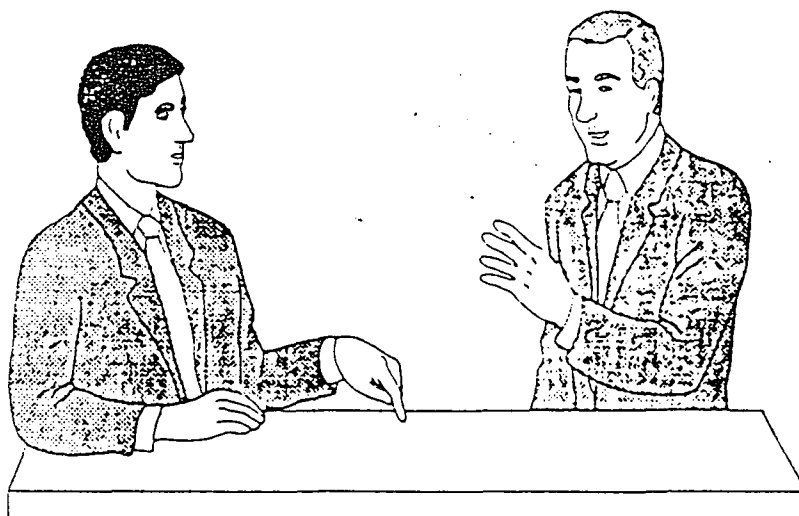


537388

INTERNATIONAL FEDERATION OF
PROFESSIONAL AND TECHNICAL ENGINEERS

LOCAL 49

USACE - SOUTH PACIFIC DIVISION



BY LAWS

BY LAWS FOR LOCAL 49, INTERNATIONAL FEDERATION OF PROFESSIONAL AND
TECHNICAL EMPLOYEES, AFL/CIO/CLC September 5, 1991

ARTICLE I NAME

This organization shall be known as Local #49, International Federation of Professional and Technical Engineers, AFL/CIO.

ARTICLE II

The jurisdiction of this union shall be as set forth in its Grant of Charter allotted by the International Federation of Professional and Technical Engineers.

ARTICLE III OBJECTS

The objects of this union shall be as set forth in the International Constitution and shall be to unite into one labor organization all workers eligible for membership, regardless of religion, race, creed, color, national origin, age, or sex; to secure improved remuneration, hours, working conditions, and other advantages for our members through collective bargaining, through advancement of our standing in the community and in the labor movement, and other lawful methods; to provide educational advancement and training for officers, employees and members; to safeguard and promote the principle of free collective bargaining, the rights of workers; to protect and strengthen our democratic institutions and preserve and perpetuate the cherished traditions of our republic; to protect and preserve the union as an institution and in the performance of its legal and contractual obligations.

It is recognized that the problems with which this labor organization is accustomed to deal is principally "bread and butter" unionism, but also encompasses 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.

ARTICLE IV
ELIGIBILITY FOR MEMBERSHIP

Eligibility to membership in this union shall be as set forth in the International Constitution.

ARTICLE V
OFFICERS

Officers of this union shall consist of a President, Vice-president, Treasurer, Recording Secretary, and three Trustees. These officers shall constitute the Executive Board of the union.

Eligibility to hold office shall be governed by the provisions of the International Constitution and these Bylaws.

In case of death, removal, or resignation of the President the order of succession to the office of President shall be: Vice-president, First Trustee, Second Trustee and Third Trustee.

ARTICLE VI
DUTIES OF THE PRESIDENT

It shall be the duty of the President to preside at meetings of the union and of the Executive Board, to preserve order therein, and enforce the International Constitution and Bylaws of the union; to see that all officers perform their respective duties; and to appoint all committees not otherwise provided for. He shall also have the right to serve on all committees by virtue of his office.

The President shall decide all questions of order, subject to an appeal to the membership; shall have the right to vote in the election of officers; shall cast the deciding vote when a tie occurs on any question; shall announce the result of all votes and enforce all fines and penalties; and shall have the power to call special meetings when he deems it necessary or when requested in writing by 10% of the membership.

He, together with the Treasurer, shall sign all checks on bank accounts; and perform such other duties as the International Constitution and these Bylaws may require of him. He and the Treasurer shall be the principal representatives of employees of this union with authority, upon authorization by the Executive Board, to make payments from the funds of this local union.

The President shall have the authority to sign all official documents; to order the disbursement of all monies necessary to pay the bills, obligations, and indebtedness of the union, including such amounts which in his judgment will further the best interest of the union, subject to the approval of the Executive Board or by the membership at a regular or special meeting.

He shall appoint any and all committees, both general and special, as may be required from time to time by the union, and in general, he shall have supervision of the conduct and affairs of the union, its officers and employees, including, without limitation, the right to appoint members of the union to chair meetings and to preserve order therein.

The President may take such action as in his judgment will further the best interests of the union and its members, which action shall include, but not be limited to, the expenditure of monies for such purposes, subject to the approval of the Executive Board. Such actions may include aid and assistance, monetary or otherwise, to such other persons or organizations which the President may feel are deserving of such aid in the best interest of the labor movement. He shall have authority to interpret these Bylaws and to decide all questions of law thereunder between meetings of the Executive Board.

ARTICLE VII DUTIES OF THE VICE-PRESIDENT

It shall be the duty of the Vice-president to preside at union meetings in the absence of the President. He shall perform such other duties and render such assistance as may be directed by the President.

It shall also be the duty of the Vice-president to use all legitimate means to educate and inform all people everywhere of the purpose of the union; to exercise all legitimate means to execute the purpose of the union.

ARTICLE VIII DUTIES OF THE TREASURER

The Treasurer shall perform all the duties imposed upon local union Treasurers by the International Constitution. He shall make a report to the membership at each regular meeting, giving the financial standing of the union; shall keep itemized records, showing the source thereof of all monies received, and shall keep records, vouchers, worksheets, books, and accounts to verify the correctness of any such report.

The Treasurer shall upon request make available a copy for inspection of any annual report to any member. Upon a request by any member made in writing setting forth good and sufficient cause for requesting examination of any books, records, and accounts necessary to verify any report filed in compliance with any statutory requirement, he shall make arrangements to have the records desired available for inspection during the regular business hours at the principal office of the union. In the event that he believes that just cause does not exist for the request

made, the member shall then appeal the matter within ten days in writing to the Executive Board.

The Treasurer shall retain records of the proceedings of all meetings of the union and the Executive Board, as prepared by the Recording Secretary or such person as is authorized to take such proceedings. The Treasurer shall retain important documents, papers, correspondence, as well as files on contracts and agreements with employers. Upon request of any person, made in person or in writing, to the Treasurer during hours at the principal office, he shall provide a copy of the collective bargaining agreement made by the union with the employer of such person, if the person making such request is directly affected by such agreement, and may require a receipt therefor. He shall also maintain at the principal office of the union copies of agreements made or received by the organization where another labor organization has negotiated such contract and the employees represented by this union are directly affected by such agreement, which agreements shall be available for inspection by any member or by any employee whose rights are affected by such agreement, during the regular hours maintained at the principal office of this union.

The Treasurer shall receive all monies paid the union, giving his receipt therefor for any dues, initiation fees, or other fees, assessments, or fines. All monies received from any source whatever shall be placed in the bank in the name of the union.

The Treasurer shall also maintain a record of all members in good standing with their last known address.

Whenever a Treasurer's term of office shall expire or otherwise be terminated he shall give to his successor all papers, documents, records, vouchers, worksheets, books, reports, money, and other union property that may have been entrusted to him by virtue of his office and shall be given an appropriate receipt therefor. Such records, vouchers, worksheets, receipts, books, reports shall be retained at the union's principal office for a period of six years.

ARTICLE IX DUTIES OF THE RECORDING SECRETARY

It shall be the duty of the Recording Secretary to attend meetings of the union and the Executive Board; to keep minutes of the proceedings for the union and the Executive board, which need not be verbatim; to record the vote of each Executive Board member on each measure at Executive Board meetings; to keep a record of the names of the members comprising each committee; to handle the correspondence of the union where required by the Bylaws. In his

absence, the President shall appoint a member to act as Recording Secretary Pro Tempore and such Recording Secretary Pro Tempore shall have the duties herein set forth.

ARTICLE X DUTIES OF THE TRUSTEES

The Trustees shall perform the duties imposed upon them by these Bylaws as follows:

1st Trustee: Oversee the annual audit of the financial records, the filing of state and federal tax obligation and tax exempt forms, and the bonding of officials, as necessary.

2nd and 3rd Trustees: Oversee the parliamentary procedures of all regular or special meetings of the membership and Executive Board; the recruitment of new members; maintain the recruitment of new members and investigate their grievances.

Any Trustee shall bring to the attention of the Executive board any request of a member or consultant who is not able to attend Executive Board meetings.

Any one or more Trustees may have temporary, not to exceed one year, duties as requested by the Executive Board.

ARTICLE XI POWERS AND DUTIES OF THE EXECUTIVE BOARD

Except as may be otherwise provided in these Bylaws the Executive Board is authorized and empowered to manage, invest, expend, contribute, use, and acquire local union funds and property in the pursuit and accomplishment of the objectives set forth in the International Constitution and in these Bylaws. The Executive Board is hereby empowered, in addition to such other powers as are set forth herein or are conferred by law, to:

a. Provide for the salaries, allowances, direct and indirect disbursements, expenses, and reimbursement of expenses for officers, agents, and employees;

b. Provide for direct and indirect loans for such purposes and with such security, if any, as it deems appropriate, and with such arrangement for repayment as it deems appropriate, all to the extent permitted by law;

c. Provide for the employment and payment of attorneys, accountants, and such other special or expert services as may be required for the organization;

d. On behalf of the union, its officers, employees, or members, to initiate, defend, compromise, settle, arbitrate or

release, or to pay the expenses and costs of any legal proceedings or desirable to protect, preserve, or advance the interests of the organization;

e. Fill all vacancies in office which occur during the term of such office, which shall be for only the remainder of the term of office;

f. Transact all business and to manage and direct the affairs of the union between membership meetings except as may otherwise be herein provided for. It may delegate to any of its officers any of the functions and powers herein set forth, other than the power to fill vacancies in office;

g. To do all acts, whether or not expressly authorized herein, which the Board may deem necessary or proper for the protection of the property of the union and for the benefit of the organization and members.

h. Decide appropriateness of expenses of representatives of the union while on official union business.

i. Select, from Executive Board members, a third representative to sign a check for disbursement of monies. This representative may sign a check only in an emergency in which either the President or Treasurer is not available within a reasonable length of time.

j. Officers or Trustees who miss three (3) consecutive meetings without proper excuse will be subject to automatic revocation of their office.

The Executive Board shall meet at least quarterly. A majority of the Board shall constitute a quorum.

ARTICLE XII ALLOWANCES, EXPENSES, AND BENEFITS

1. Allowances

Recognizing that the officers of this union must participate in cultural, civic, political, fraternal, and educational activities in addition to their specific duties provided in the International Constitution and these Bylaws; that such activities benefit the union and the members; that the time spent in such activities is unpredictable and unascertainable; such officers and employees may be granted an allowance in such amount (daily, weekly, or monthly) as the Executive Board may determine.

On all assignments which require travel outside of the municipality, officers or employees may receive an out-of-town allowance in such amount as the Executive Board may determine.

In addition to the allowances set forth above, all officers and employees may be reimbursed for, or credit provided for, all expenses incurred in connection with their activities, if approved by the Executive Board, or by the membership at a regular meeting.

2. Expenses

When a representative of the organization is engaged in activities which have been authorized by the membership at a regular or special meeting and are in the interest of or for the benefit of the union and its members, the labor organization shall pay the expenses incurred therein, or reimburse the representative upon receipt of itemized vouchers from him or the supplier of such services.

ARTICLE XIII NOMINATION AND ELECTION OF OFFICERS

Meetings for nomination for officers shall be held at the regular meeting held in February, beginning in February 1992. Election shall be held not less than thirty days after nominations have been closed.

The union shall elect its officers by secret ballot.

Officers shall be elected for one year, but may hold office until their successor is duly elected, qualified, and installed.

At least twenty (20) days prior to the date of the nomination meeting specific notice of the date, time and place of the nomination meeting, and the offices involved, shall be given in such manner as shall be reasonably calculated to reach all members, and each member shall be advised in such specific notice that copies of these rules will be made available to him immediately by one of the following methods:

- a. By mailing a copy to each member; or
- b. By publication in the union periodical, if there be one.

The eligibility of members shall be as follows:

- a. To nominate, vote for, or support candidates. Every member whose dues are paid up through the month in which the nomination or election is held shall have the right to nominate, vote for, or otherwise support the candidate of his choice. No member whose dues have been withheld by his employer for payment to the union pursuant to his voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to nominate, vote for, or be a candidate for office in the union, by reason of an alleged delay or default in the payment of dues by his employer to the union.

b. To stand for election. Every member in good standing, by the payment of his dues on or before the first business day of the current month in advance; in accordance with the International constitution, and who has been in such continuous good standing for each month in the one-year period, or from the date of official exclusive recognition, whichever is shorter, immediately prior to nominations shall be eligible to hold office if he is otherwise eligible under the International to hold office and these By-laws. President, Vice-President, Treasurer, Secretary, and Trustees are qualified to run for office. Any member who is ruled ineligible to run for office shall appeal within forty-eight (48) hours to the International President, he, or his designee, shall decide such an appeal within four (4) days.

The nomination meeting shall be as follows:

a. Nominations and the conduct of the election and related questions shall be the first order of business at the nomination meeting and minutes shall be kept of the meeting.

b. Any question of the eligibility of candidates nominated by motion at such meeting shall be decided by the Treasurer or President of the union, or their designees, within twenty-four (24) hours and shall be appealable to the International President, in accordance with the provisions of the above eligibility paragraph.

c. Nomination shall not be closed until a call for further nominations has been made three times by the chair without further nomination being made.

d. In the event only one candidate is nominated for any office, no election shall be conducted for such office unless required by law, and such unopposed candidate shall be declared elected by acclamation at the nomination meeting.

Elections shall be held as follows:

a. After the nomination meeting, but not less than twenty (20) days prior to the election, specific notice of the date, time, and place of the election shall be mailed to each member at his last known home address.

b. Voting shall be conducted by secret ballot among the members in good standing. There shall be no proxy vote. Each member shall be entitled to one vote. Absentee voting by mail and eligibility for absentee voting may be authorized by majority vote of the membership in attendance at the nomination meeting. Absentee ballots shall be valid only if they are received before the closing of the polls. Absentee voting shall be conducted with all proper safeguards.

b. All candidates shall be accorded a reasonable time to state their qualifications for office prior to the election.

c. Each candidate shall have the right to have an observer at the polls and at the counting of the ballots. Candidates and their observers may challenge the eligibility of voters, and all challenged ballots shall be set aside pending determination as to their validity. All challenges shall be investigated to determine their validity as promptly as possible if the challenged ballots are sufficient in number to affect the result of the election.

d. Protests concerning the rulings or the eligibility of voters and the conduct and validity of the election shall be filed within forty-eight (48) hours with the International President, who or his designee, shall decide such protests within seven (7) days. Decisions of the International President shall be binding, subject to appeal as provided in the International Constitution, and shall determine which officers as to whom there is a contest shall conduct the affairs of the union pending final resolution of the protest.

e. All nomination and election records, including the minutes of the nomination meeting and the ballots cast, shall be preserved for a period of at least one year.

When there are more than two candidates for an office the candidate, or candidates, as the case may be, receiving the most votes shall be declared elected.

There shall be no write-in candidates.

Duties of the Treasurer in connection with nominations and election shall be as follows.

a. The Treasurer shall at least 20 days prior to the holding of any nomination give notice to all members of the time, place, and date at which nominations shall be held in connection with such election. Such notice shall be given in the manner determined by the Executive Board.

b. The Treasurer shall, at the time of any nomination, review the qualification for office of any member at his request and shall make a date, hours, and offices upon which voting shall be held by mailing such notice to the member's last known address.

c. The Treasurer shall give written notice to each member of the union at least 20 days prior to any election date of the time, place, date, hours and offices upon which voting shall be held by mailing such notice to the member's last known address.

d. Upon reasonable request of any bona fide candidate for office, the Treasurer shall arrange for the distribution of any

campaign literature by mail, or otherwise, provided that in making such request the candidate pays all costs involved in advance. The Treasurer may require that all campaign literature shall be presented to the principal office of the union not later than twenty days prior to the election and may, where the volume of work involved exceeds the facilities and capacities of the employees of the union provide for a consolidation of such distribution and the cost in that event of such distribution shall be distributed on a pro rata basis.

e. The Treasurer shall make available for inspection by any bona fide candidate of the membership list covered by union security agreements once within 30 days prior to the election date. Such inspection shall be arranged for an advance by the Treasurer. No candidate shall be permitted by the Treasurer to copy any names or addresses of the employees.

f. the Treasurer shall retain copies of all requests for distribution for campaign literature and copies thereof, shall make a record of the date the literature was distributed, the cost thereof and the amount received for such work and for postage, a copy of the notices of nomination and of the election, a copy of the ballot, the official tally sheet submitted by the tellers and such other records as shall relate to the conduct of the election. In the event there shall be any protest or charges made concerning the conduct of the election, such protest or charge shall be made in writing within 48 hours of the event complained of, specifying the exact nature of the protest and, where an election has already been held, setting forth how it has affected the outcome of election, to the Treasurer who shall refer them to the Executive Board for disposition.

ARTICLE XIV DUES AND INITIATION FEES

The monthly dues of this organization shall be ~~\$3.00~~ per ~~month~~ until the period of organization is complete and the union has exclusive recognition and a final bargaining agreement.

*#4 Drwechley Sec
→ amendment*

Initiation fees for membership in this union shall be \$5.00 until the period of organization is complete.

Reinstatement fees for members shall be 3 months dues or they may join as new members by payment of the full initiation fee.

Special assessments and levies may be made from time to time in the manner provided hereinafter.

Any increase in the rate of dues or initiation fees or special assessment shall be made only in accordance with the following procedure:

To: Local 49@IFPTE@Distribution
Cc:
Bcc:
From: H. Converse@PD@SPD
Subject: Bylaw Change
Date: Friday, April 22, 1994 9:41:22 PDT
Attach:
Certify: N
Forwarded by:

TO: Members, Local f49

SUBJECT; Bylaw Change - Results of election to amend

The recent proposal to change the bylaws on which you voted in the last few days has been passed by a large majority. Paragraph 1, Article XIV now reads: "The dues of this organization shall be \$4.00 per biweekly pay period until changed by majority assent of the membership."

Thanks for your support; please call me if you have any questions!

Hugh Converse, Treasurer

a. Reasonable notice shall be given to the membership at least twenty days prior to the meeting at which the membership will consider the question of whether or not such dues, initiation, or reinstatement fees, general or special assessment shall be changed or levied. The notice shall indicate that an increase or assessment is to be voted on. Such meeting may be general or special.

b. At the regular or special meeting called, voting shall be by secret ballot of the members in good standing.

c. A majority vote by secret ballot of the members in good standing voting at such meetings shall decide the issue.

ARTICLE XV MEETINGS

1. Regular Meetings

Quarterly meetings shall be held as provided by the International Constitution at such places and at such times as designated by the Executive Board and approved by the membership at a general or special meeting.

Members in attendance at meetings shall have the right to express their views, arguments, or opinions upon any business properly before the meeting subject to these bylaws and the rules and regulations adopted by the Executive Board pertaining to the conduct of meetings, but no member in exercising such rights shall evade or avoid his responsibility to the organization as an institution or engage in or advocate any conduct that would interfere in the union's performance of its legal or contractual obligations, or conduct himself in an ungentlemanly, unruly, or boisterous manner.

2. Special Meetings.

Special meetings of the local may be called by the President as set forth in Article VI. Upon failure of the President to call a special meeting within a reasonable time after a petition of 10% of the membership therefore, a majority of the Executive Board may call such meeting by action taken at a duly called Executive Board meeting.

3. Quorum

A quorum of a general meeting shall consist of 10 members. The Treasurer shall determine when a quorum is present at the meeting and so inform the presiding officer before any meeting is called to order.

ARTICLE XVI
MEMBERSHIP

An applicant shall be considered a member when he shall meet all the following requirements for membership as follows:

- a. Written application for membership as determined by the union.
- b. Tender of the initiation fees, when in effect, and one month's dues by cash or on written authorization of checkoff.
- c. Acceptance of his application and dues by the union.
- d. Taking the obligation at regular meeting following the action upon his application provided, however, that no applicant shall become a member in the first ten days following the filing of his written application. In the event the applicant shall fail to take the obligation within a reasonable time following the acceptance of his application, the Executive Board shall approve or disapprove his reason for failure to take the obligation. If approved, he shall be a member in good standing; if disapproved, he shall forfeit the monies tendered except for good cause as approved by the Executive Board.

A member shall lose his good standing in the organization by suspension or expulsion from membership after appropriate proceedings consistent with the Bylaws of this union, or by non-payment of dues on becoming 3 months in arrears.

A member losing his good standing status because of his failure to pay his dues or other obligations as required by the International Constitution or these Bylaws, if he has not been suspended or expelled from membership, may reinstate his good standing by the payment of 3 months dues or join as a new member by payment of the full initiation fee and other financial obligations.

A member shall be considered to have voluntarily withdrawn from membership on the taking of a withdrawal via revocation of voluntary dues checkoff or transfer card.

In any case where the union is required to give an honorable withdrawal card under the terms of the International Constitution, it may provide for the continuance of union benefits only to such former member under conditions which the union shall set forth.

No member shall engage in dual unionism or espouse dual unionism or disaffiliation in the course of any meeting, shall not slander or libel the union, its members or its officers, shall not be a party to any activity to secure the disestablishment of the

union as the collective bargaining agent, or interfere with any business agent of officer in the performance of his duties.

No member shall be permitted at any assembly or meeting of other members to engage in any of the conduct hereinbefore described.

No member who is in an intoxicated condition or under the influence of drugs shall be permitted to attend or participate in a union meeting and no member shall use intemperate, profane, or abusive language during the course of a meeting, under penalty of being required to leave the meeting or under penalty of being subjected to disciplinary proceedings.

It is the responsibility of each member to live up to the agreement and report any and all violations to the union officers.

Each member shall inform the Treasurer of his current mailing address.

ARTICLE XVII UNION CONSULTANTS

Union Consultants are not officers of the local union. They shall be selected in such manner and shall have such duties as the Executive Board may direct. Union Consultants shall have in their possession a copy of the International Constitution, these Bylaws, Executive Order 11491 with its latest revisions and amendments, and a copy of the Negotiated Collective Bargaining Agreement.

ARTICLE XVIII CHARGES AND TRIALS

Each member of this union shall have the right to fair treatment in the application of union rules and law in accordance with the International Constitution, these Bylaws, and the Federal Code governing unions. In application of all rules and procedures relating to union discipline the essential requirements of due process of law--notice, hearing, and judgment based upon the evidence shall be observed, without, however, requiring technical formality followed in courts of law.

Members shall have the right to be represented by any member in good standing; but no lawyer shall be permitted to appear on behalf of members in internal union trials, except upon approval of the trial board.

Recognizing that these requirements of fairness and due process of law will be administered by groups of laboring people, this union adopts the following procedures with the specific understanding that the following procedural guides are designed to attain justice both to the individual member and the union, and in

instances where deviations from such procedures are not such as to substantially affect the members' substantive rights, these procedures are not to constitute technically precise requirements of strict pleadings of courts of law.

Members of this union may be charged only with the offenses specified in the International constitution and may be tried in accordance with procedures therein specified.

Officers may be charged only with offenses defined in the International Constitution, or with "serious misconduct." "Serious misconduct of an officer shall be defined as:

a. Willful or negligent failure to hold the money and property of the union solely for the benefit of the union and its members and to manage, invest, and expend the same in accordance with these Bylaws, or any resolutions or directions of the Executive Board, or the membership.

b. Dealing with the union as an adverse party in any manner connected with his duties.

c. Holding or acquiring any written pecuniary or personal interest which conflicts with the interest of the union.

d. Failure to account, after written request for accounting is made by members in good standing, for any profit received by him in connection with transactions conducted by him or under his direction on behalf of the union.

The procedures specified in the International Constitution govern all trials and appeals. The requirements of the International Constitution and of fairness and due process will be attained by substantial adherence to the following:

a. Copies of all charges should be submitted in writing to the person charged at least ten days prior to any trial or hearing.

b. Details of the conduct or activity charged should be described, giving dates and places where possible.

c. The trial board should not include among its members any person who is in the role of an accuser.

d. Either verbatim minutes, mechanical recording, or accurate summaries of the evidence should be kept.

e. The accused should have the right to confront and cross-examine witness giving testimony against him.

f. The trial board should give to the accused full opportunity to make his defense and to produce testimonial or documentary evidence for that purpose.

g. The decision of trial boards should recite the facts which it finds to be true and should also set forth the basis for the decision reached.

h. All documents in the proceeding, as well as summaries of evidence or stenographic minutes shall be preserved and kept available for use in further proceedings in the union.

i. It should always be understood that every accusation must be supported by proof.

ARTICLE XIX EXHAUSTION OF REMEDIES

No local union or other subordinate body, nor any member or officer thereof, nor any officer or member of the International Union, shall resort to any court or agency outside the International Union until all forms of relief and avenue of appeal as provided by the International Constitution have been exhausted unless otherwise provided by statutory law.

ARTICLE XX BONDING

The President and Treasurer shall be bonded in an amount equal to 10% of the funds handled by them or by their predecessors during the preceding fiscal year.

ARTICLE XXI DELEGATES

The President shall be a delegate and chairman of the delegation to conventions of International Unions, unless he declines for good cause.

Other delegates shall be nominated and elected in a manner provided by the Executive Board of the union provided that adequate notice of nominations and elections of such delegates shall be given and provided further that all such delegates shall be elected by secret ballot. In order to qualify for nomination and election as a delegate for this union each delegate shall, at the time of nomination, be a member in good standing for one year immediately prior to being nominated.

ARTICLE XXII
INTERNATIONAL CONSTITUTION

This union acknowledges that the International Constitution supersedes any provisions of these Bylaws which are inconsistent with such Constitution. The union hereby re-adopts, as its Constitution, such International Constitution, and incorporates herein by reference, as though fully set forth herein, all such provisions of such Constitution, as it may be interpreted, modified, or amended from time to time, which are applicable to the union matters and affairs.

ARTICLE XXIII
SAVING CLAUSES

The provisions of these Bylaws relating to the payment of dues, assessments, fines or penalties, etc., shall not be construed as incorporating into any union security contract those requirements for good standing membership which may be in violation of applicable law, nor shall they be construed as requiring any employer to violate any applicable law. However, all financial obligations imposed by or under the International Constitution and these Bylaws (and in conformity therewith) shall be legal obligations of the members upon whom imposed and enforceable in a court of law.

If any provision of these Bylaws shall be declared invalid or inoperative, by any competent authority of the executive, judicial, or administrative branch of federal or state government, the Executive Board shall have the authority to suspend the operation of such provision during the period of its invalidity and to substitute in its place and stead a provision which will meet the objections to its validity and which will be in accord with the intent and purpose of the invalid provision. If any Article of these Bylaws should be held invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of this Constitution or the application of such Article to persons or circumstances other than those as to which it has been held invalid, shall not be affected thereby.

ARTICLE XIV
AMENDMENTS

Any member may propose amendments to these Bylaws. The proposed amendments, unless otherwise provided herein, shall be submitted to the Executive Board prior to being published by the union and read at one regular meeting. The proposed amendment shall be voted upon at the next regular meeting. Amendments may be also proposed, read, and voted upon at a special meeting called for such purpose with advance written notice of 14 days to the membership of the nature of the amendment. Amendments approved by

a majority vote of those members present and voting shall be sent to the Office of the International President for approval and shall take effect immediately upon receipt by this union of such approval.

ARTICLE XXV STANDING RULES FOR UNION MEETINGS

Rule 1. The regular order of business may be suspended by a majority vote of the meeting at any time to dispose of anything urgent.

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

Rule 3. Any conversation, by whispering or otherwise, or any other activity, which is calculated to disturb or may have the effect of disturbing a member while speaking or disturb the conduct of the meeting or hinder the transaction of business, shall be deemed a violation of order.

Rule 4. Attending meetings under the influence of liquor or other drugs is basis for removal.

Rule 5. All business done in the union shall be strictly secret to all outside the union, except that deemed releasable.

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

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

Rule 8. Every member, while speaking, shall adhere to the question under debate, avoid all personality and indecorous language, as well as any reflection on the union or any member thereof; but all members shall have the right to express their views, arguments and opinions upon candidates and upon any business properly before the meeting.

Rule 9. No member shall interrupt another while speaking except to a point of order, and he shall explicitly state the point.

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

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

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

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

Rule 14. All resolutions and motions, other than the first six in Rule 18, or to accept or adopt the report of the committee, shall be reduced to writing by the Recording Secretary before the President shall state the same to the union.

Rule 15. In presenting a motion, a brief statement of its object may be made, but no discussion of its merits shall be admitted until the question is stated by the Chair.

Rule 16. Any member may call for a division on a question when the subject admits thereof.

Rule 17. All votes other than amendments to the Constitution, Bylaws or Rules or Orders may be considered at the same or next succeeding meeting upon a motion made and seconded by two (2) members who voted in the majority; provided the union agrees thereto; but after a motion to reconsider has once been lost, it shall not be renewed.

PRIVILEGED QUESTIONS

Rule 18. The following motions shall have precedence in the following order herein arranged: First, to adjourn; second, to close debate; third, to take the previous question; fourth, to lie on the table; fifth, to postpone indefinitely; sixth, to postpone to a definite time; seventh, to refer; eighth, to amend.

Rule 19. The following motions are not debatable: one, to adjourn; two, to lay on the table; three, for the previous question; four, to close debate.

Rule 20. When a question is postponed indefinitely, it shall not come up again, except upon a majority vote.

Rule 21. The motion to close debate may be made by two (2) members, and shall be put in this form: "Shall the debate now close?" And, if adopted, the President shall proceed to take the question on the resolutions and amendments thereto, according to priority, without further debate.

Rule 22. The call for the previous question may be made by three (3) members and shall be put in this form: "Shall the main question be now put?" If adopted, the effect shall be to take the question on the original resolution to the exclusion of all debate and all amendments which have not been adopted.

Rule 23. If a question has been amended, the question on the amendment shall be put first; if more than one amendment has been offered, the question shall then be put as follows: (1) amendment to the amendment; (2) amendment, (3) original proposition.

Rule 24. A motion to adjourn shall always be in order except: (1) when a member has the floor; (2) when members are voting.

Rule 25. A motion to adjourn having been put and lost shall not be in order again, provided there is further business before the Local Union, until fifteen (15) minutes have elapsed.

VOTING

Rule 26. The President, while presiding, shall state every question coming before the union before suffering debate thereon, and immediately before putting it to a vote he shall ask, "Is the union ready for the question?" Should no member rise to speak and the union indicates its readiness, he shall rise to put the question. After he has risen no member shall be permitted to speak upon it.

Rule 27. When the presiding officer has commenced taking the vote, no further debate or remarks shall be allowed, unless a mistake has been made, in which case the mistake shall be rectified and the presiding officer shall recommence taking the vote.

Rule 28. Every member present shall vote on all questions before the union unless personally interested. A motion to excuse a member from voting shall be put without debate.

Rule 29. When a motion has been declared carried or lost by acclamation, any member, before the union proceeds to other business, may for a count, but the "yeas" and "nays" cannot be called unless demanded before the President rises to put the question.

Rule 30. The "yeas" and "nays" may be called for by two (2) members and upon the assent of one-third (1/3) of the members present shall be taken.

Rule 31. (a) All and other proceedings in debate, not herein provided for, to be governed by Robert's Rules of Order; latest Revision.

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

5 September 1991

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