property of this organization to carry out the duties and to achieve the objectives set forth in these Bylaws and for such additional purposes and objects not inconsistent therewith as will further the interests of this organization and its members, directly or indirectly.

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

SECTION 3

OFFICERS OF THE ORGANIZATION

- (A) The officers of this Union shall be the President, Vice President, Treasurer, Recording Secretary and three (3) Trustees. These officers shall constitute the Executive Board of the Union. The initial Officers will be installed as soon as an election can be conducted in 2017 and the term of office for those elected Officers will continue through December 2019. Beginning with the 2019 election of Officers, the term of office of all officers shall commence on the first of January in the year following the election and shall be for a term of three (3) years.
- (1) President
- (a) The President will be the principal executive officer of the Union. It shall be the duty of the President to preside at membership meetings of this Union and to preserve order therein. The President shall appoint all committees and shall also have the right to serve on all committees by virtue of the office, and in general, shall perform all duties incident to the office of President, and such other duties as may be assigned by the Union Executive Board, or membership from time to time to the extent such assignments are consistent with these Bylaws.
- (b) The President shall decide all questions of order during membership meetings, The President shall not vote on motions pending before the membership meeting except to cast the deciding vote when a tie occurs on any question. The President shall announce the result of all votes and enforce all fines and penalties, and shall have the power to call special meetings as provided in these Bylaws. The President shall have the right to vote on all matters at meetings of the Executive Board, except where such vote would create a tie.
- (c) The President shall, in general, supervise, conduct and control all of the business and affairs of the Union, its officers and employees. The President shall determine the number (if any) of clerical employees of the Union, subject to the approval of the Executive Board. The President shall also select the attorneys, accountants or other special or expert services to be retained by the Union, subject to the approval of the Executive Board. In the event the Executive Board refuses to approve the President's choice of expert services, the President may present the choice to a duly noticed meeting of the membership for approval. The President shall have charge and supervision of all the officers and employees of the Union. The President shall have the power to appoint, suspend, or discharge all appointive union representatives, organizers and clerical employees. The Executive Board will have the authority to overturn any suspension or discharge of such employee. The President shall also have charge of all labor controversies involving the Union.
- (d) The President, together with the Treasurer shall sign all official documents, deeds, mortgages, bonds, contracts, or other instruments, and perform such other duties as these Bylaws or law may require of him/her.
- (e) The President in conjunction with the Treasurer shall have the authority to disburse or order the disbursement of all monies necessary to pay the bills, obligations and indebtedness of the Union, which have been properly incurred as provided herein. The President shall have the authority to pay current operating expenses of the Union, including rents, utilities and maintenance of the Union offices, and salaries and expenses of officers and employees.

- (f)The President shall have authority to interpret these Bylaws and to decide all questions of law thereunder, between meetings of the Union Executive Board.
 - (g)The President shall preside at meetings of the Union Executive Board, shall enforce these Bylaws and rules of order adopted by this Union and shall ensure that all officers perform their respective duties. The President shall also have the right to serve on all committees by virtue of the office.
 - (h)Upon completion of an election of officers that results in a new principal executive officer, the incumbent principal officer or designee shall meet with the principal officer-elect during the period between the date of the election and the end of the term of office to review pending grievances open contract negotiations and the 's financial records.
- (2) It shall be the duty of the Vice President to preside at Union membership meetings in the absence of the President. The Vice-President shall perform such other duties and render such assistance as may be directed by the President. The Vice President shall be authorized to counter-sign checks on the Union's bank accounts.
- (3) The Treasurer
- (a)The Treasurer shall in general perform all duties incident to the office and such other duties as from time to time may be assigned to him/her by the President, the Union Executive Board or the members by resolution, provided any such assignments are otherwise consistent with these Bylaws. The Treasurer shall see that all notices and reports shall be given in accordance with the provisions of these Bylaws or as required by law. The Treasurer shall make at least quarterly a report at a membership meeting giving the financial standing including the assets and liabilities of the Union, and shall keep itemized records, showing the source of all monies received and spent, and shall keep records, vouchers, work sheets, books and accounts and all resolutions to verify such reports.
 - (b)The Treasurer upon request of any member shall make available to the member a copy of the last annual report. He shall also make available for inspection by any member or members at the Union's principal office during regular business hours any prior annual report and any other document which is subject by statute to such inspection. Copying of any financial record to which a member is entitled by law shall be permitted provided that the member pays the actual cost of duplication. Membership lists may not be copied.
 - (c)The Treasurer shall have custody of the records of the proceedings of all meetings of the Union and the Union Executive Board, as prepared by the Recording Secretary, or such person as is authorized to take such proceedings; and shall keep important documents, papers, correspondence, as well as files on contracts and agreements with employers. Upon the request of any person in writing or made in person to the Treasurer, he/she shall provide one (1) copy of the collective bargaining agreement made by the Union with the employer of such person, if the person making such request establishes that he/she is an employee directly affected by such an agreement. The Treasurer may require a receipt from such person. He/she shall also maintain copies of agreements which affect members of this Union, which agreements shall be available for inspection by any member at reasonable times.
 - (d)The Treasurer shall keep a correct account of all monies paid to and paid out by the Union and shall provide receipts for any dues, fees, or other fees, assessments or fines or other monies received. The Treasurer will not make any payments from the Union's Funds until receiving bills or receipts evidencing the goods or services

paid for. The Treasurer shall enter all receipts in the name of the Union and shall deposit all monies into the Union's bank accounts.

(e)The Treasurer must maintain a current list of the names and addresses of all members in good standing in the Union. Membership lists shall not be open to inspection by any member except as, and to the extent, required by law.

(f)Whenever a Treasurer's term of office expires or is otherwise terminated, he/she must see that his/her successor is properly bonded before he/she transfers to his/her successor in office the funds, papers, documents, records, vouchers, worksheets, books, money and other property of the organization. All such records, vouchers, worksheets, receipts, books, reports and documents shall be preserved and retained for a period of six years.

(g)The Treasurer shall make available to the Trustees all documents necessary for them to verify and complete the monthly Trustee's Report.

(4) The Recording Secretary

(a)It shall be the function of the Recording Secretary to attend general membership meetings of the Union and the Union Executive Board and to keep minutes of the proceedings. Minutes shall accurately record motions made at meetings and shall include the names of the members making and seconding a motion, whether the motion was adopted or rejected, and the results of any divisions of the house or secret ballot votes. Minutes shall specifically include all financial transactions approved at the meeting. The Recording Secretary shall keep a record of the names of the members comprising each committee and handle all correspondence of the Union assigned by the President or authorized by membership resolution consistent with these Bylaws. In the Recording Secretary's absence, the President shall appoint another member of the Executive Board to act as Recording Secretary pro tempore who shall have the duties set forth above. Minutes of meetings shall be official records of the Union.

(5) The Trustees

(a)It shall be the duty of the Trustees to conduct a monthly examination of the books of the Union and the results thereof shall be reported at the next regular membership meeting. They shall sign the books of the Treasurer if they have found them correct and the bank balances verified. In the event that a Trustee declines to sign the books, the Trustee must state in writing to the Union's Treasurer his reasons for declining to do so and shall also advise the Treasurer of those reasons. A Trustee's disagreement with an expenditure properly authorized by the Executive Board or membership shall not be a valid basis for refusing to sign the books. They shall receive and review the original surety bond covering each officer, employee and representative of the Union required to be bonded, and retain it at the Union's principal office. They shall have the duty to see that such bonds are current and enforceable. In the event of the unavailability of a Trustee, the remaining Trustees or Trustee shall perform the above functions. In performing their functions, the Trustees may avail themselves of the services of the Certified Public Accountants retained by the Union Executive Board.

SECTION 4 STEWARDS

- (A) The Union will have shop stewards who perform such duties as set forth in the applicable collective bargaining agreement(s). The number of stewards and placement (if applicable, e.g. shift, work location, etc.) will be that set forth in the applicable collective bargaining agreement(s) and any additional number the Executive Board deems necessary. Stewards will be elected by those members who will be represented by the steward position up for election. (e.g. if it is unit-wide steward position, all bargaining unit members will vote; if the steward position is only for a particular job shift, then only the members currently assigned to that shift will vote.) Nominations and seconds will be required in a manner set forth by the Executive Board.
- (B) If a particular Steward has served in the position for more than 12 consecutive months, members represented by that Steward may submit a petition to the Union requesting an election for that position. If the petition is signed by more than half the affected members, the Union will hold an election promptly. (Signatures on the petition must be no more than 30 days old.) The incumbent will be allowed to stand for the election.
- (C) If a Steward position becomes vacant for any reason, the Union will promptly hold an election to fill the vacancy.
- (D) The Executive Board will have the authority to reimburse Stewards for Union dues. If the Executive Board reimburses dues for any stewards it must reimburse for all stewards.
- (E) The authority of stewards shall be limited to, and shall not exceed, the following duties and activities:
- (F) The investigation and presentation of grievances with his/her Employer or the designated company representative in accordance with the provisions of the collective bargaining agreement;
- (G) The collection of dues when authorized by appropriate Union action;
- (H) The transmission of such messages and information, which shall originate with, and are authorized by the Union or its officers, provided such messages and information have been reduced to writing; or, if not reduced to writing, are of a routine nature and do not involve work stoppages, slowdowns, refusal to perform work, or any other interference with the Employer's business.
- (I) Stewards have no authority to take strike action, or any other action not set forth in these Bylaws, or any other action interrupting the business of his/her employer, except as specifically authorized by official action of the Union.

SECTION 5

POWERS AND DUTIES OF UNION EXECUTIVE BOARD

- (A) Except as may be otherwise provided in these Bylaws, the Union Executive Board is authorized and empowered to conduct and manage the affairs of this organization, and to manage, invest, expend, contribute, use, borrow, lend and acquire Union funds and property in the pursuit of accomplishment of the objectives set forth in these Bylaws and resolutions adopted in furtherance thereof. However, the Union Executive Board shall not have the authority to bind the Union for personal services to be rendered to the Union or its Executive Board, such as, but not limited to, legal, accounting, consulting, public relations and editorial services, by contract, agreement or otherwise, beyond the expiration of the term of the Executive Board in office at the time such action is taken.
- (B) The Union Executive Board, in addition to such other general powers conferred by these

Bylaws, is hereby empowered to:

- (1) Make and change rules and regulations not inconsistent with these Bylaws for the management and conduct of the affairs of this Union;
- (2) Establish the salaries for the officers and any Business Agents and establish the allowances, direct and indirect disbursements, expenses and reimbursement of expenses for officers and Business Agents. Changes in the salaries, allowances or expenses of the officers and Business Agents shall be specifically set forth in the minutes of the Executive Board meeting at which such changes are approved. The minutes shall also reflect whether any officer who also serves as a Business Agent receives a salary, allowance or expense in his/her officer capacity or in his/her Business Agent capacity. Policies establishing benefits, including, but not limited, sick leave, vacation, travel, and car allowances for officers and employees shall be written and compiled in a Policies and Procedures Manual maintained and updated by the Executive Board.
- (3) Loan and borrow monies directly and indirectly for such purposes and with such security, if any, as it deems appropriate, and with such arrangements for repayment as it deems appropriate--all to the extent provided by law;
- (4) Approve the President's employment of clerical employees, attorneys, accountants, and such other special or expert services as may be required for the organization and secure an audit of the books of this organization by a certified public accountant at least once a year;
- (5) On behalf of the Union, its officers, employees or members, initiate, defend, compromise, settle, arbitrate or release or pay the expenses and costs of any legal proceedings or actions of any nature, if, in its judgment, it shall be necessary or desirable to protect, preserve, or advance the interests of the organization;
- (6) Fill all vacancies in office which occur during the term of such office for the entire remainder of the unexpired term;
- (7) Transact all business and manage and direct the affairs of the Union between membership meetings, except as may otherwise be herein provided; delegate when necessary any of the above powers to any officer for specific and temporary purposes and on condition that the action of such officer or agent be ratified by the Union Executive Board; the Union Executive Board shall designate other officers for the President or Treasurer for the purpose of signing checks to pay bills or to exercise any other functions of their offices in the event that either shall refuse to act or shall become ill or otherwise incapacitated;
- (8) Lease, purchase or otherwise acquire in any lawful manner for and on behalf of the organization any and all real estate or other property, rights and privileges, whatsoever deemed necessary for the prosecution of its affairs, and which the organization is authorized to acquire, at such price or consideration and generally on such terms and conditions as it thinks fit, and at its discretion pay therefor either wholly or partly in money or otherwise. Specific authorization at a membership meeting shall be required for such expenditures, excepting for routine expenditures not of a substantial nature;
- (9) Sell or dispose of any real or personal estate, property, rights or privileges belonging to the organization whenever in its opinion the Union's interests would thereby be promoted, subject to approval (except as to form) at a membership meeting;
- (10) Create, issue and make deeds, mortgages, trust agreements, contracts, and negotiable instruments secured by mortgage or otherwise as provided by resolution of the membership, and do every other act or thing necessary to effectuate the same;

- (11) Create trusts, the primary purpose of which is to provide benefits for the members or their beneficiaries, and terminate and effectuate the same, all subject to approval (except as to form) by the membership;
 - (12) Appoint trustees of Health and Welfare or Pension Trust Funds negotiated directly by the Union, and to which the Union is the only union party;
 - (13) Determine the membership which shall vote on agreements and strikes, and the composition of other membership meetings, and adopt rules and regulations concerning the conduct thereof not inconsistent with these Bylaws;
 - (14) Determine the manner in which referendums shall be held;
 - (15) Affiliate this Union with any organizations with like purposes which may advance the interests of this organization and its membership;
 - (16) Review interpretations of these Bylaws rendered between meetings by the President. Disputes over the interpretation of these Bylaws will be resolved by majority vote of the Executive Board;
 - (17) Do all acts not expressly authorized herein which are necessary or proper in implementation of the above duties for the protection of the property of the Union and for the benefit of the organization and its membership.
- (C) The Union Executive Board shall have the duty to investigate any alleged breach of fiduciary duty when circumstances so warrant and to take appropriate action if the investigation so merits.
- (D) The Union Executive Board shall hold meetings at such time and place as shall be determined by the President, upon notice to all Board members. The meetings of the Union Executive Board shall be no less frequent than meetings of the Union.
- (E) A majority of the Union Executive Board shall constitute a quorum for the transaction of business at any meeting of the Board. The action of a majority of the Union Executive Board present at a meeting at which a quorum is present shall be the action of the Board.
- (F) By action of the Union Executive Board, which action shall be recorded in the Executive Board meeting minutes, members of the Board who are not full-time paid officers or employees of the organization may be paid their expenses, including wages lost, if any, for attendance at each meeting of the Board. However, officers who are full time employees of the Union shall not receive additional payments for attendance at Executive Board or membership meetings.
- (G) As to all matters requiring action by the Union Executive Board, and when the Executive Board is not in formal session, the Executive Board may act by E-mail or telephone. When action by the Union Executive Board is required, the President may obtain same by writing, e-mailing, or telephoning the members of the Executive Board and such members may take action on the matter brought to their attention in the same manner; provided, however, that whenever action is sought by any of the foregoing methods, all members of the Executive Board shall be polled. Such action so taken by the majority of the members of the Union Executive Board shall constitute action of the Board as though the Board were in formal session; provided, however, that any such action must be recorded in the minutes of the Executive Board and ratified by a majority of the members of the Executive board at its next meeting.
- (H) If the Executive Board is deadlocked for two consecutive meetings on any matter within its exclusive authority under this Section of the Bylaws, the matter shall be referred to the membership for resolution.

SECTION 6

UNION OFFICERS GENERALLY

- (A) All officers of this Union when installed after election shall be required to take the following oath of office:
- (B) I, (state your name), do sincerely promise, upon my honor, that I will faithfully use all of my energies and abilities to perform the duties of my office, for the ensuing term, as prescribed by the Bylaws of this Union. As an officer of this great Union, I will, at all times, act solely in the interests of our members, devote the resources of our Union to furthering their needs and goals, work to maintain a Union that is free of corruption, to preserve and strengthen democratic principles in our Union and to protect the members' interests in all dealings with employers. I will never forget that it is the members who put me here, and it is the members whom I will serve. I further promise that I will faithfully comply with and enforce the Bylaws of this Union, that I will, at all times, by example, promote harmony and preserve the dignity of this Union. I also promise that at the close of my official term, I will promptly deliver any money or property of this Union in my possession to my successor in office.
- (C) All Union officers are required to carry out their respective duties. In the event a Union officer declines to perform his/her duties as prescribed by these Bylaws or by law, he/she shall be subject to charges filed in accordance with these Bylaws. In appropriate situations in which misconduct or failure to perform duties assigned by these Bylaws jeopardizes the interests of the Union, an officer may be subject to summary removal from office.
- (D) The right to assume office or hold office or position in the Union, as distinguished from accrued or vested benefits, shall never be deemed a property right, but shall be a personal privilege and honor only. Any action taken by a Union officer in good faith and within the scope of his/her authority and power under these Bylaws shall not be the basis for any personal liability against such Union officer.
- (E) All officers of the Union must, as a condition of holding office, execute all necessary forms required by law to be filed with any federal or state agency either for and in behalf of the Union or as an officer or employee thereof, but accidental default shall not be considered a violation of the duty imposed by this Section.
- (F) All Union officers in the performance of their duties shall adhere to the terms of these Bylaws.
- (G) The officers, Business Agents, other representatives of this Union, and Stewards occupy positions of trust in relation to the Union and its members as a group and are, therefore, accountable to the membership with respect to the performance of their duties in handling funds and property of the Union. The failure or refusal by an officer, Business Agent, other representative of this Union or Steward, upon demand of the Union Executive Board or of any individual member for good cause, to render a proper and adequate accounting or explanation respecting the performance of his duties or in handling funds and property of the Union shall constitute a ground for charges under these Bylaws.

SECTION 7

EXPENSES AND AUTOMOBILES

- (A) Allowances
 - (1) Recognizing that the officers and representatives of this organization do not work regularly scheduled hours and receive no compensation for overtime or premium pay; and recognizing that they must participate in cultural, civic, legislative, political, fraternal, educational, charitable, social and other activities in addition to their specific

duties as provided in these Bylaws, that such activities benefit the organization and its membership and that the time spent in such activities is unpredictable and unascertainable such Union officers and representatives may be granted an allowance (both for in-town and out-of-town work, respectively, which in the case of out-of-town work shall include hotel and meal expenditures) in such amount (daily, weekly or monthly) as the Union Executive Board may determine. Where such an allowance has been granted, there shall be no need to make a daily or other accounting to the Union membership. Any such allowance must be of a reasonable amount, based on the financial conditions of the Union and the expenses the allowance is expected to cover. All policies adopted by the Executive Board shall be written and included in the Policies and Procedures Manual referenced in these Bylaws. Where allowances are provided, Union officers and employees may not be reimbursed for additional expenses for items intended to be covered by the allowance without specific additional authorization by the Executive Board and approval by the membership. In no event shall a Union officer or employee receive more than one payment for the same expense.

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

(B) Expenses

- (1) When a representative of the organization is engaged in activities in the interest of or for the benefit of the organization and its members within the scope of his/her authority, the labor organization shall pay the expenses incurred therein, or reimburse the representative upon receipt of itemized vouchers from him or the supplier of such services, provided that the representative does not receive an allowance for these expenses or reimbursement from any other source.

(C) Automobile Allowance

- (1) The Union may provide its officers or representatives with automobiles upon authorization of the membership, or in lieu thereof, they may be paid an allowance for use of their automobiles in such amount or at such rate as shall be approved by the Union Executive Board. In such instances where the Union provides an automobile, title to the automobile shall remain in the name of the Union, until such time as the Union decides to dispose of the vehicle. It is recognized that such Union officers or employees are required to be on instant call at all times, may be required to garage such automobiles and are responsible for their safeguarding. Accordingly, for the convenience of the Union and as partial compensation for such additional responsibilities, such Union officers shall be permitted private use of such automobiles on a round-the-clock basis when the automobiles are not required on Union business, but shall not be used during periods of vacation.

(D) Benefits

- (1) The Union Executive Board may from time to time provide the terms and conditions of employment for Union officers, employees and representatives of this organization including, but not limited to, such fringe benefits as vacations with pay, holidays, sick leave, time off for personal leave, and, in connection therewith, any disability or sickness, health and welfare and retirement benefits and activities, and facilities relating thereto, and may from time to time provide changes therein, as well as additional compensations and allowances. Any such benefit adopted by the Executive Board shall be specifically set forth in the minutes of the Executive Board meetings. The Union Executive Board or the President is authorized to make to any Union officer

or employee advances on his/her salary and/or vacation pay, within the restrictions of applicable law

SECTION 8 NOMINATIONS AND ELECTIONS OF OFFICERS:

RULES

(A) Time of Nominations and Elections

Meetings as hereinafter established for nominations of officers shall be held in September of every third year, beginning in 2017. Elections shall be held not less than thirty days after nominations have been closed. The Union Executive Board shall set the time and place of nominations and elections and such time and place and other relevant arrangements shall be convenient to the greatest possible attendance by all the members.

The term of office of Union officers shall be for a period of three (3) years and will begin on October 1st following the election.

(B) Notice of Rules, Nominations, Meeting and Election

At least twenty (20) days prior to the date of the nomination meeting, specific notice of the date, time and place of the nominations meeting and the offices to be filled shall be mailed or shall be published in any Union publication mailed or e-mailed to the membership (except that notice of nominations and election may be combined); each member shall be advised in such notice that the election rules are set forth in these Bylaws which are available upon request.

(C) Eligibility of Members

- (1) Every member whose dues are paid up through the month which is prior to the month in which the nominations or election is held shall have the right to nominate, vote for, or otherwise support the candidate of his/her choice. No member whose dues have been withheld by his employer for payment to the Union pursuant to his voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to nominate, or vote for, a candidate for office in the Union, by reason of a delay or default in the payment of dues by the employer to the Union
- (2) To be eligible for election to any office in this Union, a member must be in continuous good standing in this Union and actively employed in a bargaining unit represented by the Union for a period of twenty-four (24) consecutive months prior to the month of nomination for said office. For purposes of the 24 consecutive months good standing requirement, periods at the job site prior to this Union's becoming the collective bargaining representative will count.
- (3) Payment of dues after their due date shall not restore good standing status for such month or months in computing the continuous twenty-four (24) months good standing status required by this Section as a condition of eligibility for office.
- (4) Members in a reserve component of the military or National Guard who are called to active service lasting more than thirty (30) days but not more than twenty-four (24) consecutive months, will be deemed to have maintained continuous good standing for purposes of this Section for the

periods on which they are on active duty.

(C) Nomination Procedures

- (1) Nominations shall be held at a general or special membership meeting. Nominations and the conduct of the election and related questions shall be the first order of business at the nomination meeting and complete minutes shall be kept of that business. Nothing in this provision shall prohibit the holding of special meetings, at which meeting nominations and the conduct of the election shall be the sole order of business. Nominations shall be taken at the scheduled time and date even if there is no quorum present as required by these Bylaws.
- (2) Nominations shall be made at the meeting by a member in good standing other than the nominee by motion seconded by a member in good standing other than the nominee. Nominations may also be submitted by mail petition specifying the name and signature of the nominator and seconder, the position sought, and the signature of the nominee indicating acceptance of the nomination. Candidates are advised to verify the good standing status of their nominator and seconder prior to the nomination meeting.
- (3) Every member eligible to nominate candidates shall be entitled to nominate or second the nomination of one (1) candidate, but only one (1), for each office open. Prospective candidates may not nominate themselves nor second their own nomination.
- (4) Nominations shall not be closed until a call for further nominations has been made three (3) times by the Chair without further nomination being made.
- (5) If an election committee is used, after nominations, each candidate for the office of President, Treasurer and Recording Secretary may designate one (1) member for service thereon who shall thereupon be appointed by the President. If this results in an even number of Committee members, the Committee members will jointly appoint an additional member.
- (6) In the event only one (1) candidate is nominated for any office, no election shall be conducted for such office unless required by law, and such unopposed candidate shall be declared elected by acclamation at the nominations meeting, effective as of the conclusion of the term of the incumbent.
- (7) A member otherwise eligible to run for office shall become a bona fide candidate only upon his/her nomination for office and acceptance of the nomination. To be eligible to nominate and otherwise participate in the nomination meeting, a member must have his dues paid through the month prior to the month in which the nomination meeting is held. Candidates must accept nominations at the time made either in person or, if absent, in writing, and may accept nomination for only one office. After a candidate has accepted nomination, he may not, under any circumstances, revoke his acceptance after the ballots are printed, except where as a result of the revocation the remaining candidate is unopposed.
- (8) If any nominee should die before the election, his name shall nevertheless appear on the ballot. In the event such name shall receive the requisite number of votes to be elected, the position shall then be filled by the nominee with the next highest amount of votes.
- (9) If there is only one (1) nominee for an office and he is finally ruled

ineligible after the nomination meeting, then the office shall be filled by appointment by the newly-elected Union Executive Board.

(D) Elections

- (1) After the nominations meeting, but not less than twenty (20) days prior to the election, specific notice of the date, time and place of the election and of the offices to be filled shall be mailed to each member at his last known home address, if no notice has previously been sent. The election shall be held at such place or places and at such time, not earlier than twenty (20) days after the nomination meeting, as may be designated by the Union Executive Board. By decision of the Executive Board prior to the Notice of Election, the election may be conducted by mail referendum balloting in accordance with the procedures promulgated by the United States Department of Labor. In a mail ballot, ballots shall be mailed to all active members and shall be returnable to a secure post office box no earlier than thirty (30) days after the nomination meeting. The Executive Board may retain a neutral agency to supervise the distribution, collection and tabulation of the ballots. Candidates shall have the right to have their observers present at all phases of the ballot processing procedure. Walk-in elections shall be by secret ballot to be placed in boxes, unless the Union Executive Board has authorized the use of some standard type of election mechanical device insuring a secret ballot by machine vote. If a walk-in ballot is utilized, the election box or boxes or machine or machines will be located at a place or places designated by the Union Executive Board. Balloting shall be open for a period not less than six (6) total hours during the period between the hours of 4:00 a.m. and 7:00 p.m. The Union may extend voting beyond these hours if necessary to accommodate work schedules and provide members a reasonable opportunity to vote. It shall be the duty of the Union Executive Board to provide safeguards for the honest and fair conduct of such election.
- (2) Voting shall be conducted by secret ballot among the members in good standing. There shall be no proxy voting. Each such member shall be entitled to one vote. The Union Executive Board shall have the authority to establish all rules and regulations for the conduct of the election to supplement the provisions of these Bylaws, including the authority to use mail referendum balloting or absentee balloting without membership approval.
- (3) Each candidate, at his own expense, shall have the right to have an observer other than himself at each polling place and at the counting of the ballots who must be a member of the Union in good standing. Observers may challenge the eligibility of voters, and all challenged ballots shall be sealed in a blank envelope which in turn shall be sealed in an envelope with the name of the voter thereon. If votes are challenged, such challenge shall be made in writing at the time of the election with specific reasons given for such challenge. Challenges shall be investigated to determine their validity if the challenged ballots are sufficient in number to affect the result of the election. The blank envelope containing the ballot shall not be opened until such time as all challenges have been ruled upon. Upon request of any candidate, deemed reasonable by the Election Committee, voting machines, if used, shall be checked for proper operation. Candidates shall have the right to be present at the counting of the ballots.

- (4) To be eligible to vote in the election, a member must have his dues paid up through the month prior to the month in which the election is held and must still be an active member on the day of the election. The candidate for each office who receives a plurality of the votes cast for the office shall be elected thereto, except in the case of Trustees, in which case the three (3) candidates receiving the highest number of votes shall be elected. In the event of a tie vote, the candidates shall resolve such tie by random selection, except in the case of a tie for the office of President of the Union, in which case there shall be a reelection between only the candidates who have tied for the highest number of votes and only for that office.
- (5) No officer may run for another office in this Union, the term of which covers part of his current term, unless he resigns from his current office, effective upon the certification of the results of the election. He shall announce his intention to resign not later than fifteen (15) days prior to the nomination meeting and will not be eligible for appointment to the vacancy created by his resignation.
- (6) There shall be no write-in candidates and any ballot containing a write-in candidate shall be void insofar as the vote for that office is concerned and such ballot for that office shall not be considered as having been cast in determining the vote for that office.
- (E) During the period between the date of election and the end of the term of office no extraordinary expenditures of Union funds shall be made, and no action shall be taken that commits the Union to make such extraordinary expenditures in the future, without the approval of the officers-elect and the membership.
- (F) Duties of Treasurer in connection with Nominations and Election
 - (1) The Treasurer shall at least twenty (20) days prior to the holding of the nominations give notice, as above provided, to the membership of the time, place and date and the offices for which nominations will be in order in connection with the election. Such notice shall be given in the manner determined by the Union Executive Board, consistent with these rules.
 - (2) The Treasurer shall review the eligibility to hold office of any member at such member's request and shall make a report on the eligibility of that member within five (5) days thereafter to any interested member. The Treasurer shall comply with requests from members to determine their eligibility if made prior to the nomination meeting. After the nomination meeting, the Treasurer shall review the eligibility of all candidates, their nominators and seconders and certify their eligibility to run for office. The Treasurer shall immediately notify all nominees of their eligibility status and shall specifically notify any disqualified nominee of the reason for said disqualification.
 - (3) Unless a joint nomination-election notice was sent, the Treasurer shall give written notice to the membership of the , at least twenty (20) days prior to any election date, of the time, place, date, hours, and number of offices upon which voting shall be held, by mailing such notice to the last known home address of every active member.
 - (4) Upon reasonable request of any declared and eligible candidate for office, the Treasurer shall arrange for the distribution of any campaign literature by mail, or otherwise, provided that such candidate pays the reasonably estimated cost involved in advance. Candidates shall make such requests

a reasonable period of time prior to the conduct of the nomination meeting. The Treasurer shall not delay the distribution of any candidate's mailing. Any reduced rate mailing permit available to any candidate shall be made available to all candidates on an equal basis. The Treasurer may require that all campaign literature shall be presented to him at the principal office of the Union no later than a reasonable number of days prior to the election and all candidates shall be given reasonable notice of that cutoff date. The Treasurer may, where in his judgment it appears necessary, provide for a consolidation of such distribution in which case the cost of such distribution shall be assessed upon the candidates involved on a pro rate basis.

- (5) The Treasurer, to the extent required by law, shall upon reasonable notice make available for inspection by any bona fide candidate the membership list of the Union within thirty (30) days prior to the election date. No candidate shall be permitted by the Treasurer to copy any names or addresses of employees shown on such list and such inspection must be made in the presence of the Treasurer or his designee.
- (6) The Treasurer shall retain a copy of the notices of nominations and of the election, the mailing list of the membership, the voter register, a copy of the ballot, the official tally sheet submitted by the tellers, all voted and unused ballots, ballot return envelopes and such other records including election rules as shall relate to the conduct of the election. All copies and records shall be retained for one year.

(G) **Nomination and Election Protests**

- (1) Any member who desires to challenge a ruling on eligibility to run for office shall appeal, in writing, within forty-eight (48) hours after receipt of the ruling to the Executive Board, which will decide the appeal within 72 hours. In the event there shall be any protest or charges made concerning an election by any member prior to the holding of the election, such protest or charge shall be made in writing by such member to the Executive Board (via the Treasurer) within forty-eight (48) hours of his knowledge of the event complained of and shall specify the exact nature and specifications of protest.
- (2) In the event there shall be any protest or charge by any member concerning the conduct of the election after the election has been held, such protest or charge shall be made to the Executive Board, via the Treasurer, in writing by such member within seventy-two (72) hours setting forth the exact nature and specifications of the protest and his claim as to how it has affected the outcome of the election.

SECTION 9 DUES AND FEES

- (A) The minimum monthly dues of this organization shall be \$20 per pay period.
- (B) Any member who shall be three months in arrears in the payment of dues, fines, assessments, or other charges, shall automatically stand suspended at the end of the third month and shall not be entitled to any rights or privileges of membership. Any member who has been automatically suspended for failure to pay dues and other charges shall be under a continuing obligation to

pay dues during the period of his suspension. Upon payment of the delinquent dues, the member shall be restored to good standing status. However, payment of dues shall not restore good standing status if fines and other charges due are not paid. The Union Executive Board shall have the power to waive, or reduce, on a non-discriminatory basis, the payment of delinquent dues, assessments, and/or fees.

- (C) General or Special assessments and levies may be made from time to time in the manner provided hereinafter.
- (D) At the first membership meeting of every even numbered year beginning in 2020, the membership in attendance will vote on whether to increase or decrease the dues rate as set forth herein.
 - (1) At the meeting, voting shall be by secret ballot of the members in good standing.
 - (2) The ballot will have three choices: Maintain the current dues rate, decrease the rate by \$5 per pay period, or increase the rate by \$5 per pay period.
 - (3) A majority vote of those voting at the meeting will be required to change the dues rate. If no majority is reached for any of the ballot options, then the current dues rate will be maintained.
- (E) With respect to changing the dues and fees, this provision supersedes the provisions of these Bylaws regarding amending the Bylaws except that a quorum will be required at this meeting to vote for a dues increase or decrease. If a quorum does not attend this meeting, the vote for a dues increase will be held at the next general meeting at which a quorum is present. These Bylaws will constitute notice of such a process for approving dues rate changes.
- (F) Changes to the dues rate will not be voted on or made at any other meetings of the membership.
- (G) Nothing contained in these Bylaws shall preclude the Union Executive Board in the exercise of its discretion, from directing that a membership vote on issues involving dues, fees, or assessments be conducted by mail ballot referendum after appropriate notice and with safeguards for preserving the secrecy of the balloting.

SECTION 10

MEETINGS

- (A) Membership meetings shall be general or special.
- (B) General Membership Meetings
 - (1) General membership meetings shall be held monthly at such place and time as shall be designated by the Union Executive Board.
 - (2) Members in attendance at membership meetings shall have the right to

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

- (3) If it should appear to the presiding Chairman that any member is so conducting himself to constitute a threat to the orderly conduct of the business of the meeting, he may order him ejected.
- (4) At any time when in the judgment of the presiding Chairman of the meeting it appears that the meeting has become so disorderly as to prevent proper deliberation on the matters which might properly come before the meeting, the presiding Chairman shall have the right to adjourn such meeting forthwith, upon his own motion, and without second, and even though there may be other motions upon the floor. There shall be no appeal from such action since it is taken as a result of conditions which would prevent orderly consideration of the appeal by the meeting.
- (5) If such action is taken by the presiding Chairman, the time and place for a subsequent meeting, if there is to be one, shall be determined by the Union Executive Board. If no such determination is made, then the next meeting shall be the next regularly scheduled meeting.
- (6) The presiding Chairman can detail members or other persons to remove persons who have been ordered removed, or to prevent attendance of members who are "under the influence" or disorderly without calling upon the police.
- (7) The rights of members to attend meetings, to remain in such meetings or to participate in matters which come before such meetings are subject to the above powers and duties of the presiding Chairman and of the Union Executive Board.

(C) Quorum

- (1) The quorum of a general or special membership meeting shall be fifteen (15).

SECTION 11

MEMBERSHIP

- (A) An applicant shall be considered a member when he/she shall meet all the following requirements for membership;
- (1) He/she shall have executed a written application for membership on a form provided by the Treasurer.
 - (2) He/she shall have signed a dues checkoff authorization. If no dues checkoff authorization is signed, membership shall date from the first month for which dues are paid.
 - (3) The Union shall have accepted his application and dues

- (4) He shall have taken the oath of obligation as a member at a regular meeting following the action upon his application, unless dispensed with by the Union by policy or practice. In the event the applicant shall fail to take the obligation within a reasonable time following the acceptance of his application, he shall forfeit the monies tendered except for good cause shown.

(B) Responsibility of Members to the Union

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

resignation shall be collectible by the Union in any appropriate forum. This shall not relieve any member of any obligation to comply with any other provision of these Bylaws regarding acquisition or maintenance of membership in good standing.

(A) Rights of Members

- (1) No provision of these Bylaws, rule of parliamentary procedure or action by the Union or its officers shall be administered in such a way as to deprive individual members of their rights under applicable law and the following membership rights: the right to nominate candidates or vote in elections or referendums of the Union;
- (2) the right to attend membership meetings, and to participate in the deliberations and voting upon the business of such meetings;
- (3) the right to meet and assemble freely with other members and to express any views, arguments, or opinions, and to express at meetings views upon candidates in an election of the Union or upon any business properly before the meeting, subject to the organization's established and reasonable rules;
- (4) the right to information concerning the conduct of the Union business; and
- (5) the right to institute an action in any court or in a proceeding before any administrative agency, irrespective of whether the Union or its officers are defendants in the action, or to appear as a witness in a judicial, administrative or legislative proceeding, or to petition any legislator, subject to the exhaustion of intraunion remedies as required by these Bylaws and/or applicable law.
- (6) All the rights of members set forth in these Bylaws shall be subject to reasonable application and subject to the right of the Union to impose reasonable limitations upon the exercise of these rights by the members.

SECTION 12

CHARGES AND TRIALS

- (A) Each member of this Union shall have the right to fair treatment in the application of union rules and law in accordance with these Bylaws. In applying the rules and procedures relating to union discipline, the essential requirements of due process of law (notice, hearing, and judgment based upon the evidence) shall be observed, without, however, requiring the technical formality followed in courts of law. Recognizing that these requirements of fairness and due process of law will be administered by non-lawyers, this Union adopts the following procedures. These procedures are not to constitute technically precise requirements of strict pleadings of courts of law.

(B) Trials and Appeals

- (1) Trial. Every member charged with a violation of these Bylaws shall be accorded a full and fair hearing as required by law. No member of the Union Executive Board involved in the subject matter of the charge, shall sit on the trial board. The decision on disqualification under this provision, if raised by an interested party, shall be made in the first

instance by majority vote of the Union Executive Board. The officer alleged to be involved shall not vote on whether he is qualified to remain on the hearing panel. If the member charged or preferring the charges is a member of the Union Executive Board, or if a member of the Union Executive Board is unable to attend the hearing for any reason, then the President of the Union shall appoint an uninvolved member as a substitute. If either the President or Treasurer of the Union is charged or is preferring the charges, or is unable to attend the hearing for any reason, the other officer shall appoint the substitute. If both the President and Treasurer of the Union are charged or are preferring the charges, or for any reason are unable to attend the hearing, the remaining members of the Union Executive Board shall appoint the substitutes. In no event shall any involved officer or member serve on a hearing panel, participate in the selection of a substitute member of a hearing panel, or participate in the decision making process of the trial body.

- (2) **Charges.** Charges shall be in writing and signed by those filing same and must be filed in duplicate with the Treasurer, who shall serve the charges and notice of the hearing upon the accused either in person or by mail at least ten (10) days prior to the hearing. In scheduling the time and place of the hearing, due consideration shall be given to the convenience of the accused and witnesses necessary in the case. The charges must set forth the provisions of these Bylaws allegedly violated and the acts which allegedly constitute such violation in sufficient detail to inform the accused of the offense charged, including, where possible, dates and places. If charges are filed, the charging party must include in the charges all alleged offenses of which he has knowledge, or in the exercise of due diligence should have had knowledge, as of the time of the filing of the charges. He may not subsequently file additional charges based upon facts of which he had knowledge, or in the exercise of due diligence should have had knowledge, as of the time of the filing of the charges. Any charge based upon alleged misconduct which occurred more than five years before the discovery of the conduct giving rise to the charge is barred and shall be rejected by the Treasurer except charges based upon the non-payment of dues, assessments and other financial obligations. No member or officer shall be required to stand trial on charges involving the same set of facts as to which he is facing criminal or civil trial until his final court appeal has been concluded. Nor shall a member or officer be required to stand trial on charges that are substantially the same as arise under the same circumstances as prior internal Union charges against such member or officer provided that a decision was rendered on those prior charges.
- (3) In the event of non-compliance with the decision handed down by the Executive Board, the member shall stand suspended from rights and privileges under these Bylaws until the provisions of the decision have been complied with.
- (4) **Rights of the Accused.** Throughout the proceeding, there shall be a presumption of innocence in favor of the accused. In order to be sustained, the charges must be supported by a preponderance of reliable evidence and a majority of the members of the panel must vote to find

the charged party guilty. The accused shall have the right to present his own evidence, rebut testimony against him, present witnesses favorable to him and cross-examine adverse witnesses. The charging party and the accused may (but are not required to) select another member in good standing of the Union to represent them at a hearing conducted before any trial or appellate body. Witnesses need not be members of the Union. The hearings shall be open to other members, subject to the discretion of the Union Executive Board in maintaining order and in excluding witnesses except when testifying.

- (5) Action by the Union Executive Board. The Union Executive Board shall have the authority to determine the manner of reporting the hearings and shall have authority to exclude any method not authorized by it. Any request by a party that a verbatim record be made must be received by the Executive Board not later than five (5) business days prior to the scheduled commencement of the hearing and shall be honored. If the Union Executive Board decides to have a transcript or recording of the hearing made, the Union Executive Board shall furnish a copy of the same to the accused and to other interested parties upon payment of the cost for same, or shall make such copy available to any interested party for copying or consultation without cost.
- (6) Within a reasonable time after completion of the hearing, the Union Executive Board shall decide the case. The decision of the Union Executive Board shall be in writing and contain the charges, its own factual findings and decision. A copy of the decision of the Union Executive Board must be forwarded to the parties without delay. A copy of all documents in the proceedings shall be kept available at the Union's principal office until final disposition is made of these charges.

SECTION 13

BONDING

- (A) Every officer, agent, employee, other representative of this Union or shop steward who handles funds or other property of this organization shall be bonded in accordance with applicable statute. The amount of bond required of each person shall be ascertained by the Union Executive Board, and the premium charges shall be paid out of the general funds of the Union.

SECTION 14

RULES OF ORDER

Rule 1. The regular order of business may be suspended by a vote of the meeting at any time.

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

Rule 3. Any conversation by whispering or otherwise, or any other activity which is calculated to disturb or may have the effect of disturbing a member while speaking

or disturb the conduct of the meeting or hinder the transaction of business, shall be deemed a violation of order.

Rule 4. Attending meetings "under the influence" is basis for removal.

Rule 5. The meeting may determine what portions of its business shall be secret.

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

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

Rule 8. Every member, while speaking, shall adhere to the question under debate and avoid all invective and indecorous language, but all members shall have the right to express their views, arguments and opinions upon candidates and upon any business properly before the meeting.

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

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

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

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

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

Rule 14. In presenting a motion, a brief statement of its objects may be made, but no discussion of its merits shall be admitted until the question is stated by the Chair.

Rule 15. Any member may call for a division of a question when the subject or sense admits thereof.

Rule 16. The following motions shall have precedence in the following order: first, to adjourn; second, to close debate; third, to take up the previous question; fourth, to lay on the table; fifth, to postpone indefinitely; sixth, to postpone to a definite time; seventh, to refer; eighth, to amend. The first four shall be decided without debate.

Rule 18. When a question is postponed indefinitely, it shall not come up again, except upon a majority vote of the members present and voting.

Rule 19. The motion to close debate may be made by two (2) members, and shall be put in this form: "Shall the debate now close?" If adopted, the President shall proceed to take up the question before the

membership, according to priority, without further debate.

Rule 20. The call for the previous question on the original motion may be made by six (6) members and shall be put in this form: "Shall the main question be now put?" If adopted, the effect shall be to take up the question on the original motion to the exclusion of all debate and all amendments which have not been adopted.

Rule 21. If proper motion to amend has been made, the question on the amendment shall be put first; if more than one amendment has been offered, the question shall then be put as follows: (1) amendment to the amendment; (2) amendment; (3) original proposition.

Rule 22. A motion to adjourn shall always be in order except: (1) when a member has the floor; (2) when members are voting; (3) when a motion is pending.

Rule 23. A motion to adjourn having been put and lost shall not be in order again, provided there is further business before the Union, until fifteen (15) minutes have elapsed.

Rule 24. The Chair shall state every question coming before the Union before permitting the opening of debate thereof. Immediately before putting it to a vote he shall ask: "Is the Union ready for the question?" Should no member rise to speak on the question, or if a majority shall vote to close discussion, the Chair shall put the question. After he has risen, no member shall be permitted to speak further upon it.

Rule 25. When the presiding Chairman has commenced taking the vote, no further debate or remarks shall be allowed, unless a mistake had been made, in which case the mistake shall be rectified and the presiding Chairman shall recommence taking the vote.

Rule 26. One (1) tap of the gavel shall call to order; two (2) taps to be seated; three (3) taps to rise.

Rule 27. Any question on procedure in debate, not provided for herein, shall be governed by Robert's Rules of Order, Revised.

Rule 28. All rulings of the presiding officer on procedure which are not challenged during the meeting become final and unappealable upon adjournment of the meeting.

SECTION 15

COLLECTIVE BARGAINING NEGOTIATIONS

- (A) Contract negotiation committees will be appointed by the Executive Board.
- (B) All tentative CBAs negotiated by the Negotiating Committee will be submitted to the membership for ratification vote by secret ballot. A simple majority of those voting will be required to ratify the agreement. The tentative agreement will be provided to members in writing or by electronic means at least 48 hours prior to the vote. A rejection of the tentative agreement will authorize the Executive Board to call a strike as it sees fit.

SECTION 16

UNION PROPERTY

No property of the Union, and no property in the possession, custody or control of this Union or any of its officers, representatives or employees and no property held in trust by any trustee for and in behalf of this Union, express or implied, which

was created or established by this Union itself, or the members of the Union or their beneficiaries, shall be given, contributed, donated or appropriated, either directly or indirectly, to aid or assist or be expended in behalf of any seceding, dual or antagonistic labor organization or group.

SECTION 17 SAVING CLAUSES

- (A) The provisions of these Bylaws relating to the payment of dues, assessments, fines or penalties, etc., shall not be construed as incorporating into any union-security contract those requirements for good standing membership which may be in violation of applicable law, nor shall they be construed as requiring any employer to violate any applicable law. However, all such financial obligations imposed by or under these Bylaws (and in conformity therewith) shall be legal obligations of the members upon whom imposed and enforceable in a court of law.
- (B) If any provision of these Bylaws shall be declared invalid or inoperative by any competent authority of the executive, judicial, or administrative branch of federal or state government, the Union Executive Board shall have the authority to suspend the operation of such provision during the period of its invalidity and to substitute in its place and stead a provision which will meet the objections to its validity and which will be in accord with the intent and purpose of the invalid provision. If any section or subsection of these Bylaws should be held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of these Bylaws or the application of such section or subsection to persons or circumstances other than those to which it has been held invalid, shall not be affected thereby.
- (C) Where used in these Bylaws, words in the masculine also shall be read and construed as in the feminine in all cases where such construction would so apply.

SECTION 18 AMENDMENTS

- (A) Proposed amendments to these Bylaws shall be submitted in writing at a regular meeting of the Union upon initiation either by petition of seven (7) members in good standing, or by resolution of the Union Executive Board. Under no circumstances may these Bylaws be amended during a term of office to affect or modify the powers and duties of the incumbent officers or elected business agents. Such amendments may be made effective only as of the beginning of the next term of office.
- (B) The proposed amendments shall then be read at two (2) consecutive regular meetings of the membership or at two consecutive division, craft or place of employment or similar meetings (if the Union Executive Board has determined that membership meetings be conducted on such basis), and voted upon at the third meeting or meetings. At least 2/3 of the members in good standing voting at such meeting shall be required for passage.

SECTION 19 DISSOLUTION

In the event this organization dissolves, any assets remaining with the organization will be donated to a charitable organization (as that term is defined by IRS regulations) of the Executive Board's choice.