



CONSTITUTION
of the
INTERNATIONAL FEDERATION
of
PROFESSIONAL and
TECHNICAL ENGINEERS
AFL-CIO & CLC
1994



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ARTICLE I

Name and Headquarters

This Organization shall be known as the International Federation of Professional and Technical Engineers, hereinafter referred to as the Federation, one of the constituent organizations of the American Federation of Labor and Congress of Industrial Organizations and Canadian Labour Congress with which it shall be affiliated. Headquarters are to be maintained in the vicinity of Washington, District of Columbia. This Federation shall continue in existence and cannot be dissolved, disbanded, or disaffiliated while there are five local unions chartered thereby desiring to continue in existence.

ARTICLE II

Jurisdiction and Objects

Section 1. This Federation shall be devoted and dedicated to organizing into a national organization and shall embrace within its jurisdiction all individuals who work in the general technical and scientific field of engineering, architecture, and allied occupations for the purpose of representing them in collective bargaining and otherwise improving their economic status and conditions of employment.

Section 2. The Federation shall strive to elevate these fields of endeavor to their proper positions in industrial activity and in the ranks of all workers; to encourage a higher standard of proficiency among its members; to cultivate feelings of friendship among those who work in these fields and with those who employ them; to assist members in securing stable employment; to assist employers in securing skilled workers from among the membership; to engage in negotiating and consummating contractual relationships with employers, through which wages, hours and conditions of employment may be properly regulated to the benefit of both the membership and the employers; to encourage and legislate for, or by economic means secure, such reduction of daily and weekly hours of work as will guarantee the proper distribution of available work to the greatest number of people in the field; to bring about increased opportunity for recreation and rest, the proper freedom to observe the days set aside for holidays and religious worship; to elevate the moral, intellectual and social conditions of all

members by legal and proper means; to safeguard, advance, and promote the principle of free collective bargaining, the rights of workers, farmers, and consumers, and the security and welfare of all the people by political, educational and other community activity; to provide assistance, financial, moral or other, to other labor organizations or other bodies having purposes and objectives in whole or in part similar or related to those of this organization; to protect and preserve the union as an institution and to perform its legal and contractual obligations. It is recognized that the problems with which this Federation is accustomed to dealing are not limited to "bread and butter" unionism or to organizing and collective bargaining alone, but encompass a broad spectrum of economic and social objectives as set forth above and as the union may determine from time to time; we, therefore, determine and assert that the participation of this labor organization individually and with other organizations in the pursuit and attainment of the objectives set forth herein are for the sole benefit of the organization and its members.

Section 3. The Federation shall watch over all legislative activities by local, state or federal governments which may affect the interests of the membership and shall use its influence to secure the promotion, rejection or amendment of legislation affecting the membership as the exigencies of the occasion may demand.

Section 4. It shall be a purpose and aim of the Federation to inform, advise, and educate workers in these fields in the principles and policies of the Federation, and of the benefits to be derived through collective bargaining and joint action.

ARTICLE III

Emblem

Section 1. The official emblem of the Federation, which shall be duly registered and protected, is as follows:



Section 2. This emblem shall be generally used on all printed matter, including charters, publications, supplies and stationery of the organization and its various subdivisions, and in insignia to be worn by members.

Section 3. The official seal of the Federation shall bear this emblem. The seal of each subdivision of the Federation shall likewise bear this emblem together with the designation of such subdivision. No seal shall be held or used by any subdivision of the Federation, nor shall the use or holding of any seal confer authority unless the seal shall have been furnished by the Secretary-Treasurer. All seals shall be the property of the Federation. No facsimile of the emblem shall be used except such as are approved by the Secretary-Treasurer.

Section 4. No firm, organization, or person outside the Federation shall be entitled to use any stamp, label, decal or other display of the official emblem on drawings or products unless approved by the President of the Federation, and in accordance with rules established by the Executive Council. A record shall be kept of all such grants or authorizations for use of the official emblem on labels in the office of the national headquarters.

ARTICLE IV

Membership

Section 1. Any individual employed or qualified for employment as described under Article II, Section 1, shall be eligible to membership in this Federation upon application and election in the manner and form prescribed in this Constitution.

Section 2. No person shall be admitted to membership in the Federation who is not employed, or seeking employment, in an occupation under the jurisdiction of this Federation, or who advocates principles or lends support to organizations or movements whose purposes and objectives are contrary to the fundamental principles of the established Government of the United States of America, in the case of residents of the United States of America or its territories; or contrary to the fundamental principles of the established Government of the Dominion of Canada, in the case of residents of the Dominion of Canada; or which are in conflict with the policies of this Federation.

Section 3. (a) Qualified members who interrupt their regular employment to serve as paid representatives of the Federation or its subordinate bodies or those otherwise employed as representatives of the Federation or its subordinate bodies shall be considered as still employed in the fields under the jurisdiction of the Federation and shall be entitled to full membership rights and privileges, except as provided in subsection (b).

(b) No paid representative or employee shall campaign or otherwise participate on paid union time in a partisan manner, directly or indirectly, in any election of the Federation or its subordinate bodies, provided however, that such representative or employee may campaign or participate in his own candidacy on non-union paid time.

Section 4. Members shall be affiliated with, and members of, local unions chartered by the Federation.

ARTICLE V

Governing Bodies

Section 1. Subject to the limitations of this Constitution, the convention is the supreme legislative, judicial and reviewing authority. The policies and practices of the Federation shall be determined by convention action, except that between conventions, policies and practices shall be determined by Executive Council action.

Section 2. The administrative authority of the Federation, when not in convention, shall be in the following order:

1. Executive Council.
2. Executive officers.
 - a. The President for matters under his/her cognizance.
 - b. The Secretary-Treasurer for matters under his/her cognizance.
3. The appropriate vice president.

ARTICLE VI

Officers and Executive Council

Section 1. The officers of the Federation shall consist of the President, the Secretary-Treasurer and seven or more vice presidents. These officers shall constitute

the Executive Council. One Executive Officer and one Vice President may be members of the same local union. The two Executive Officers may not be members of the same local union, nor may two Vice Presidents be members of the same local union. All officers shall take office immediately after being elected and shall continue in office until their successors are qualified, as hereinafter provided.

Section 2. Terms of office of President, Secretary-Treasurer and Vice Presidents shall be three (3) years.

Section 3. To be eligible for office a candidate must have been in continuous good standing as a member of the Federation for at least 24 months immediately preceding the convention in which the candidate is nominated.

Section 4. The officers shall be nominated and elected by a regular convention. Vacancies in office occurring between conventions shall be filled by appointment of the Executive Council of a qualified member to serve until the convention. In the event a vacancy occurs among the vice presidents, nominations shall be obtained from the locals in good standing in the area wherein the vacancy occurs and the Executive Council shall make a selection to fill the vacancy from such nominations within 60 days of the date when the vacancy occurs unless a convention is convened prior thereto. Local unions in the area shall be notified within 15 days of the occurrence of the vacancy by registered or certified mail, return receipt requested.

Section 5. In case of a vacancy in the office of President or Secretary-Treasurer by death or resignation, or other causes, the remaining incumbent principal officer shall perform the duties of both offices until the successor is appointed by the Executive Council. It shall be the duty of such interim successor to issue, within ten days of the date of the vacancy, a call for a general meeting of the Executive Council within thirty days of the date of the vacancy for the purpose of appointing a successor to fill the vacancy until the next convention.

Section 6. (a) The jurisdiction of the Federation for the purpose of nomination and election of vice presidents shall be divided into seven (7) areas, each of which shall be represented by one vice president; provided, however, that any vice presidential area which has paid monthly average per capita tax on 7,500 or more

members to the Federation during the six-month period as set forth in Article XI, Section 15(c), shall be entitled to one additional vice president. Nominations shall be obtained from the locals in good standing in the area within such additional vice presidency occurs and the Executive Council shall make a selection to fill the position from such nominations within 60 days of the date when the area qualifies for the additional vice president in accordance with this section, unless a convention is convened prior thereto. Local unions in the area shall be notified within 15 days following determination by the Executive Council that the area qualifies for an additional vice president. The Executive Council shall determine the jurisdiction of each of the two vice presidents within the area, and that area shall continue to vote for two vice presidents as long as, within each applicable six-month period as set forth in Article XI, Section 15(c), the area continues to meet 80 percent of the per capita standard as set forth above. The areas are designated as follows:

NORTHEAST AREA—Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont

ATLANTIC AREA—Delaware, Florida, Georgia, Maryland, New Jersey, North Carolina, Pennsylvania, South Carolina, Virginia, West Virginia, District of Columbia, Commonwealth of Puerto Rico

MIDWEST AREA—Alabama, Arkansas, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Dakota, Ohio, Oklahoma, South Dakota, Tennessee, Texas, Wisconsin

WESTERN AREA—Alaska, Arizona, California, Colorado, Hawaii, Idaho, Montana, Nevada, New Mexico, Oregon, Utah, Washington, Wyoming

DOMINION OF CANADA AREA

U.S. FEDERAL CIVIL SERVICE EMPLOYEES—Local Unions whose predominate membership is in U.S. Federal Civil Service:

WESTERN AREA: Alaska, Arizona, Arkansas, California, Colorado, Hawaii, Idaho, Illinois, Iowa, Kansas, Louisiana, Minnesota, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, Wyoming

EASTERN AREA: Alabama, Connecticut, Delaware, Florida, Georgia, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, West Virginia, District of Columbia, Commonwealth of Puerto Rico.

(b) The nomination and elections of each area vice president shall be conducted at the convention by the delegates representing local unions in each respective area.

(c) At the meeting immediately following the convention, the Executive Council shall elect by secret ballot one of the vice presidents to serve as Executive Vice President.

Section 7. All officers of the Federation shall be ex-officio members of all subordinate bodies of the Federation with the privilege of attending meetings of such chartered subordinate bodies, but not voting.

ARTICLE VII

The President

Section 1. Except as provided elsewhere in this document, the President shall be the chief executive officer of the Federation and shall enforce all the laws according to the Constitution and policies set by conventions and the Executive Council.

Section 2. It shall be the duty of the President to preside at all conventions, to exercise supervision over the affairs of the Federation throughout its jurisdiction, to sign all official documents, to travel whenever required in the interests of the Federation, and to submit to each regular convention a report of his/her activities between conventions, copies of which report are to be sent to all local unions so that they are received at least three weeks prior to the opening date of the convention.

Section 3. The President shall act as executive officer of the Executive Council in all matters wherein authority is not especially conferred upon other officers of the Federation. The President shall chair the Executive Council with power to vote in case of a tie, and shall have authority to convene the Council at any time.

Section 4. The President shall employ or discharge, and fix the salaries of representatives in the field (other than those engaged in organizing work), headquarters, administrative, technical, and clerical employees as may be required, subject to the approval of the Executive Council. All such employees shall serve under his/her direct supervision except as they may be otherwise assigned by him/her. Such employees of the Federation shall not be considered as agents of the Federation and the Federation shall not be liable for any of their acts unless they are specifically appointed and authorized to act as agents by the President or Executive Council.

Section 5. The President shall be authorized to make such expenditures of the funds of the Federation as are necessary for the operation of his/her office and the daily functioning of the Federation but provided that no extraordinary expenditures shall be made without the approval of the Executive Council.

Section 6. The President shall be required to examine all rules and bylaws adopted by local unions or other subordinate bodies and ascertain that they are not in conflict with this Constitution, and all such bodies shall submit their bylaws governing local membership to the President for such examination. If any violation is found to exist, then such local bylaws shall be inoperative in that respect, and the Federation Constitution provisions shall govern until the local bylaws are revised to conform.

Section 7. The President shall be authorized to allow the salaries, expenses and allowances of the other officers of the Federation, as hereinafter provided.

Section 8. The President shall appoint all committees not otherwise provided. The President shall appoint deputies to act with full power whenever impossible for him/her to be present in person. He/she shall have supervision over publicity and over editorial policy of the official publication of the Federation, and shall be authorized, with approval of the Executive Council, to employ such assistance as is necessary in connection therewith. The official publication shall be the official organ of the Federation for all purposes, including notices. The official publication of the Federation and all appropriate bulletins, shall be free to all dues-paying members.

Section 9. The President shall decide any questions respecting the construction or interpretation of the Constitution, and any protests and questions regarding local union elections. His/her decisions may be appealed to the Executive Council and thereafter to the convention. However, pending any such appeal, the President's decision shall be accepted by and be binding upon the Federation, the local unions, other subordinate bodies, and officers and members thereof.

Section 10. The President shall be a delegate of the Federation to all conventions, including the conventions of the American Federation of Labor and Congress of Industrial Organizations and its departments and the Canadian Labour Congress. He/she is empowered, with approval of the Executive Council, to appoint delegates of the Federation to any convention where he/she deems it to be in the interest of the Federation to have additional representation or to act in his/her behalf as a delegate at any such convention.

Section 11. The President shall be paid weekly at a per annum rate determined by vote of the Convention. He/she shall be allowed all legitimate expenses and allowances. He/she shall be granted at least two weeks vacation with pay each year. He/she shall be granted such other benefits as are specifically provided for by action of the Executive Council.

Section 12. The President shall draw-up a budget for the general fund consistent with the income of the Federation and submit it to the Executive Council at least once a year and/or whenever the financial status of the union is a topic of the Council's agenda.

ARTICLE VIII

The Vice Presidents

Section 1. The vice presidents shall serve as members of the Executive Council, shall act as volunteer or special organizers or representatives of the Federation, and shall perform such other duties as may be determined and assigned to them by the President and Executive Council in carrying out the objectives of the Federation.

Section 2. The area vice president shall be responsible for servicing their area. The area vice president shall communicate regularly with locals in their area on their servicing needs and with the staff assigned to

their area. The vice presidents shall advise the President and Secretary-Treasurer, whichever appropriate, of their concerns and priorities for the area, discuss budgetary constraints, and be consulted about assignments in their area.

They shall report periodically to the President on conditions and progress in their respective areas. They shall promote organizing in their area and shall report on the organizing activities of the locals in their area at each Executive Council Meeting. Vice presidents are entitled to attend conventions and to participate in discussions.

Section 3. Vice Presidents, not otherwise on the payroll of the Federation, shall be reimbursed for lost time and expenses while attending conventions of the Federation if not a local union delegate, and meetings of the Executive Council, and while performing assigned tasks. Reimbursement for actual salary loss shall be at the current rate of compensation. They shall receive \$50.00/day for subsistence (i.e. meals and incidentals) and actual expenses for other costs such as lodging and transportation incurred while away from home; provided, however, that the President may direct payment for all actual expenses in lieu of fixed rate subsistence amounts. In the case of Vice Presidents attending conventions as delegates from local unions, their travel expense and other expenses and lost time reimbursement incurred during the period of the convention shall be paid by such local union.

Section 4. Each Vice President shall be paid an annual stipend of \$1,500.00, payable at the start of each fiscal year beginning April 1, 1989.

ARTICLE IX

The Secretary-Treasurer

Section 1. The duties of the Secretary-Treasurer shall be to keep the books and accounts. He/she shall receive and take charge of all monies, properties, and securities of the Federation and pay all bills and vouchers approved for payment by the President. He/she shall submit to the regular convention a complete statement of all receipts and disbursements during his/her term of office, and at its expiration shall deliver to his/her successor all monies, securities, books, papers, and property of this Federation under his/her control.

Section 2. The Secretary-Treasurer shall formulate and establish adequate accounting and other record keeping procedures regarding all financial transactions between local unions and the Federation, including the collection of per capita tax and other collections from local unions, and shall furnish such standard forms as he/she deems necessary for such financial reports and names and addresses of all members of the local unions. All local unions must use such forms in their transmittals to the Federation. All procedures shall be subject to the approval of the Executive Council, and all unions must comply with this provision.

Section 3. The Secretary-Treasurer shall cause an annual audit of the financial records and condition of the Federation to be made by a Certified Public Accountant which audit shall be submitted to the Executive Council and the convention.

Section 4. The Federation's organizing program shall be formulated by the Secretary-Treasurer subject to review and approval by the Executive Council. He/she shall present an organizing program for each respective Vice Presidential Area.

He/she shall direct the organizing program of the Federation and in connection therewith, shall employ or discharge all organizers, representatives and other employees of the Federation engaged principally in organizing work, approve their reasonable expenses and allowances and establish their salaries, provided, however, that if a local of a region registers objection to someone who has been appointed in his/her region by the Secretary-Treasurer, the matter shall be referred immediately to a poll of the Executive Council members.

The Secretary-Treasurer, in conjunction with the Executive Council, shall be responsible for all organizing activities within the Federation, and will endeavor to maintain a full-time organizer in Canada.

He/she shall be authorized to establish cooperative organizing activities with the local unions and to assume the payment of a reasonable portion of expenses which may arise in connection therewith; however, such payments shall be made only on the condition that a complete and accurate report of those activities involved are made available to the Federation.

The Secretary-Treasurer shall be paid weekly at a

per annum rate determined by vote of the Convention. He/she shall be granted at least two weeks vacation with pay each year. He/she shall be allowed all legitimate expenses and allowances. He/she shall be granted such other benefits as are specifically provided for by action of the Executive Council.

For staff and officer expenses and allowances approved by the President or Secretary/Treasurer, the Secretary-Treasurer shall be authorized to pay standard railroad or air rates, or mileage at the maximum amount allowed by the IRS for use of private automobile, plus \$35.00/day (\$50.00/day at convention) for subsistence (i.e., meals and incidentals) and actual expenses for other costs such as lodging and transportation incurred while away from home, provided however, that the President may direct payment for all actual expenses in lieu of fixed rate subsistence amounts.

Section 5. The Secretary-Treasurer shall submit to each regular convention a report of his/her activities between conventions, copies of which report are to be sent to all local unions so that they are received at least three weeks prior to the convention. The Secretary-Treasurer's report may be combined with that of the President and prepared as a single document entitled "Officers' Reports."

Section 6. The Secretary-Treasurer shall, at least thirty (30) days before the first day of the Federation Convention, mail, without charge, copies of the constitution of the Federation to each local union incorporating all changes to the Constitution made at and after the previous Convention and approved by the local unions.

Section 7. The Secretary-Treasurer shall draw-up a budget for the organizing program consistent with the income of the Federation and submit it to the Executive Council at least once a year and/or whenever the financial status of the union is a topic on the Council's agenda.

ARTICLE X

The Executive Council

Section 1. The principal function of the Executive Council shall be to carry into execution the instructions contained in the Constitution or adopted by the convention. Between conventions the Executive Council

shall be vested with discretionary power and full authority to act on any matter which cannot be deferred until the meeting of the next convention, subject to the limitations of this instrument.

The Executive Council shall be empowered to authorize such expenditures of the funds of the Federation as in its judgment are necessary to carry out and fulfill the purpose and objectives of the Federation.

Section 2. The Executive Council shall hold a meeting of the Council during the Spring and Fall of each non-convention year with due notice of the date and place being sent to all local unions as far in advance as practical, and thereafter, additional sessions at such places and such times as it may decide. During convention years the Council shall meet immediately prior and immediately subsequent to the convention for such length of time as the President shall designate. It shall meet at the call of the President or at the request of a majority of the members of the Council. In the event the President fails to call a meeting of the Council within 30 days as requested by a majority of the members of the Executive Council, the Secretary-Treasurer shall be obligated to call the meeting. If the Secretary-Treasurer fails to call the meeting, then the vice presidents who favor calling the meeting shall have the authority to call a meeting. In such case, the meeting shall have full force and effect of a meeting called by the President.

Section 3. A quorum for the transaction of any business by the Executive Council shall consist of a majority of the members thereof. All members of the Council shall be given reasonable notification of Executive Council meetings. The actions of the Executive Council shall be determined by a majority vote of the members present.

Section 4. On specific propositions and in response to requests by the President for a decision, the Executive Council members shall vote by mail, telephone or telegraph; provided, however, that in such cases it shall require a majority of the entire Executive Council to decide any issue. After a request from the President for a decision, failure of any member of the Executive Council to forward his vote, including a vote of present, within a reasonable period of time after receipt of such request, shall be taken as an indication

that he/she favors the recommendation of the President, where such recommendations are made.

Section 5. The Executive Council may initiate amendments to the Constitution for referendum to the membership and subordinate bodies, as hereinafter provided.

Section 6. The Executive Council shall have power to approve or disapprove all rulings of the President respecting the construction or interpretation of the constitution and its decisions between conventions shall be final and binding.

Section 7. The Executive Council shall determine all questions of jurisdiction and shall settle, subject to appeal to a convention, all controversies respecting jurisdiction between member groups.

The Executive Council shall determine the work or trade jurisdiction of local unions upon issuance of the charters, and no departure from such jurisdiction, by way of agreements with other unions or otherwise, shall be permitted unless authorized by the Executive Council.

Section 8. The Executive Council shall have authority to approve and thereafter effect the merger of two or more local unions when in its judgment it is to the best interest of the Federation to do so. No such merger shall be effected until all interested parties have had an opportunity to be heard, and if any merger is effected the membership and property rights of the members affected by the merger shall be safeguarded.

Section 9. The Executive Council is authorized to charter councils of local unions, either on a geographic or industrial basis, under such terms and conditions of function and operation as are consistent with this Constitution, as well as to revoke any such charter. Councils chartered by the Executive Council shall be governed by this constitution and by bylaws approved by the President.

Section 10. The Executive Council is authorized to grant strike, lockout or victimization benefits to members and local unions from the funds of the Federation upon terms and conditions established by the Executive Council.

The Executive Council is also authorized to establish and administer rules and regulations governing the

Emergency Assistance Fund, which the Executive Officers will follow in administering the Fund.

Section 11. It shall be the duty of the Executive Council to see that the officers and representatives of the Federation who are required to be bonded by law are adequately bonded in favor of the Federation through a reliable surety company.

Section 12. Should a member of the Executive Council leave the field of endeavor covered by the jurisdiction of this Federation to follow any other calling, he/she must resign as a member of the Executive Council; failing to do so, the office shall be declared vacant by the Executive Council.

Section 13. The hours of work and working conditions of all salaried employees of the Federation shall be as set forth in the Rules and Regulations as adopted by the Executive Council. Where applicable, the Executive Officers shall be authorized to negotiate collective bargaining agreements with the employees' organizations, subject to approval of the Executive Council. A Vice President will attend all negotiating meetings between the office and staff unions and the Federation's Executive Officers.

Employees of the Federation may be members in good-standing of the Federation; however, they shall not assert Federation membership rights in the context of any labor dispute between themselves and/or their staff union and the Federation.

Section 14. The Federation is authorized to pay all the expenses for investigating services, employment of all counsel and other necessary expenditures in any cause, matter, case or cases where an officer, representative employee, or agent is charged with any violation or violations of any law or is sued in any civil action or actions, (1) if a majority of the Executive Council in its sole discretion determines that such charges or law suits are (a) unfounded, (b) are politically motivated, or (c) were filed in bad faith to embarrass or destroy the union or the union officers or representatives, (2) or if a majority of the Executive Council in its sole discretion determines that the expenditures should be made.

Section 15. The Executive Council shall act upon the annual budgets submitted by the President and Secretary-Treasurer. The Executive Council shall, at

least quarterly, examine the expenditures of the Federation to ensure that they are consistent with the approved budget.

ARTICLE XI

Conventions and Representation at Conventions

Section 1. The regular convention of the Federation shall every three years on the date and in the city designated by the preceding convention.

Section 2. A special convention may be called at such time and place as the Executive Council may deem advisable, or by written request for such special convention to the Secretary-Treasurer from fifteen (15) locals in good standing representing not less than twenty-five percent (25%) of the members in good standing of the Federation, at a time and place which would be centrally located, and within ninety days of the receipt of the request at Federation headquarters; but enough advance notice must be given to permit members and representatives of local unions at great distance to reach the convention in time.

Section 3. At any special convention, the specific business for which it is convened shall be taken up immediately after the roll call, and no business shall be transacted other than that which is set forth in the call.

Section 4. (a) The Secretary-Treasurer shall send out the convention call to all local unions at least sixty (60) days before the convention convenes.

(b) All delegates from locals to IFPTE conventions shall be elected by secret ballot. There shall be no proxy voting permitted as part of the election of delegates. Except as provided below, (1) delegates shall be elected on a separate ballot or ballot section, from any ballot used for any other purpose; and (2) no member may be considered a delegate by virtue of election to, or holding, any other office in their local, except by separate election.

Locals may at their discretion, provide in their local constitution/bylaws, that officers elected local wide will be automatic delegates to the IFPTE convention by virtue of having been elected to their office. If a local elects this option its constitution/bylaw provision must require that the ballot for such positions note specifically that the position being voted for is "(Name of Posi-

tion)/Delegate to the (—) IFPTE convention.” The officer would only be an automatic delegate for the specific conventions noted in the blank on the foregoing statement. This delegate election option may only be used for specific “Officer/Delegates” noted in the local constitution/bylaws and may not be used for any other position in the local. All other delegates from locals must be selected by separate election as specified above on a separate ballot section. Each local union shall afford its membership reasonable opportunity to nominate candidates for delegates, and shall mail to each member at his/her last known home address notice of the time and place at which elections of delegates are to be held, such notice to be mailed not less than fifteen (15) days prior to such election.

(c) Whenever a local union determines to be represented at convention by proxy pursuant to the provisions of Section 16 of this Article, any such proxy delegates shall be elected by secret ballot and with due notice as provided above.

(d) At the opening of every convention, the committee on credentials shall be furnished with evidence that this section has been complied with.

Section 5. The voting strength of this Federation shall be defined as the total number of votes to which local unions are entitled in the convention. A quorum shall consist of not less than one-third of the total voting strength of the Federation. Proxies shall not be included in such quorum.

Section 6. The President shall preside over all conventions except that when he/she desires to speak on any question, or when otherwise necessary, one of the vice presidents shall perform the duties of President.

Section 7. The order of business at regular conventions shall be as follows:

1. Call to order
2. Salute to flag
3. Appointment of Credentials Committee
4. Report of Credentials Committee
5. Roll call of delegates
6. Appointment of committees
7. Report of officers
8. Report of committees
9. Nomination of all officers which shall take place on the day prior to the date of elections for said officers

10. Election and installation of new officers
11. Selection of site for next convention
12. Unfinished business
13. New business
14. Good and Welfare
15. Adjournment

Section 8. No persons other than officers and delegates shall be permitted to participate in the deliberations of the convention except by a two-thirds vote of the total convention voting strength.

Section 9. No discussion of a sectarian or religious nature shall be permitted on the floor of the convention.

Section 10. No grievances shall be considered by any convention that have already been considered by a previous one, except upon the recommendations of the Executive Council, nor shall any grievances be considered where no attempt has been made to effect a settlement by means at hand.

Section 11. Each local union affiliated with this Federation shall defray the expense of its delegates to all conventions.

Section 12. All affiliated local unions in good standing and each delegate attending the convention shall be furnished with copies of the officers' reports to the convention.

The verbatim proceedings of the convention shall be retained on file at the Federation headquarters, excerpts of which may be made available to delegates and local unions at their own expense.

Section 13. All elections shall be conducted by secret ballot, a majority of the voting strength of those delegates present and voting being necessary to elect; provided, however, that in the election of vice presidents, a majority of the voting strength of those delegates present and voting representing the local unions in each respective area is necessary to elect. All elective officers shall be members of the Federation.

The Secretary-Treasurer shall preserve for one year the ballots and all other records pertaining to the election of officers of the Federation.

Rules of the Convention

Section 14. To be considered, resolutions and constitutional amendments shall be submitted to the Sec-

retary-Treasurer in writing, and must be postmarked no later than sixty (60) days preceding the opening day of the Convention; provided that such resolutions and constitutional amendments may be introduced thereafter upon two-thirds vote of the delegates present at the Convention, following distribution to the delegates; and further provided that the Executive Council and Convention Committees may introduce resolutions and constitutional amendments at any time without such two-thirds vote.

All resolutions or constitutional amendments submitted prior to a convention shall bear the signature of the introducer and seal of the local union he/she represents, if such is the case, and shall be submitted in duplicate.

The Secretary-Treasurer shall provide to each local union copies of proposed resolutions, constitutional amendments and the rules adopted at the previous convention, to be postmarked no later than forty (40) days preceding the opening day of the Convention.

Section 15. (a) Local unions with 75 members or less are entitled to one delegate; and from 76 to 150, 2 delegates; 151 to 250, 3 delegates; 251 to 375, 4 delegates; 376 to 525, 5 delegates; 526 to 675, 6 delegates; 676 to 825, 7 delegates; 826 to 975, 8 delegates; 976 to 1125, 9 delegates; 1126 to 1275, 10 delegates; 1276 to 1425, 11 delegates; 1426 to 1575, 12 delegates; 1576 to 1725, 13 delegates; 1726 to 1875, 14 delegates; 1876 to 2025, 15 delegates; and one additional delegate for each 150 members over 2025.

(b) Local Unions need not vote as a unit in conventions. Their votes may be split evenly among the delegates; however, if there is an uneven number of votes within a delegation, a delegate may not cast a fractional vote. The delegation must decide how the uneven votes will be cast.

(c) Membership of local unions for the purpose of computing voting strength shall be determined by taking the average of due and paid per capita tax, excluding agency shop per capita, as shown by the reports covering the six-month period up to but not including the month preceding that in which the convention is opened; except as provided in Section 19 of this Article, the voting strength of a local union will correspond with the number of delegates to which it is entitled.

Section 16. All local unions beyond a radius of five hundred miles from the city in which the convention is held may be represented by proxy, and such local unions within the five hundred mile radius which have a membership of less than 30 members may also be represented by proxy.

Section 17. The delegates, alternates and proxies shall be elected and the credentials of such delegates, alternates and proxies must be in the Federation Headquarters not later than two weeks prior to the opening day of the regular convention of this Federation. All credentials shall be forwarded both ways by either registered or certified mail with return receipt requested. Between conventions, the Executive Council will establish a reasonable delegate registration fee which must be paid by the delegate's local prior to the delegate being seated at the convention. The amount of the fee will be announced in the Convention Call. No delegate, alternate or proxy whose local has not complied with this section will be seated at the convention; provided, however, that the convention by two-thirds vote may approve a departure from this procedure.

Section 18. No local union or person that has seceded or has been suspended or expelled by this Federation or by any local union connected with this Federation shall, while under such penalty, be allowed representation or recognition in this convention.

Section 19. No local union shall be entitled to representation unless such organization has applied for and obtained a certificate of affiliation at least three months prior to the convention. Any local union which has obtained a certificate of affiliation, but which has not been affiliated long enough to be able to compute the six months average membership specified in Section 15 of this Article, shall be entitled to representation on the basis of the average paid-up membership on which per capita tax has been paid for whatever portion of that six months period it has been affiliated.

Section 20. Delegates and proxies shall not be entitled to a seat in any convention unless their local union is in good standing as specified in Article XII, Section 7(a) at least ten (10) days prior to the opening of the Convention.

Section 21. Proxy votes are to be carried at the convention only by a duly authorized delegate or alternate

of a local union except that proxy votes may not be cast in any vice president election by a delegate from another area.

Section 22. No appointed full- or part-time representative or organizer of the Federation, who is paid by the Federation shall be permitted to cast proxy votes at a convention.

Section 23. Officers of the Federation attending Federation Conventions, excluding any area vice president elected as a delegate from a local, shall be considered delegates-at-large and each shall be entitled to a vote, except in nominations and elections of officers. Such delegates-at-large cannot carry proxy votes. The Secretary-Treasurer shall initiate and submit credentials of delegates-at-large to the convention credentials committee.

Section 24. All delegates and their alternates shall be members in good standing of their local union and of the Federation.

Section 25. The officers of the Federation shall be elected in the following order: President, Secretary-Treasurer, and the Vice Presidents as listed in Article VI, Section 6(a).

If there are two nominees for the office of President and Secretary-Treasurer from the same local unions, once the President has been elected any nominee for Secretary-Treasurer from the same local union shall be removed from the ballot.

In areas that qualify for two Vice Presidents, multiple nominees may be received from the same local union. However, only those two candidates that receive the highest number of votes and are not from the same local union shall be elected.

ARTICLE XII

Finances

Section 1. The revenue of this Federation shall be derived from dues, fees and other sources in accordance with this Constitution and as follows:

- (a) Dues from Associate Members.
- (b) A per capita tax from all affiliated local unions.
- (c) Charter application fees.

(d) Assessments that may be voted by convention or by a favorable referendum of two-thirds of the voting strength of the local unions casting votes and who are in good standing at the time the matter is received by them for ratification. Ratification action must be completed by the local unions and reported to Headquarters Office by registered or certified mail, made within 30 days of the date of the return receipt, showing date received by the local unions. Such referendum matter shall be forwarded to local unions by registered or certified mail, return receipt requested. Refusal by a local union to receive such registered or certified mail shall disqualify the local union from participation in the referendum and the local union's voting strength shall not be included in the total voting strength for purposes of determining the outcome of the referendum. The action for such referendum may be initiated by the Executive Council or by local unions representing 20 percent of the voting strength of the Federation, counting local unions in good standing only, and shall bear the signature of president and secretary of each local union. Such proposal shall be submitted in triplicate to the Secretary-Treasurer of the Federation. All local unions in good standing, regardless of their attendance or non-attendance at conventions, are required to act on the referendum. Ratification voting strength of the local union shall be on the basis of the formula used for convention representation requirements.

Section 2. The funds of the Federation shall be disbursed only for the conduct of the business of the Federation.

Section 3. The Federation is prohibited from assuming any responsibility for expenses or debts incurred by members or subordinate bodies, and conversely, local unions are not responsible for expenses or debts incurred by the Federation.

Section 4. Locals may require initiation fees for members, at their discretion. If a local elects to have initiation fees for members, the amount, the rules for use, and specifically any provisions for waiver must be spelled out in the local union's bylaws. The Executive Council may authorize the reduction of minimum dues and per capita tax as required for a limited period of time for the purpose of organizing or affiliating new bargaining units.

Section 5. Dues for members under jurisdiction of

local unions shall be not less than an average of \$9.00 per month as determined by local union bylaws. Dues are normally payable in advance, except where special consideration is given to encourage payroll dues checkoff. Locals may, at their discretion, grant special consideration (i.e., reduced dues, not to exceed \$.25 per month) to encourage use of payroll checkoff for dues payment.

Section 6. (a) Per capita taxes payable from each member's dues shall be increased from \$5.00 to \$5.20 per member per month beginning April 1, 1995, on all dues and agency fees collected; of which 97 percent shall be allocated to the General Fund and 3 percent shall be allocated to the Emergency Assistance Fund. Locals which have members who are part-time and/or casual employees shall be permitted to combine all dues received from said employees, each month, and shall pay a per capita tax on a ratio of one tax payment for each fifteen dollars (\$15.00) of such dues or major portion thereof. Locals which have Agency Shop payments on a percentage basis shall pay on each person at the same percentage of the per capita rate rather than the full rate.

All per capita taxes shall be paid to the Federation by not later than the 28th day of the month following the month for which the dues are collected; except that during strike action by one or more bargaining units of a member local, the obligation for per capita tax payments for members of the affected bargaining unit or units will be suspended for any month during which the members have been idled by strike for a minimum of fifteen (15) working days, and that under these conditions the convention voting strength of a local union shall be calculated based upon the formula provided in Article XI, Section 15, including credit for all per capita tax payments that would have been due to the Federation had the payments not been suspended as provided for above.

(b) Notification by the Executive Council of their estimate of the amount of any potential per capita tax increase shall be made to local unions at least ninety (90) days prior to convening of the Convention.

Section 7. (a) Any local union failing to pay said tax for three months shall be considered in bad standing. In addition, any local union failing to pay all bonding fees, office supplies and/or assessments of

more than \$200.00 within three months from the date of billing by the Federation, or as required by the Constitution, shall be considered in bad standing after a hearing or investigation of the charges by the Area Vice President or the Executive Council, and the charges are found to be warranted. This will deprive the local union of any and all privileges of the Federation. The Federation Headquarters is required to advise the local union of this Constitutional requirement.

(b) If, at the end of six months, any local union having failed to become in good standing by catching up in all arrearages of per capita tax payments, the charter of the local union may be revoked. In the event an established local union, which retains a contractual or labor-management relationship representing its members, fails to pay per capita tax for six months, the President shall be empowered to suspend the local union and invoke trusteeship over the local union, in accordance with the provisions of Article XVI, Sections 6 and 8.

(c) Reinstatement shall be permitted under terms specified by convention action or by the Executive Council only on definite assurance that all back per capita taxes have been paid on all dues that have been collected.

(d) In applying the Constitutional requirements of subsections (a) (b) and (c) above, the President and the members of the Executive Council are denied any and all authority to make any ruling whatsoever in conflict therewith. Any departure from these Constitutional requirements may be authorized only by the delegates to the succeeding convention.

Section 8. The Federation when requested by locals will provide an official membership card for all members, such card may be used by the locals as a receipt for dues money paid.

Section 9. A fee of \$50.00 shall be charged for certification of affiliation with this Federation to cover the expense of furnishing a charter, seal and other necessary equipment.

ARTICLE XIII

Local Unions

Section 1. Seven employees of good character following any calling within the jurisdiction of this

Federation, who are favorable to trade unions, and are not organized, and are not members of, or represented by, any body affiliated with this Federation, and who will subscribe to this Constitution, shall have the power to form a local union upon issuance of a temporary certificate of affiliation. They shall hold regular meetings for the purpose of strengthening and advancing the trade union movement and shall have the power to make their own rules in conformity with this Constitution.

Section 2. Upon receipt of a charter application, a temporary affiliation certificate, for a period of 90 days to one year, may be issued by the President of the Federation and by and with the consent of the Executive Council, at the end of which time, if the new local union has demonstrated its fitness both in manner of functioning and in meeting the official obligations, it then shall be granted a permanent charter.

Section 3. The certificate fee for affiliated bodies shall be as prescribed in Article XII, Section 9.

Section 4. It shall be the duty of each local union affiliated with this Federation to furnish to the Federation headquarters a copy of all official reports, issued by each local union, containing a statement of its membership in good standing, and to furnish such additional statistical data as may be called for by the Secretary-Treasurer of this Federation that may be in the possession of the respective local unions.

Section 5. Where there are other unions in the same vicinity affiliated with the American Federation of Labor and Congress of Industrial Organizations, or the Canadian Labour Congress, it shall be the duty of local unions affiliated with this Federation to join in hearty cooperation for the formation of central labor councils, trade assemblies, or other central bodies, as may be proper in accordance with local conditions.

Section 6. The seal of any local union shall not be used upon any but official correspondence.

Section 7. Local unions shall at all times keep a current and accurate record of all of their properties, funds, and other tangible assets. In the case of suspensions or surrender of charter, all monies, properties, books, records, charter, seal, etc., must be surrendered to Federation Headquarters.

Section 8. In the case of a previously unaffiliated

organization affiliating with the Federation, the affiliation agreement shall state whether the organization is to become immediately subject to that part of Section 7, above, dealing with surrender of the charter. If not, the affiliation agreement shall state when the organization will become subject to that part of Section 7, and the Federation shall cause an audit to be made of the net worth of the organization at the effective date of the affiliation. In the case of surrender of the charter before Section 7, above, applies to the organization, the organization must return to the Federation all tangible items and property that the organization has received from the Federation or local unions affiliated with the Federation (charter, seal, etc.), and the Federation shall cause another audit to be made of the net worth of the organization. If the net worth of the organization has increased since the affiliation, the organization must reimburse the Federation for the amount of the increase. In any case, the organization shall reimburse the Federation for the expense of the two audits. Provided: This Section 8 shall apply only to affiliation agreements that the Federation executes after August 1, 1992. Affiliation agreements executed before that date shall continue to be governed by the provision of this Constitution in effect when the agreements were executed.

Section 9. The financial records and bookkeeping procedures of all newly chartered local unions must conform to procedures approved by the Executive Council.

Section 10. The President of the Federation shall have the authority to appoint any person, who is a member in good standing of the Federation or who is a certified public accountant to audit the accounts of such local unions as the President of this Federation may direct and report the result thereof to the President. The books and accounts of any local union shall be at all times open to the inspection of auditors appointed under this article.

Jurisdiction of Local Unions

Section 11. (a) The jurisdiction of local unions affiliated with this Federation shall cover the territory allotted to them by the Executive Council, and shall include within their membership all workers in accordance with the terms of their charter.

(b) Changes may be made in a local union's jurisdic-

tion by the Executive Council to permit the organization of a displaced unit of a private employer if another unit of same employer has been organized. Due notice will be given to the local having jurisdiction by the Executive Council, provided that adequate steps be taken by the Executive Council to safeguard, insure and provide for cooperation among the said displaced local units and other local unions of this Federation in any area.

In the event that existing locals do not attempt to organize potential new membership within the jurisdiction as granted by their charter, the Executive Council shall attempt to have the locals or groups involved meet to resolve these problems. If a satisfactory resolution of these problems is not developed within 60 days, the Executive Council may establish jurisdictional adjustments, provided that such adjustments do not affect existing organized groups of any local. The Executive Council decision shall be effective after due notification and may be appealed to the next regular convention.

(c) Where enlargement of a local union's jurisdiction is desired and where such enlargement does not encroach upon any existing jurisdiction, such enlargement of jurisdiction may be granted by the Executive Council where such local has demonstrated their ability to conduct an organizational drive in that area.

Section 12. No local union shall dissolve, disband, disaffiliate or secede while there are seven members thereof desiring to continue its existence, provided that where a local union no longer retains a contractual or a labor-management relationship representing its members, the Charter, funds, assets, properties, books and records of the Local shall revert at the discretion of the Executive Council immediately to the Federation.

Section 13. Local unions shall guarantee the right of their members to full participation, through discussion and vote, in the decision-making processes of the union, and to pertinent information needed for the exercise of this right. This right shall specifically include decisions concerning the acceptance or rejection of collective bargaining contracts, memoranda of understanding, or any other agreements affecting their wages, hours, or other terms and conditions of employment. All members shall have an equal right to vote and each vote cast shall be of equal weight.

ARTICLE XIV

Officers of Local Unions

Section 1. The officers of local unions shall consist of the president; vice presidents, in number as may be necessary to meet local needs, one vice president representing each logical division of the membership; corresponding secretary; treasurer; and any other officers specified in the local union bylaws.

Section 2. The officers of the local union shall, unless otherwise specified in the local bylaws, comprise the executive board of the local union which executive board shall conduct the affairs of the local union between meetings thereof with such duties and powers as may be prescribed in the bylaws of such local union.

Section 3. (a) In the balloting for the election of vice presidents and representatives for the local divisions, members shall be entitled to vote for the vice president and representatives designed to represent their particular division. Other officers of the local unions shall be balloted upon in the usual manner by the entire membership.

(b) All officers of local unions shall be elected by secret ballot for a term of not more than three years. No proxy votes shall be permitted. Local unions shall give reasonable opportunity and notice for the nomination of candidates to its membership, and shall mail to each member at his/her last known home address notice of the time and place at which elections are to be held, such notice to be mailed not less than fifteen days prior to such election. Members whose dues have been checked off with their voluntary authorization under a labor agreement to which the local is a party may not be disqualified from voting or being a candidate for reason of any alleged delay or default in the payment of and the checking off of such dues by the employer.

(c) Each local shall, up until five (5) days prior to the election, comply with reasonable requests of bonafide candidates to distribute campaign literature by mail or otherwise at the candidates' expense with equal treatment as to expense and administration of such distribution. No such request need to be complied with unless the candidate making same shall pay all costs involved in advance. Every bonafide candidate shall have the right, once within thirty (30) days prior to the election to inspect, but not copy, a list containing the names

and last known addresses of all members of the local. Such list shall be maintained and kept for inspection at the principal office of the local by the secretary of the local.

(d) Adequate safeguards to insure a fair election shall be provided, including granting the right to any candidate to have an observer at the polls and at the counting of the ballots. All the ballots and other election records shall be preserved for one year after the election.

Section 4. Such salaries may be paid the officers of local unions as the local unions may direct.

Section 5. Each council and local union shall bond its officers, employees and representatives for \$5,000; also any additional coverage as may be required by law must be obtained. By federal law local unions are required to maintain bonding in an amount not less than ten percent (10%) of the total of all monies received during the bonding year as well as liquid assets of the local. A blanket bond for the minimum amount shall be made available by the Federation, the premium cost of which shall be borne by the local unions.

Section 6. All officers, business managers, business representatives and organizers of local unions shall be members in good standing of such local and the Federation.

ARTICLE XV

Adjustment of Differences Between Employers and Employees

Section 1. This Federation is opposed to strikes and lockouts for adjusting differences between employers and employees, where such differences exist, preferring the method of arbitration. If all efforts at arbitration fail, the provisions of the Constitution of the American Federation of Labor and Congress of Industrial Organizations and Canadian Labour Congress, governing strikes, shall be strictly adhered to.

Section 2. No local union shall call or engage in a strike without first making inquiry from the Federation President or the President's designated representative as to whether such strike is a legal and proper one and without first having received information from the President or the President's designated representative that, in his/her judgement, the strike is a legal

and proper one. This information shall be furnished not later than one (1) week following such inquiry. The determination that the strike is a legal and proper one goes only to the actual calling of such strike and is not to be taken as a sanction of any activities or conduct carried on in connection with such strike, nor is such determination intended to constitute the Federation a party to such strike, nor to impose any liability on the Federation or its members in respect to such strike.

ARTICLE XVI

Discipline—Offenses

Section 1. The following shall constitute offenses the commission of which shall, but not exclusively, subject any officer or member of the Federation or of any subordinate body of the Federation, or a subordinate body itself, to disciplinary action as set forth in this Article.

(a) Violating any provision of the Constitution or laws of the Federation or of a subordinate body or failure to perform duties or functions specified or required therein.

(b) Engaging in any activity or course of conduct contrary or detrimental to the welfare or best interest of the Federation, or of a subordinate body, or member.

(c) Committing any unlawful, dishonest, dishonorable or discreditable act.

(d) Engaging in dual unionism or in a secessionist movement which has for its purpose the fostering of a rival organization.

(e) Resorting to a court or other tribunal, or urging or advocating that a member, a local union, or other subordinate body start or institute action in a court of law against the Federation or any subordinate body or any of their officers, without exhausting all available remedies through all the available appeal procedures of the Federation.

(f) Obtaining membership through fraudulent means or by misrepresentation, either on the part of the member or others interested.

(g) Making known the business of the Federation or of any local union to persons not entitled to such knowledge.

This provision shall not be construed to prohibit the

Federation or its officers from establishing and maintaining an archival repository by agreement with a university or other suitable repository and placing therein the historical records of the Federation.

(h) Causing or advocating a stoppage of work because of any alleged grievance or dispute in violation of any existing collective bargaining agreement or without having consent of the local union or its proper officers.

(i) Slandering or libeling an officer or member of the Federation or of a subordinate body thereof, or willfully circulating false statements or reports concerning such officers or members, or concerning the activities of the Federation or its subordinate bodies.

(j) Maliciously bringing false charges under this Article without reasonable grounds for believing such charges to be true.

(k) Willfully engaging in any acts or course of conduct which are inconsistent with the duties, obligations and fealty of the members of a trade union and which violate sound trade union principles or which constitute a breach of an existing collective bargaining agreement.

(l) Joining or lending support to any organization or movement, such as a Communist or Fascist movement, whose purposes and objectives are contrary to the fundamental principles of the established governments of the United States of America in the case of residents of the United States of America or its territories; or to the fundamental principles of the established government of the Dominion of Canada in the case of residents of the Dominion of Canada.

(m) Refusal to follow lawful directives, orders or regulations of the President, Secretary-Treasurer or of the Executive Council.

(n) Mishandling, misappropriating or otherwise misusing union funds or properties.

(o) Willfully making any false or fraudulent report required under this Constitution.

(p) Failure to exercise responsibility toward the Federation or engaging in conduct which would interfere with the Federation's performance of its obligations.

(q) Threatening with violence or assaulting any union member or officer.

(r) Causing disruption or disturbance at a union meeting or interfering with the orderly conduct thereof, or appearing at any such meeting in an intoxicated condition or failing to obey lawful orders, directions or ruling of the presiding officer of any union meeting.

(s) Dealing with this Federation or any subordinate body as an adverse party in any manner connected with his/her duties.

(t) Holding or acquiring any pecuniary or personal interest which conflicts with the interest of the Federation or any subordinate body thereof.

(u) Wrongfully failing to make any report required by statute to be filed by him/her for or on behalf of any organization he/she represents, or wrongfully takes or retains any money, books, records, papers or other property belonging to the Federation or any subordinate body thereof; willfully making a false entry in, or willfully concealing, withholding or destroying any books, records, reports or statements required by statute to be kept by him/her for and on behalf of the Federation or any subordinate body thereof.

(v) Crossing a legal and authorized picket line of a local union, by one of its members, in order to perform work for the struck company may be considered a separate offense for each day crossed against that local union.

Section 2. An officer or member or subordinate body found guilty of any of the foregoing after the filing of charges and the holding of hearings and other procedures as prescribed in this Constitution, and except as otherwise specified in this Constitution, may be disciplined by reasonable fine, suspension or expulsion, probation or other appropriate disciplinary action, including suspension or limitation on right to attend and participate in meetings or right to run for any union office.

Section 3. All charges shall be in writing, signed by the accuser, and shall be sufficiently explicit so as to inform the accused of the nature of the offense with which he/she is charged.

Section 4. (a) The procedures for establishment of trial boards, and the procedures for conduct of trials, for locals which do not have approved Bylaws procedures in place, shall be per rules and regulations established by the Executive Council. Such rules and

regulations shall provide for full and fair due process per this Constitution and the requirements of the Labor-Management Reporting and Disclosure Act of 1959, particularly Title I—Bill of Rights of Members of Labor Organizations. The rules and regulations for establishment of trial boards and procedures for conduct of trials shall be published in the IFPTE Manual of Policies.

(b) The Executive Council of the Federation shall constitute a Trial Board before which hearings on charges, or appeals from decisions of subordinate bodies, may be heard as deemed appropriate pursuant to Section 5 of this Article. Such Trial Board may appoint one of their members, who shall be impartial, to act for it as Trial Examiner for the purpose of holding a hearing, in which case such examiner shall hold trial under such trial procedures as shall be determined by the full Trial Board, shall make findings of fact and conclusion of law in respect to such charges or appeals, and shall recommend to the full Trial Board what disciplinary action, if any, is to be taken by the Trial Board. However, the Trial Board shall determine for itself what disposition should be made of the charges.

Section 5. The Executive Council of the Federation shall have jurisdiction to hear and determine any and all charges under the Constitution. In cases where charges involving members or officers of a subordinate body are presented to the Executive Council, the Executive Council can, if it deems it appropriate, refer such charges to the subordinate body involved. The executive board or a separate elected trial board of a council shall have jurisdiction only to hear and determine charges under the council bylaws. The executive board or a separate elected trial board of a local union shall have jurisdiction only to hear and determine charges against members or officers of such subordinate body.

Section 6. (a) In any emergency situation created by acts of subordinate bodies or their members or officers which violate the Constitution of the Federation, the President, if the best interests of the Federation so require, may assume original jurisdiction in such matters whether or not charges have been filed with another body and are pending. Under such circumstances, the President, after notice and a hearing before the President or his designated representative as prescribed in this Article, may, with the approval of the Executive Council, suspend the member, officer or subordinate

body involved. It is further provided, however, that in emergency situations where secession or dissolution of a subordinate body is threatened, or where the dissipation or loss of the funds or assets of a subordinate body is threatened, the President is empowered summarily to suspend, with approval of the Executive Council, pending a hearing as aforesaid, which hearing shall be held within sixty (60) days after said suspension.

(b) Any member of the Executive Council or any International Representative may file charges where she/he perceives that the interests of the Federation have been compromised or endangered; and in such instance that an Executive Council member filed the charge, that member must recuse him/herself from the hearing and deciding of the case.

The Executive Council may designate a hearing officer to hear and try the case. If a hearing officer is thus appointed, he/she would make findings, conclusions, and recommendations which he/she would submit to the Executive Council for its confirmation or rejection.

In such cases where a local is found to have aggrieved another local or locals in violation of the Federation's Constitution, the Federation shall reimburse those reasonable expenses of the prevailing party(ies).

Section 7. In case of an expulsion of subordinate body or an officer of a subordinate body or of the Federation, all funds, properties, books and assets of the subordinate body, or of the Federation in the possession of such expelled subordinate body, or of such subordinate body officer, or of such Federation officer, shall be turned over to a duly authorized representative of the Federation and the Federation shall have the right to possession of such funds, properties, books and assets. All such funds, properties, books and assets received by the Federation shall be held in trust by it until such time as the subordinate body which has been expelled is either reconstituted, rechartered or reorganized, at which time such funds, properties, books and assets shall be returned to such reconstituted subordinate body; provided, however, that if such subordinate body is not reconstituted, rechartered or reorganized within a period of two years from the time such assets are received by the Federation, such assets shall become the property of this Federation.

Section 8. In all cases where a subordinate body has

been suspended under the provisions of this Constitution, the President shall have the power to assume charge of the affairs and business of suspended subordinate body by the appointment of a trustee or other duly authorized representative of the Federation for the purpose of assuming such charge. In the case of trusteeships grounds for the imposition thereof shall include secession or threatened secession, dissolution or threatened dissolution, dissipation or loss of funds or assets or financial malpractice or corruption, violation or threatened violation of collective bargaining agreements, the deprivation of democratic procedures and other activities constituting a violation of the Constitution and threatening the welfare of the subordinate body membership or the Federation. Such trustee or other duly authorized representative shall have the right, upon demand, to all the funds, properties, books and assets of the suspended organization for the period that he/she is in charge, such properties to be held in trust for the benefit of the subordinate body and to be expended only to the extent necessary for the proper conduct of the affairs of the subordinate body. The trustee shall be adequately bonded. The trustee so appointed shall be authorized and empowered to remove any or all officers from office but not from membership and appoint temporary officers for the duration of his/her trusteeship, and to take such other actions as in his/her judgment are necessary for the preservation of the subordinate body, all subjects to the direction, instructions, and approval of the President. Any officer who may be suspended by the trustee under the provisions of this section shall surrender to him/her, upon proper receipt therefore, all monies, books and properties of the subordinate body. Temporarily appointed officers shall be appointed from members in good standing of such subordinate body. The trustee shall be empowered to pay all claims which are properly approved if funds therefore are available and in all necessary particulars to conduct the affairs and management of the subordinate body with the assistance of the temporary officers herein provided for until the trusteeship is terminated. Expenses, including salaries, but not exceeding the current costs of administration of the affairs of the local union, which are assumed by such trustee, shall be paid out of the funds of the subordinate body, if they are available; otherwise they shall be borne by the Federation. During the period of trusteeship, no funds of the trustee body

except normal per capita tax and other financial obligations normally payable by subordinate bodies shall be transferred to the Federation unless the local union is dissolved or consolidated. If it becomes necessary to revoke permanently the charter of the subordinate body, then any balance remaining to the credit of the subordinate body and other properties shall be forwarded to the Secretary-Treasurer and held for the reorganization of such subordinate body, subject to regulations established by the Executive Council. Such trusteeship shall be continued no longer than is necessary to coordinate and reorganize the affairs of the subordinate body and shall in all events be concluded as soon as practicable within the judgment of the President; provided, however, that the suspended subordinate body shall have the right to appeal to the Executive Council for removal of the trusteeship if it is deemed that such trusteeship has been continued longer than is necessary.

Section 9. Any person or body against whom, disciplinary action has been taken shall have the right to appeal as follows:

- a. From the disciplinary action by a local union or council; (1) to the Executive Council, and (2) to the Convention.
- b. From the disciplinary action by the Executive Council to the Convention.
- c. From the disciplinary action of the President; (1) to the Executive Council, in which case, but in which case only, the appellant shall have the right to a full trial as per Section 5 of this Article, and (2) to the Convention.

Section 10. Where charges have been dismissed in whole or in part, the person filing such charges shall have the right of appeal to the Executive Council.

Section 11. In acting as an appeal board, the Executive Council may appoint one of its members, who shall be impartial, to act for it for the purpose of hearing any appeal, in which case the member so named shall make recommendation to the Executive Council concerning the disposition of the appeal, but the Executive Council shall determine for itself what final disposition shall be made of the appeal.

Section 12. Appeals shall be taken within a reasonable time not to exceed 30 days from the date

that notice of disposition of the charges or disposition of any intermediate appeal is received; provided, however, that the appellate body may, in its discretion, extend such time for appeal if circumstances so warrant. Appellants shall not be entitled to a new trial or hearing; the appellate body shall consider only such facts as were presented during the trial before the trial body. Appeals shall be in writing and shall state the basis of the appeal. Any appeal body may, in its discretion, permit the parties to appear personally before it in the presentation of the appeal; provided, however, that in the case of an appeal to a convention, such personal appeal shall be limited to appearance before the convention committee established to deal with appeals unless such appeals committee or the Convention itself determines to permit a personal appearance before the Convention.

Section 13. Individuals or subordinate bodies against whom disciplinary action has been taken shall be obligated to exhaust all remedies provided for in this Constitution before resorting to a court of law or other tribunal.

ARTICLE XVII

Applications, Withdrawals, Transfers, Associate Membership, Suspensions, etc.

Section 1. Any member of this Federation having the necessary qualifications on presenting a valid traveling card from any local union affiliated with this Federation shall be admitted to membership in any other affiliated local union of this Federation, subject to the ballot of that local union.

Section 2. The applicant for membership must fill in a membership application including the following particulars:

- Full name
- Home address
- Age
- Experience
- Present employer
- Nature of present work
- Any further particulars required by the local union to which the application is made
- Signature of proposer and seconder.

Section 3. The proposer and seconder must be

members of the local union to which application is addressed and must satisfy themselves that the applicant will make a desirable member.

Section 4. All applications must be reported on by the committee on organization of the local union before they can be balloted upon by the local union. A two-thirds majority is required to elect.

Section 5. On being pledged to membership, it devolves on the member to faithfully live up to his/her obligations. He/she will attend all regular and special meetings of the local union and strive for the collective progress of his/her fellow members. He/she will promptly pay all dues and assessments as they come due. Dues are due and payable to the local union on the first day of each calendar month for the current month. Any member found to be antagonistic to the representative character of the Government of the United States of America, in the case of residents of the United States of America or its territories; or found to be antagonistic to the representative Government of the Dominion of Canada, in the case of residents of the Dominion of Canada, shall be liable to expulsion by the local union. All monies in the way of initiation fees, dues, assessments, etc., paid by such member or members shall be forfeited.

Section 6. An applicant obtains membership rights in accordance with the locals constitution and bylaws. He/she thereafter continues as a member as long as he/she follows an occupation coming under the jurisdiction of this Federation or is employed as an officer or representative of this Federation or subordinate body thereof or is employed by the AFL-CIO/CLC, and as long as he/she maintains his/her obligations, financial and otherwise, to the Federation and complies with this Constitution.

Section 7. Any member who fails to pay his/her local union dues or assessments or who breaks the rules of this Federation, or who acts in any way detrimental to this Federation or its members, may be suspended or expelled. To be reinstated, he/she may be required to pay all back dues, fines and assessments in such payment as may be acceptable to the local union, or he/she may be required to pay not less than three months back dues plus the current months dues, or he/she may join as a new member, all at the discretion of the local union.

All reinstatements are subject to the ballot as in the case of original applications.

Unless a shorter period is provided for in the constitution or bylaws of a local union, any member who becomes in arrears in the payment of monthly dues for a period of three months or longer becomes automatically suspended and loses his/her good standing in the union. Where a member's dues and assessments are checked off under a local union contract, such member shall be deemed to be paying on time and in good standing until revocation of such checkoff, unless he or she shall have failed to fulfill any other constitutional obligation to the Federation or any of its subordinate bodies.

Section 8. A member in good standing is entitled to all rights and privileges of both an individual member and the benefits accruing from collective action by this Federation. His/her dues will be deemed and taken to include his/her paid-up subscription to all literature and publications which may be published by this Federation. He/she is also qualified to vote and to hold office, subject to eligibility requirements set forth in this Constitution and local union bylaws.

Section 9. (a) Members who are transferred or obtained employment in areas under the jurisdiction of other local unions shall be obligated to apply for transfer into, and shall be entitled to membership in, such other local union, unless such member has violated the laws of the Federation.

(b) Transfer of membership from all other National and International Unions affiliated with the American Federation of Labor and Congress of Industrial Organizations and/or of the Canadian Labour Congress shall be accepted by local unions of the International Federation of Professional and Technical Engineers on a reciprocal basis, providing that the transferring member shall be required to pay any difference in initiation fees, when the initiation fee of the IFPTE local to which he/she has applied for transfer is greater than that of the local from which he/she is transferring; further providing that the Constitution of the National or International Union from which he/she is transferring contains a clause similar to Article IV, Section 2, of this Constitution, and further providing that the transferring member shall meet all membership qualifications of this Constitution.

Section 10. Any member serving in the Armed Forces of his/her country in excess of thirty (30) days is excused from payment of all dues and financial obligations during the period of such service. This shall include any period spent in hospital or convalescing from injuries sustained while in the Armed Forces of his/her country.

Section 11. Traveling cards shall be issued on request of any member whose dues are paid for at least three months in advance of the month in which the request is made, and on or before the expiration of such card it shall be renewed upon similar request and advance payment of all dues and charges which may have accrued against the member since the issuance of last renewal of such card.

Section 12. Failure to pay all dues and charges accrued on an outstanding traveling card shall make the holder thereof delinquent and subject him/her to all rules and regulations in such case provided.

Section 13. A valid traveling card may be deposited with any affiliated local union at any time, and on its acceptance by such local union shall entitle the holder to all rights and privileges of a member of that local union free of dues and charges until its expiration.

Section 14. Any member presenting a valid traveling card from any other local union affiliated with the American Federation of Labor and Congress of Industrial Organizations or the Canadian Labour Congress, and who has the requisite qualifications, may be admitted to membership in any affiliated local union free of initiation or joining fee at the option of the local union.

Section 15. (a) All members who are in good standing at the time of separation from the jurisdiction of a local union, regardless of future employment, may be issued a withdrawal card from the union. Withdrawal cards may be issued by the local union provided the local union informs the Federation of the withdrawal. The local union is denied the right to issue any withdrawal card except under the conditions specified above.

Members eligible to receive withdrawal cards lose all membership rights, but members who apply for and are issued withdrawal cards are entitled to reinstatement

as members as provided in sub-section (b) of this Section.

(b) An individual on withdrawal shall, upon returning to work under the jurisdiction of the Federation, deposit his/her withdrawal card and apply for reinstatement with the Secretary-Treasurer or appropriate local union within 30 days. Failure to do so shall be considered sufficient cause for expulsion and the recording of such expulsion in the records of the Federation.

Section 16. (a) To provide the opportunity for continuing association with the Federation to a member who becomes a supervisor, or who has retired but remains an active member of a recognized IFPTE Retiree Club, or who has left a bargaining unit to accept other work normally considered to be under the jurisdiction of the Federation, the Secretary-Treasurer shall submit an application as well as an explanation of the mutual benefits to be derived from associate membership.

(b) The Secretary-Treasurer is authorized to issue an associate membership card to such members unless the issuance of the associate membership card is denied by the local union executive board, such denial to appear on the roster under 'Reasons for Removal' and provided further that the member pays a fee of \$12.00 per annum to the Federation.

(c) A member holding an associate membership card shall receive from the Federation all publications distributed to the membership and shall be eligible to participate in the Federation's Union Privilege Program, but shall not be a regular member of a local union and shall not be eligible to vote or hold office. A person presenting a valid associate membership card, and who has the requisite qualifications, may be admitted to membership in any local union free of initiation fee at the option of that local union.

(d) It shall be the obligation of an associate member, upon accepting work within an established bargaining unit of the Federation, to apply for immediate membership in the appropriate local union.

Section 17. Applicants for membership who in the judgment of the Executive Council would not approximately be covered by the geographic or work jurisdiction of an existing local union, or are in a bargaining unit for which obtaining a collective bargaining agreement appears unlikely, may become members of the

Federation in a form approved by the Executive Council and by payment of fees and dues in such amount as is determined by the Executive Council. The Executive Council is authorized to promulgate rules and regulations with respect to such members, to organize such members into units, and otherwise to determine the membership and representation rights and duties of such members within the Federation.

ARTICLE XVIII

General Provisions

Section 1. All collective bargaining agreements signed by any local union and all local union bylaws must be filed with Federation headquarters.

Section 2. The President and the Executive Council are denied any and all authority to grant special financial assistance in the form of rebates, refunds, etc., to any local union which special concession is not at the same time uniformly accorded all of the other local unions. This Section shall not prohibit the Federation Officers and Executive Council from granting financial assistance as provided in Resolution 34, "Financial Assistance," adopted by the 48th Convention (1988).

Section 3. Wherever the masculine gender is used in this Constitution it shall be deemed to apply in the same manner to the feminine gender.

Section 4. The Federation, its local unions and other subordinate bodies, and its members shall not discriminate against applicants for membership, or members, or co-workers on grounds of race, creed, color, national origin, religion, sex, age, or any other ground prohibited by applicable federal or state law.

ARTICLE XIX

Merger

The Executive Council shall have the authority to effectuate a merger between the Federation and any other union in accordance with the following procedure:

1. The Executive Council shall authorize the Executive Officers to negotiate with the other union an agreement setting forth the essential elements of the merger. The Executive Officers shall undertake the negotiations either on their own or with the aid and

assistance of a Merger Committee appointed by them.

2. The merger agreement shall be submitted by the Executive Officers to the Executive Council for its approval.

3. If the Executive Council approves the merger agreement, it shall submit the agreement to a regular or special convention of the Federation for its approval.

4. If the Convention approves the merger agreement, it shall be submitted to the local unions for ratification.

5. If the merger agreement is approved by both the Convention and local unions ratification, the Executive Council and Executive Officers shall have the authority to take the necessary steps to effectuate and finalize the merger. Included in that authority will be the specific power to transfer all monies, assets, properties, leases, and representation and contractual rights to the merged organization.

ARTICLE XX

Amendments

Section 1. The following procedure shall govern in proposed changes and amendments to the Constitution:

(a) Proposed changes will either be submitted to or originate with the regular or special conventions. If these proposed changes are sustained by a majority vote of the Convention they will be implemented upon adoption by the Convention.

(b) The Executive Council may initiate proposed amendments to the Constitution between conventions for submission to the local unions.

(c) Proposals to amend the Constitution by referendum by the local unions may be made in writing above the signatures of the presidents and secretaries of local unions representing at least 20 percent of the voting strength of the Federation. Such proposals shall be forwarded in triplicate to the Secretary-Treasurer of the Federation for submission to the local unions.

(d) All proposed amendments subject to local union referendum shall be forwarded to the local unions by either registered or certified mail with a return receipt requested. Refusal by a local union to receive such registered or certified letter shall disqualify the local union from participation in the referendum and the local

union's voting strength shall not be included in the total voting strength for purposes of determining the outcome of the referendum.

(e) Referendum action on amendments must be completed by the local unions and reported to the Headquarters office by either registered or certified mail, made within 90 days of the date of the return receipt, showing date received by them for ratification.

(f) Ratification of amendments shall be carried by a majority of the voting strength of the local unions casting votes and who are in good standing at the time amendments are received by them for ratification.

(g) Ratification voting strength of the local unions shall be on the basis of the formula used for convention representation requirements.

(h) In submitting proposed changes for ratification, each local union must be reminded of all of the above requirements.

(i) The Executive Council shall have the power, following convention adoption of amendments to this Constitution to make such corrections, typographical, grammatical, punctuational or otherwise, including the remedying of inadvertent omissions or errors, as are necessary to carry out the spirit and intent of any amendments so adopted.

Section 2. The Executive Council is authorized by a two-thirds vote thereof, to make such amendments to or changes in this Constitution which may be required by Act of Congress and which amendments or changes the Executive Council has been advised by legal counsel are necessary under the law. Any such amendments or changes shall become effective immediately upon adoption by the Executive Council.

MANUAL OF COMMON PROCEDURE

OPENING

(The hour of meeting having arrived, and a quorum being present, the President of the Union shall call the body to order, upon which all officers and members shall be seated and a general silence observed.)

President: "By authority vested in this Union under

our Charter Grant and with the formal consent of our members, of which there are a sufficient number of members present, I declare this meeting duly convened and qualified to consider and transact such business as may regularly come before it. All who are not members of this Federation will please retire."

(The President will appoint officers pro tem for any of the absentees that may be necessary, and will then proceed to conduct the meeting according to the laws governing that particular local union.)

(On occasions of installation of any elected officers or the initiation of candidates for membership, the following obligations will be given.)

INSTALLATION

(The newly elected officers will take their places in front of the President's chair; beginning with the President-elect on the right, and Vice President, Secretary, and Treasurer-elect to his left. All members will rise, and remain standing while the presiding officer administers to the officers collectively the following obligation.)

INSTALLATION OBLIGATIONS

"I (candidate pronounces his/her name) do hereby sincerely pledge my honor to perform the duties of my office as prescribed by the laws of this local union, and as required by the International Federation of Professional and Technical Engineers. I will deliver to my successor in office all books, papers, and other property of this union that may be in my possession at the close of my official term."

President: "You will now proceed to your respective seats and perform the duties devolving on your office." (Outgoing officers then vacate their chairs to their successors.)

INITIATION

President to Guide:

"Please introduce the candidates for obligation."

The Guide presents candidates standing in front of President and introduces candidates and vouches for them as follows:

Guide:

"All presented and introduced are of good character, have all necessary qualifications to become members of this union, and all have been elected in regular meeting. They are present and willing to be admitted to the privileges of membership in this union."

President:

"The obligation that is required has nothing that would be in conflict with your civic or religious duties. The International Federation of Professional and Technical Engineers requires that every candidate is exercising free will to undertake the obligation. With this in mind, do you take the obligation that binds you on your honor to keep the same as long as you are engaged in work coming under the jurisdiction of the Federation?" *(if answered in the affirmative:)*

"Having answered in the affirmative, you will now each raise your right hand while I recite the Obligation."

INITIATORY OBLIGATION

President:

"Do you promise to abide by the laws of this union; promise to be loyal; and promise to put the interests of the International Federation of Professional and Technical Engineers before those of any other labor organization of which you may be a member of, now, or in the future?"

"Do you also promise that you will not purposefully wrong another member or permit a member to be wronged if you can prevent it; and that you will put self-serving actions aside as you direct your efforts to advancing the moral, intellectual, and economic condition of working people?"

"Do you further promise that you will buy union-made items, and encourage others to do the same when and where you find it possible to do so?"

"To all promises, do you pledge on your honor to observe and keep as long as you are a member—or until such time as the International Federation of Professional and Technical Engineers releases you from such promises?"

President to members:

"Do you bear witness to these promises?"

Members in chorus:

“We bear witness.”

President:

“You are now members of the International Federation of Professional and Technical Engineers. I give you my right hand in full acknowledgement thereof. Please be seated.”

(Membership cards and constitution will then be presented to the new members by the Secretary.)

CLOSING

“You will all do well to bear in mind the meaning of your obligations. Uphold the union, because it teaches you how to live. Have faith in the union, and it will be there for you when you need it. Above all, be enthusiastic and involved in the union—help the union to grow and you will help yourself and others, and find great satisfaction in doing so.

“There being no present business before the Union, we will now proceed to close. As President, I declare this meeting adjourned until our next regular or special meeting when I hope to see you all present.”