



**CONSTITUTION AND BYLAWS
OF THE
OFFICE AND PROFESSIONAL
EMPLOYEES INTERNATIONAL UNION
LOCAL UNION NO. 30, AFL-CIO**

ADOPTED APRIL 25, 1946

(EFFECTIVE AS AMENDED JULY 2024)

CERTIFICATION

This certifies that the membership of this Local Union did regularly adopt, and the President of the Office and Professional Employees International Union did grant to this Local Union approval of this Constitution and Bylaws with the modifications contained herein as of the date indicated below and that this is a current and correct copy of said Constitution & Bylaws.

Attested to this 3rd day of September 2024

(LOCAL UNION EXECUTIVE DIRECTOR/CFO)

TABLE OF CONTENTS

ARTICLE 1 - PREAMBLE.....	1
ARTICLE 2 - NAME AND AFFILIATION	1
ARTICLE 3 - EXISTENCE	1
ARTICLE 4 - JURISDICTION	2
ARTICLE 5 - OBJECT	2
ARTICLE 6 - MEMBERSHIP	3
ARTICLE 7 - MEETINGS	6
ARTICLE 8 - STEWARDS	8
ARTICLE 9 - OFFICERS, DELEGATES AND STAFF.....	9
ARTICLE 10 - DUTIES OF OFFICERS AND DELEGATES AND STAFF	11
ARTICLE 11 - NOMINATIONS AND ELECTIONS	18
ARTICLE 12 - REVENUE.....	26
ARTICLE 13 - DISBURSEMENTS.....	28
ARTICLE 14 - REMOVAL OF OFFICIALS	29
ARTICLE 15 - UNIFORM UNITED STATES DISCIPLINARY PROCEDURE.....	30
ARTICLE 16 - WITHDRAWAL AND MILITARY SERVICE CARDS	39
ARTICLE 17 - STRIKES.....	41
ARTICLE 18 - INTERNATIONAL CONSTITUTION	42
ARTICLE 19 - GENERAL PROVISIONS.....	42
ARTICLE 20 - AMENDMENTS TO THE CONSTITUTION	43
ARTICLE 21 - RULES OF ORDER	44
INITIATION OF MEMBERS AND OATH OF OFFICE	46
ORDER OF BUSINESS.....	47

ARTICLE 1 - PREAMBLE

This Local Union declares for its objectives and aspirations the following: to organize all unorganized professional, technical, office and clerical employees, to secure terms and conditions of employment for its members consonant with ideas of fair wages and benefits to promote and encourage harmonious relations between ourselves and our employers to render all possible assistance to our fellow members in the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) and to have, in general, the same aims and purposes as the International Union (International Union or OPEIU) provides for its Constitution in the interest of all professional, technical, office and clerical employees.

This Local Union declares to improve and maintain the social and economic welfare of all professional, para-professional, technical and office/clerical workers without regard to color, race, creed, national origin, religion, disability, age, gender, sexual orientation, gender identity, or gender expression, and to give clear evidence of our recognition of our unity with organized labor, we adopt this Constitution.

ARTICLE 2 - NAME AND AFFILIATION

SECTION 1. This organization, with principal offices located in southern California, shall be known as the Office and Professional Employees International Union, Local No. 30, and shall hereinafter be referred to as The Union. The Union shall be and remain a chartered Local Union of the Office and Professional Employees International Union of the American Federation of Labor-Congress of Industrial Organizations, or Canadian Labor Congress (herein after "AFL-CIO" or "CLC").

ARTICLE 3 - EXISTENCE

This Local Union cannot be merged or dissolved while there are two hundred and fifty (250) dues-paying members therein who desire to continue its existence. When this Local Union ceases to represent employees of any employer, the International Union may suspend the charter of this Local Union and order it dissolved or merged. Upon dissolution or merger of this Local Union, all its properties and assets, including its funds, books, and records, shall become

the property of the International Union, to be held by the International Union in trust for a period of one (1) year, during which time such property shall be returned to this Local Union if it is reconstituted. After such one (1) year period such properties and assets shall become the property of the International Union Treasury to be used by the International Union for general purposes.

ARTICLE 4 - JURISDICTION

SECTION 1. This Local Union shall embrace within its membership employees in any phase of professional, technical, office clerical and related work in the commonly accepted sense of those terms working within its jurisdiction established under the Constitution of the International Union.

SECTION 2. This Local Union recognizes the right of the International Union Executive Board to determine jurisdiction between or among OPEIU Local Unions and to settle all controversies respecting jurisdiction between or among OPEIU Local Unions.

ARTICLE 5 - OBJECT

SECTION 1. The object of this Union shall be to organize and unite all classifications of professional, para-professional, technical office/clerical, and other such workers coming under the jurisdiction of The Union; to the end that all workers may share in the benefits resulting from employment under the terms of signed collective bargaining agreements.

SECTION 2. It is also the purpose and aim of The Union to inform, advise and educate workers in the principles of organized labor.

SECTION 3. The aims and purposes of The Union shall be the same for its own members as are expressed and stated as the aims and purposes of the International Union.

ARTICLE 6 - MEMBERSHIP

SECTION 1. The Union shall embrace among its membership all professional, para-professional, technical, office/clerical, and other such workers coming within its jurisdiction as established under the Constitution of the Office and Professional Employees International Union.

SECTION 2. No applicant shall be barred from membership in this Local Union because of race, color, creed, religion, disability, age, marital status, military or veteran status, national origin, gender, sexual orientation, gender identity or gender expression.

SECTION 3. No person shall be admitted to membership in The Union 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 or in conflict with the policies of our International Union.

SECTION 4. Applicants for membership shall be required to fill out application forms supplied by the Secretary-Treasurer of the International Union and be accompanied by the initiation fee.

SECTION 5. Realizing that some of our members necessarily hold positions of trust and confidence, at no time shall the obligations of membership require that a member disclose processes of their employer.

SECTION 6. All persons admitted to membership in this Union agree to abide by this Constitution and Bylaws.

SECTION 7. No person shall simultaneously hold membership in more than one Local Union of the International Union. No person may transfer membership from one Local Union of the International Union to another Local Union without the approval of the President, unless such a transfer is the result of a change in employment from one bargaining unit represented by the

International Union or a Local Union to another such unit. Members shall hold membership in the International Union through the Local Union in whose jurisdiction they are working or last worked, except for members employed by the International Union or one of its subordinate bodies, a Local Union or any Council or other federation of Local Union, who shall hold membership in such Local Union as may be determined by the President. Where a member works within the jurisdiction of more than one Local Union, such member shall hold membership through the Local Union in whose jurisdiction such member first worked; provided, however that such member shall pay a fee equal to the applicable dues to the other Local Union(s) in whose jurisdiction the member is working and such Local Union(s) shall pay a fee equal to the applicable per capita tax to the International Union.

SECTION 8. MEMBERSHIP CLASSIFICATIONS

Membership classifications shall be active, non-active, and associate. No member shall simultaneously hold more than one classification. A person who is suspended or expelled; loses their basis for membership due to an election; is no longer employed by the International Union or one of its subordinate bodies, a Local Union or any Council or other federation of Local Unions; has resigned their membership; or any other person who is not a member in accordance with one of the membership classifications provided for in this Article; shall not be considered members for any purpose, except as may be directed by the President; provided, however, in the event that a decision deprives a person of the basis upon which they hold membership, and that decision may be appealed to any body other than the Convention of the International Union, that person shall maintain membership until the ruling on the appeal by the membership of a Local Union or the Executive Board of the International Union upholds the deprivation of the basis upon which membership is held.

SECTION 9. ACTIVE MEMBERSHIP

- (a) An individual is eligible to be an active member in this Local Union if that individual is: employed within a collective bargaining unit represented by this Local Union; an employee or officer of the International Union or one of its subordinate bodies; an employee or officer of a Local Union or any Council or other federation of Local Unions; a person who is not covered by any of the

foregoing categories who belongs to or joins a Local Union or Guild which was chartered by the International Union with full membership rights prior to July 1, 1996. Compliance with reasonable membership requirements uniformly imposed by a Local Union, and receipt by the Local Union of the current dues and any required initiation or reinstatement fee, or any installment established by the Local Union for payment of such fee, is required for an eligible individual to become an active member. Continued payment of dues, and if applicable, any remaining installments of the required initiation or reinstatement fee, is required to maintain active membership.

- (b) An active member who is not actively working due to layoff, illness, disability, or a contractually provided leave of absence, and has applicable recall, reemployment or other employment rights which have not expired under the collective bargaining agreement, may elect:
 - 1. To continue to pay dues and maintain active membership for the period for which said recall, reemployment or other employment rights are valid or said grievance is pending,
 - 2. To apply for another classification of membership provided for in this Article, if eligible, or
 - 3. To apply for a withdrawal card.
- (c) Active members shall enjoy all rights and privileges of membership in their respective Local Unions and in the International Union including, without limitation, the right to vote at all meetings and in all elections or referenda, to be nominated or and hold any office, and to be elected a delegate to the International Union Convention, if otherwise qualified under their Local Union Constitution and Bylaws and this Constitution.

SECTION 10. NON-ACTIVE MEMBERSHIP

- (a) An individual is eligible to be a non-active member if that individual is a former active member of this Local Union, including an individual who has retired from the position which made them eligible to be an active member, who desires to maintain membership in this Local Union. Receipt by the Local Union of

whatever dues or fees it may establish for non-active members that are currently due is required for an eligible individual to become a non-active member. Continued payment of such dues and fees is required to maintain non-active membership. One half of any such dues or fees shall be paid to the International Union at the same time that per capita is due, but not in excess of the applicable per capita.

- (b) Non-active members may attend and address Local Union meetings at the discretion of the Local Union President. Such person shall have no voice or vote in International Union or Local Union affairs, nor shall they be nominated for or hold an International Union or Local union office or Executive Board position, or be elected a delegate to the International Union Convention; provided, however, that if a Local Union has or does provide in its Constitution and Bylaws that such a member has a voice and/or a vote in an election of Local Union officers, such provisions shall govern.

SECTION 11. ASSOCIATE MEMBERSHIP

- (a) The Executive Board shall be empowered to establish an associate membership classification and determine the per capita affiliation cost and all other conditions and regulations which may be applicable to the category. Any Local Union may also establish an associate membership classification which is consistent with any Executive Board action concerning an associate membership classification.
- (b) Associate members may attend and address Local Union meetings at the discretion of the Local Union President. Such person shall have no voice or vote in International Union or Local Union affairs, nor shall they be nominated for or hold an International Union or Local Union office or Executive Board position or be elected a delegate to the International Union Convention.

ARTICLE 7 - MEETINGS

SECTION 1. The general membership meetings of The Union shall be held on the Fourth (4th)

Thursday of each January, April, July, and October. Meetings will be conducted simultaneously from locations in San Diego, Los Angeles, Phoenix, and Denver electronically, at a time and place designated by the Executive Board. Proper notice will be given for all meetings and at least one union official will be on site at each meeting to assist in the conduct of the meeting.

SECTION 2. Fifteen (15) members in good standing in total shall constitute a quorum for any regular or special meeting. No membership meeting shall be called unless such quorum is present, with the exception of membership meetings which are called for the nomination and election of officers, for which there is no quorum required.

SECTION 3. Special meetings of the membership may be called by a majority vote of the Executive Board.

SECTION 4. The President shall call a special meeting upon written request of fifty (50) members in good standing in which they state the purpose of the meeting to be called.

SECTION 5. No business shall be considered at a special meeting except that for which the meeting is called.

SECTION 6. The Executive Director/ CFO shall notify each member by mail at least five (5) days prior to any special meeting that such meeting is being held, the time, date and place of such meeting, and the business that is to be transacted.

SECTION 7. Regular meetings of the Executive Board shall be held monthly. The Executive Board shall set the time, date and place of its meetings.

SECTION 8. Special meetings of the Executive Board may be called by the Executive Director/ CFO or the President and must be called upon request of the majority of the members of The Executive Board.

SECTION 9. All members of The Board shall be given reasonable notification by the Executive

Director/ CFO of any special meetings of The Board.

SECTION 10. A majority of the Executive Board shall constitute a quorum to do business at all of its meetings.

SECTION 11. The Executive Director/ CFO may call periodic "Town Hall" unit meetings as deemed necessary.

ARTICLE 8 - STEWARDS

SECTION 1. In each bargaining unit there shall be elected by and from the members one or more of their members to act as Union steward(s) or the Executive Director/ CFO shall appoint members to serve as Union stewards.

SECTION 2. Vacancies occurring among the stewards shall be filled by election or appointment in the same manner as herein provided.

SECTION 3. The Executive Board may in exceptional circumstances and subject to appeal to the membership, declare any stewards post vacant.

SECTION 4. Only in accordance with procedures set up in the collective bargaining agreement and under instructions of the Executive Director/ CFO shall the stewards initially attempt to settle disputes, complaints and differences between the members in their group or groups and the employer or its recognized representative.

SECTION 5. Any inability on the part of the steward to satisfactorily dispose of any dispute, complaint or difference shall be referred first to the Executive Director/CFO and/or Business Agent(s), and then to the Executive Board for determination or appropriate action in the event the Executive Director/ CFO and/or Business Agent(s) are unable to arrive at a satisfactory settlement.

SECTION 6. A written record of all disputes, complaints and differences, including their

disposition, shall be kept on file in the Union office for a reasonable time.

SECTION 7. It shall be the responsibility of every steward to at all times place the best interest of this union ahead of any other concerns. Stewards who engage in actions that are contrary to the policies and best interests of this union may be removed by the Executive Director.

ARTICLE 9 - OFFICERS, DELEGATES AND STAFF

SECTION 1. The elective officers of The Union shall be Executive Director/ Chief Financial Officer, President, Vice President, Recording Secretary, eight (8) Executive Board Members and three (3) Trustees. The Executive Board shall consist of the Executive Director/ Chief Financial Officer, President, Vice-President, Recording Secretary and eight (8) elected Executive Board Members and three (3) Trustees. There shall be two (2) Executive Board Members elected from the bargaining units in the Los Angeles region, four (4) from the bargaining units in the San Diego region, one (1) from the bargaining units in Arizona, and one (1) from the bargaining units in Colorado. All other elected officers of the local shall be elected at-large.

SECTION 2. The Executive Board shall be comprised of the Executive Director/Chief Financial Officer, President, Vice President, Recording Secretary, and the eight (8) Executive Board Members. The Executive Board Members shall be elected as follows:

- (a) Two (2) Executive Board Members shall be elected from the bargaining units in the Los Angeles region but with no more than one (1) Member from any one unit,
- (b) Four (4) Executive Board Members from the bargaining units in the San Diego region, at least one of whom shall be from the California Service Center unit.
- (c) One (1) Executive Board Member from the bargaining units in Arizona.
- (d) One (1) Executive Board Member from the bargaining units in Colorado.

All other elected Officers of the Union shall be elected at-large.

SECTION 3. Each member of the Executive Board shall have one (1) vote except the President of the Union. The President shall act as Chairperson and shall have a voice but no vote, except in the event of a tie vote by the Executive Board, in which event the President shall have a vote.

SECTION 4. Delegates to all councils with which this Union is affiliated shall be appointed by the President.

SECTION 5. Any candidate for an elective office in this local must have been a member of the Local Union in continuous good standing for at least twelve (12) months immediately prior to election.

SECTION 6. All officers and employees of this Local Union shall be bonded under a bond approved by the Secretary-Treasurer of the International Union. Such a bond shall be no less than \$25,000 or 10% of the assets and receipts of this Local Union, whichever is greater.

SECTION 7. The Executive Board shall have the power to add representatives to the Executive Board from large bargaining units represented by this Local Union.

SECTION 8. OFFICERS

- (a) All officers shall be elected for a term of three (3) years.
- (b) Trustees shall be elected one each year for a term of three (3) years.
- (c) The office term of all officers shall run from the General Membership meeting in October of their election, and end at the General Membership Meeting three (3) years later.

SECTION 9. BUSINESS AGENTS AND OTHER UNION STAFF

- (a) Business Agents and other union staff shall be hired by the Executive Director/ CFO with the approval of the Executive Board. The Executive Director/ CFO will set the compensation and benefits of all employees of the local, and negotiate labor agreements of represented staff, with the approval of the Executive Board.

SECTION 10. The compensation and benefits package of the Executive Director/ CFO shall be

set by agreement between the Executive Director/ CFO and the Executive Board for the three (3) year term of that office. Such compensation and benefits package will not be less in succeeding terms upon reelection to the same position.

SECTION 11. Any member instructed by The Union to perform services on its behalf and acting in accordance with such instructions shall be reimbursed for all actual salary loss experienced and may be compensated for actual expenses incurred.

ARTICLE 10 - DUTIES OF OFFICERS AND DELEGATES AND STAFF

SECTION 1. PRESIDENT

It shall be the duty of the President to:

- (a) Preside at all meetings of The Union.
- (b) Preserve order during its deliberations.
- (c) Sign all orders on the treasury.
- (d) Countersign all checks.
- (e) Appoint all committees not otherwise ordered.
- (f) In case of a vacancy of the office of President the Vice-President shall fill the office for the balance of the unexpired term.
- (g) The Executive Board shall fill all other vacancies on the Board which may occur between elections by a majority vote.
- (h) The President shall appoint a sergeant-at-arms whose duties shall be to assist the President in maintaining order. The sergeant-at-arms shall ascertain that each person who attends is a bona fide member of The Union.
- (i) By virtue of election to that office, the President shall be deemed elected to all conventions or conferences in which the membership designates the Union shall participate.
- (j) Transact such other business as may of right pertain to the office and which may be necessary for the proper functioning of the Union.
- (k) The President shall be elected a delegate to all International Union Conventions

by virtue of election to office.

SECTION 2. VICE-PRESIDENT

It shall be the duty of the Vice-President to:

- (a) In the absence of the President, the Vice-President shall perform the duties of the President.
- (b) In case of a vacancy in the office of the President, the Vice-President fills the office for the unexpired term.
- (c) The Vice-President shall also preside when called upon by the President and at times when the President may be temporarily unable to discharge the duties of that office.
- (d) By virtue of election to that office, the Vice-President shall be deemed elected to all conventions or conferences in which the membership designates the Union shall participate.
- (e) The Vice-President shall be elected a delegate to all International Union Conventions by virtue of election to office.

SECTION 3. EXECUTIVE DIRECTOR/ CHIEF FINANCIAL OFFICER

The Executive Director/ CFO shall:

- (a) Direct and manage all aspects of the operation of the Union.
- (b) Have charge of all money, property, securities and effects of The Union.
- (c) Be responsible for the keeping of all financial accounts of The Union and maintenance of correct and proper accounts of all its members.
- (d) Be responsible for the collection of all initiation and reinstatement fees, dues and assessments from members of The Union.
- (e) Make all disbursements for The Union as provided by Article 13.
- (f) Be responsible for the keeping of a correct record of all monies received and expended, and the preparation of financial statements by calendar months to be submitted to the Secretary-Treasurer of the International Union monthly, and to the Executive Board at the next regular meeting.
- (g) Advise the Executive Board on financial matters and capital expenditures.

- (h) Carry on such correspondence in the name of, and for, and on behalf of The Union as the business of the position shall require, keeping copies of all correspondence in the office files, which shall be available for examination by the Executive Board or any member of The Union.
- (i) Be responsible for organization, preparation and negotiation of agreements, the handling of grievances and management of all functions of the Union.
- (j) Report on activities of the Union to the Executive Board.
- (k) Hire such office/clerical and field staff as may be necessary to properly conduct the business of The Union and provide direction and supervision to all such employees.
- (l) Act as executive officer of The Union when the board is not in session.
- (m) Deposit all funds of The Union in a bank. Submit the books and records to trustees for audit and approval whenever called upon to do so.
- (n) Upon the expiration of the term of office the Executive Director/ CFO shall turn over to the incoming successor all properties and assets including funds, books and records of The Union. Before turning over such properties and assets, the Executive Director/ CFO must see to it that such successor is properly bonded.
- (o) Turn over all properties and assets including funds, books, and records to the Secretary-Treasurer of the International Union or a duly authorized representative when properly called upon to do so.
- (p) Transmit monthly to the Secretary-Treasurer of the International all financial obligations owing to the International Union not later than the 15th day of the following month, following such accounting and reporting procedures as shall be formulated by the Secretary-Treasurer of the International Union.
- (q) Be required to make monthly reports to the Secretary-Treasurer of the International Union of all dues paying members on forms prescribed by the Secretary-Treasurer of the International Union, including the Social Security number, name and address of all newly initiated, transferred, reactivated and inactive members, members who have been issued military service cards, members who have withdrawn, died or have been suspended (including members automatically

suspended upon becoming three (3) months delinquent in dues), or expelled and the names of all persons to whom work permits were issued during the month.

(r) Check the requirements of Section 201(a) of the Labor Management Reporting and Disclosure Act of 1959 to ascertain whether any changes have occurred which will cause the information required to be filed to be reported to the Secretary of Labor, U.S. Department of Labor at the time of filing annual financial reports as required in subsection(s) of this Section and as required by Section 210(b) of the Labor Management Reporting and Disclosure Act of 1959. Shall file annually with the Secretary of Labor, U.S. Department of Labor, a financial report containing the following information in such detail as may be necessary to disclose The Union's financial conditions and operations for its preceding fiscal year:

1. Assets and liabilities at the beginning and end of the fiscal year.
2. Receipts of any kind and the sources thereof.
3. Salary, allowance and other direct or indirect disbursements (including reimbursed expenses) to each officer and also to each employee, who during such fiscal year received more than ten thousand dollars (\$10,000) in the aggregate from The Union.
4. Direct and indirect loans made to any officer, employee or member, which aggregated more than two hundred fifty (\$250) during the fiscal year, together with a statement of the purpose, security, if any, and arrangements for repayment.
5. Direct and indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and arrangements for repayments, and
6. Other disbursements made by it, including the purposes thereof; all in such categories as the Secretary of Labor, U.S. Department of Labor may prescribe.

(s) Make available the information contained in the above mentioned reports to all of

The Union's members, and preserve all records in accordance with the provisions of Section 206 of the Labor Management Reporting and Disclosure Act of 1959 which have been turned over for keeping until these records are at least five (5) years old, and then turn over to the succeeding Executive Director/CFO all such records to be kept until they are at least five (5) years old.

- (t) On January 1st and July 1st of each year, the International Union shall be provided a current list of the Local Unions active, non- active and associate members in good standing including names, home addresses, and if known to this Local Union, home telephone numbers and e-mail addresses.
- (u) By virtue of election to that office, the Executive Director/ CFO shall be deemed elected to all conventions or conferences in which the membership designates the Union shall participate.
- (v) The Executive Director/ CFO shall be properly bonded by a bonding company and under a bond approved by the Secretary-Treasurer of the International Union.
- (w) The Executive Director/CFO shall be elected a delegate to all International Union Conventions by virtue of election to office.

SECTION 4. BUSINESS AGENTS AND ALL OTHER STAFF

The Business Agents and all other staff shall work under the supervision and direction of the Executive Director/ CFO.

SECTION 5. RECORDING SECRETARY

The Recording Secretary shall:

- (a) Keep a correct record of the minutes of all Union meetings and all Executive Board meetings.
- (b) Read all communications directed to the Executive Board.
- (a) Transcribe and deliver the minutes to the Executive Director/ CFO, President and Vice-President no later than one week immediately following the Union meeting and two workdays following the Executive Board meeting.

- (b) The original minutes shall be kept in the office of Local No. 30, and each page of the original minutes shall be signed by the Recording Secretary, and each addition, deletion or correction of said minutes shall be initialed by the Recording Secretary.
- (c) By virtue of election to that office, the Recording Secretary shall be deemed elected to all conventions or conferences in which the membership designates the Union shall participate.
- (d) The Recording Secretary shall be elected a delegate to all International Union Conventions by virtue of election to office.

SECTION 6. TRUSTEES

- (a) The Trustees shall review the books of the Executive Director/ CFO at least quarterly and at the close of each fiscal year and shall report each such review in writing to the Local 30 Executive Board at their next regular meeting, and to the next regular general membership meeting.
- (b) The review of such records should include copies of at least the front of all checks containing the required signatures of the Local Union officers. The Trustees shall be provided with copies of the front and back of any check for review. In conducting such reviews, the Trustees shall meet at a designated time.
- (c) As an alternative to Trustees making such reports to the ED/CFO and the International Secretary-Treasurer of the International Union, this Local Union may have an audit conducted annually by a certified public accountant in accordance with generally accepted auditing standards. Copies of each such audit shall be provided to the Local Executive Board, be available for review at the first regular membership meeting following its receipt and must be sent to the Secretary-Treasurer of the International Union within fifteen (15) days of receipt.
- (d) The senior most Trustee shall be elected a delegate to all International Union Conventions by virtue of election to office.

SECTION 7. EXECUTIVE BOARD

The Executive Board shall:

- (a) Be empowered and authorized to perform all acts on behalf of The Union between meetings of The Union.
- (b) Report at the regular meeting of the Union for approval or otherwise on all matters acted upon, making recommendations to the meeting of The Union on matters brought properly to its attention.
- (c) Approve all investments of funds of The Union.
- (d) Any Executive Board member who fails to attend three (3) successive meetings, without being excused from such attendance by the Executive Board, shall be deemed to have forfeited such office and the Executive Board, may appoint a successor for the balance of the unexpired term.
- (e) See that the President, Vice-President, Executive Director/ CFO and Business Agents are each adequately and properly bonded in accordance with a faithful performance of duty bond by a bonding company and under a bond approved by the Secretary-Treasurer of the International Union; such bond not to be less than one hundred thousand dollars (\$100,000).

SECTION 8. SERGEANT-AT-ARMS

The Sergeant-At-Arms shall act as doorkeeper and shall also perform such other duties as The Union or President may direct.

SECTION 9. DELEGATES TO AFFILIATED COUNCILS

It shall be the duty of delegates to:

- (a) Attend the meetings or sessions of the body or assembly to which they have been appointed.
- (b) Faithfully represent the Union and protect its interest, and properly present and support its declared policies and instructions.
- (c) Upon request to report to The Union the proceedings of the organization to which

- they are delegates; and
- (d) Perform such other duties as pertaining to their office or are assigned to them by the Union.

ARTICLE 11 - NOMINATIONS AND ELECTIONS

SECTION 1. It shall be the aim of the Union to elect to the Executive Board the most capable members of the various groups comprising the membership of the Union. All members of The Union shall be eligible to vote in the election of officers providing they are in good standing.

- (a) However, in the event any member becomes a supervisor within the meaning of existing applicable legislation in the United States and does not make application for and receive a withdrawal card, such member shall not be eligible to participate or have a vote in any of the Union's proceedings which affect the wages and conditions of employment of the employees in the same establishment.
- (b) In the event any member becomes a supervisor within the meaning of existing applicable legislation in the United States and does not make application for and receive a withdrawal card, such member shall not be eligible to be a candidate for office nor eligible to hold an office, nor such member shall be eligible to represent this Union in any official capacity whatsoever.
- (c) No person who has been convicted of, or served any part of a prison term resulting from conviction of robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with the intent to kill, assault which inflicts grievous bodily injury; or a violation of Title II or III of the Labor Management Disclosure Act of 1959, any felony involving misuses of such persons position or employment in a labor organization or employee benefit plan to seek or obtain an illegal gain at the expense of the members of the labor organization or the beneficiaries of the employee benefit plan, or conspiracy to commit any such crimes or attempt to commit any such crimes, or which any forgoing crimes is an element, shall serve or be permitted to

serve as an officer, director, trustee, member of the Executive Board or similar governing body, business agent, manager, organizer, employee (other than an employee performing exclusively clerical or custodial duties) or representatives of this Local Union during or for the period of thirteen (13) years after such conviction or after the end of such imprisonment, whichever is later, unless the sentencing court on the motion of the person convicted sets a lesser period of at least three (3) years after such conviction or after such imprisonment, whichever is later, or unless prior to the end of such period, in the case of a person so convicted or imprisoned, (A) the citizenship rights, having been revoked as a result of such conviction, have been fully restored, or (B) the appropriate judicial officers as set forth in Section 504(a) of the Labor Management Reporting and Disclosure Act of 1959 determines that such person's service in any capacity referred to the above would not be contrary to the purpose of the Labor Management and Reporting Disclosure Act of 1959.

SECTION 2. The officers of this Local Union and the membership of the Local Union Executive Board shall be elected by the membership and shall hold office for a term of three (3) years. Nominations of Officers whose terms expire in October of any year shall be held at the general membership meeting in July of that year. Nominations may only be made by active members in good standing of this Local Union at the time of nominations. Election of such officers shall be by mail ballot, mailed to the last known address of all members. The procedures for a mail ballot shall be in substantial compliance with Title IV of the Labor Management Reporting and Disclosure Act of 1959 (LMRDA). The Election Regulations promulgated by the United States Department of Labor pursuant to Article IV of the LMRDA and as provided in this Constitution and Bylaws, those suggested by the U.S. Department of Labor, Office of Labor Management Standards which are as follows:

- (a) All members will be notified at their last known address. This notification will be mailed no later than August of that year and must be mailed back and received no later than the specified date in order to be tallied and counted.

- (b) This notification will include:
 - 1. Notice of election and instructions for voting.
 - 2. One official unmarked ballot.
 - 3. One ballot envelope; and space for the voter's name and address in upper left corner.
- (c) All ballots used and unused and all election records will be preserved and accounted for. A certification of the exact number of ballots printed and delivered will be obtained.
- (d) Instructions to members will include the specific cutoff date and time for counting the returned marked ballots.
- (e) Voting instructions are as follows:
 - 1. Mark with "X" or "Check" in the squares next to the names of the candidates of your choice.
 - 2. Place the marked ballot in the ballot envelope and seal. (Do not mark the ballot envelope; marks will invalidate your vote or cause it to be challenged.)
 - 3. Insert the ballot envelope in the return addressed envelope.
 - 4. Place your name and address in the space provided on the return addressed envelope.
 - 5. Mark and mail your ballot in time to arrive at the return address by the specified date.
- (f) Returned ballots will be handled only by authorized clerical personnel of The Union and/or appointed election committee/teller members.
- (g) The Tally of the election will be conducted by the tellers on the specified date in the office of The Union in the presence of the candidates or their observers as follows:
 - 1. Tellers or Union clerical staff under their direction will establish the identity and eligibility of the voter.
 - 2. Tellers or Union clerical staff under their direction will separate the ballot

envelope from the return envelope, preserving the return envelope.

3. Tellers or Union clerical staff under their direction will remove the ballot from the ballot envelope and place it in stacks of lots 25, 50, or 100, or in a ballot box.
 4. Tellers or Union clerical staff under their direction will tally each vote from the stacks or ballot box, entering results on a tally sheet.
 5. Tellers or Union clerical staff under their direction will recheck tally sheets and totals for accuracy.
 6. Tellers or Union clerical staff under their direction will sign each tally sheet for accuracy and they will also have observers initial or sign the tally sheets.
- (h) Results of the election will be announced at the next general membership meeting as well as posted at the Union office(s).
- (i) Elected officers will be installed at the October General Membership meeting following this election.

SECTION 3. Before entering upon the duties of their respective offices, the newly elected officers shall subscribe to the following installation obligation:

I, _____, solemnly pledge my word and honor before these witnesses that I will, to the best of my abilities, perform the duties of my office. At the close of my official term, I will turn over to my successor all books, records and all other properties, including funds, of The Local Union, that may be in my possession. I will also deliver all such properties to the International Union upon lawful demand. I will at all times devote my efforts to furthering the objectives and best interests of my Union.

SECTION 4. No member shall be eligible to accept a nomination for more than one office at the same time.

SECTION 5. Appointments to affiliated councils shall be announced at the regular membership

meetings in January of each year. Delegates appointed to affiliated councils shall commence their duties following the January membership meetings.

SECTION 6. All nominations for officers must be accepted by the proposed candidate at the time of nomination, or in writing within three (3) workdays.

SECTION 7. Any candidate for office wishing to withdraw their name from the ballot must file written notice of withdrawal with the Executive Director/ CFO no later than fifteen (15) days prior to the election.

SECTION 8. The Executive Director/ CFO shall mail to the last known address of each member at least fifteen (15) days prior to any nominations of officers or delegates all pertinent information relating to such nomination.

SECTION 9. All elections shall be conducted by secret ballot with the names of candidates for each office placed alphabetically. Officers and delegates shall be declared elected if only one nomination is made for such office.

SECTION 10. The officers and Executive Board Members shall be elected by a majority of the voting membership; except when there are more than two candidates contesting for a position, the election shall be by a plurality of votes.

SECTION 11. In case of a tie vote among the candidates with the highest votes, a run-off election shall be held among the candidates for such position tying in the original vote.

SECTION 12. Run-off elections shall be conducted using the same procedures as regular elections. Candidates elected by run-off shall be installed following their election.

SECTION 13. The President shall appoint an election committee of three members in good

standing who are not candidates for office at the meeting in which nominations are held. One member shall be deemed the Chairperson. The Election Committee shall have the right to clerical help as required. The duties of the election committee shall be to:

- (a) Ascertain the eligibility of candidates for office;
- (b) Prepare the official ballot;
- (c) Make all necessary arrangements for facilities and ballot boxes when necessary;
- (d) Post signed copies of the report of the election committee at The Union's offices for the information of the membership.

SECTION 14. The Election Committee is charged with the duty of conducting the election of officers and Executive Board members of this Local Union. It shall make such regulations as shall assure the members a fair and honest election conducted in compliance with applicable law. Any candidate shall have the right to be or have an observer at the counting of ballots, provided that the identity of the observer and the candidate for whom the observer shall serve has been designated in writing to the Election Committee. Only members in good standing shall be eligible to serve as observers.

SECTION 15. The Election Committee shall have the duty of enforcing the members' right to vote and shall see that such right of franchise is not interfered with or hindered by anyone.

SECTION 16. After an election has been held and a written report of the results has been rendered by the Election Committee, all election records and ballots shall be turned over to the Executive Director/CFO for safekeeping among the records of this Local Union for not less than one (1) year.

SECTION 17.

- (a) A recount of the ballots cast in some or all the positions contested at an election may be requested by presentation to the Executive Board of a petition signed by twenty-five percent (25%) of members of this Local Union in good standing specifying the officer positions for which the votes should be recounted. The

petition must be presented to the Executive Board within fourteen (14) days after the Election Committee renders its election report, and this petition shall enumerate the reasons why such members believe such recount(s) should be held. The President shall call a special meeting of the Executive Board to consider such petition, and the meeting shall be held no later than fourteen (14) days after receipt of the recount petition. If, at this meeting, the Executive Board rules that a recount(s) should be held, it shall instruct the Election Committee to conduct such recount(s). If the Executive Board denies any part of a recount petition, it shall make a report of its ruling to the next regular or special membership meeting. It shall require a majority vote of those members in good standing present at the membership meeting to reverse all or any part of the Executive Board's decision regarding the recount petition. If the membership reverses any or all parts of the Executive Board's decision, the Election Committee shall conduct the specified recount(s).

- (b) Any candidate for an office for which a recount has been requested shall be permitted to attend all meetings of the Election Committee as an observer, including any recounting of ballots. The Election Committee shall report its findings to the membership at the next regular or special membership meeting. If a report of the Election Committee declares that their tabulation shows that a previously declared defeated candidate(s) has actually been the recipient of the greatest number of votes cast for that office, such candidate(s) shall be declared elected.

SECTION 18.

- (a) Any member seeking to file a protest concerning any facet of the nomination or election process may file a written protest stating all grounds on which the protest is based with the Election Committee. All protests must be filed within ten (10) days of the ballot count. All protests regarding any recount of ballots must be filed within ten (10) days of the recount. Within ten (10) days of receipt of the protest, the Election Committee must issue a written ruling on the issues

raised in the protest.

- (b) Any or all of the members who filed the original protest or any candidate adversely affected by the decision of the Election Committee, may appeal the Election Committee's decision to the Local Union Executive Board within ten (10) days of receipt of the decision by the Election Committee. The Executive Board may sustain, modify, or reverse the decision of the Election Committee. The Executive Board shall render a decision on the appeal no later than at its next regular meeting, and that decision shall be fully explained in writing and sent to each appealing member, all involved candidates and the Election Committee within seven (7) days after that meeting.
- (c) Any or all of the members who filed the original protest or any candidate adversely affected by the Executive Board's decision may appeal the Executive Board's decision to the membership. Said appeal must be in writing and must be received by the Executive Director/CFO of this Local Union within ten (10) days after receiving the decision of the Executive Board. The membership will consider the appeal at the first membership meeting of the Local Union that is held at least fifteen (15) days after the Executive Board's decision. By a secret ballot vote of the majority of the members present and voting, the membership may sustain, modify, or reverse the decision of the Executive Board.

SECTION 19. Any or all of the members who filed the original protest or any candidate adversely affected by the membership's decision may appeal the membership's decision to the International Union Executive Board using the OPEIU Appeal Procedure found in the OPEIU Administrative Policies and Procedures. Copies of those procedures may be obtained by contacting the office of the Secretary-Treasurer of the OPEIU. Said appeal must be received no later than thirty (30) days after the membership's decision and must otherwise conform with the OPEIU Appeal Procedure.

SECTION 20. The candidates that the Election Committee declares elected shall be installed into office as provided for in Article 11, Section 2 and shall retain their offices so long as

proceedings involving a recount petition, election protest and/or related appeals remain pending, unless the International Union Executive Board determines otherwise.

SECTION 21. ELECTION OFFENSES

Any member found guilty by the Trial Board of tampering with ballots, illegal voting, committing fraud, violence, coercion, or other conduct not included in the foregoing, which in any manner interferes with a member's right of franchise, shall be subject to expulsion, suspensions or fine by the Trial Board.

SECTION 22. For the purpose of conducting an election of officers, the President shall appoint not less than three (3) or more than ten (10) tellers who are not candidates. The tellers shall conduct the tally of the election as described in Section 2 (g) of this Article.

SECTION 23. In the event any officer is absent from three consecutive meetings, executive meetings, or Executive Board meetings, except in the case of sickness or when on leave of absence, on business for The Union or on vacation, such officer shall be notified by the Executive Director/ CFO to appear at the next regular meeting and show good cause for the absences or the office shall be vacant.

SECTION 24. Any vacancy in office due to the death, resignation or removal from office of any officer of The Union except the President, shall be filled for the unexpired term of office by a majority vote of the Executive Board.

ARTICLE 12 - REVENUE

SECTION 1. The revenue of The Union shall be derived from initiation fees, reinstatement fees, dues, assessments, permits, and such other monies as may be approved by the Executive Board.

SECTION 2. INITIATION

- (a) The initiation fee for membership shall be one hundred dollars (\$100.00) and the first month's dues in accordance with Article 12, Section 3(a).
- (b) The Executive Board shall be empowered to waive for organizing purposes the initiation fee, within the limitations of the International Union's Constitution.
- (c) No initiation fee shall be required by The Union of any person involuntarily inducted into the armed services of The United States or Canada or entering such services during emergency periods as determined by the International Union Executive Board, if such person applies for membership within a period of one (1) year after his/her discharge provided he/she has other than a dishonorable discharge, and provided same is initial employment following such service.
- (d) Any former member of an AFL-CIO, CLC union not under the jurisdiction of this International Union who accepts employment under the jurisdiction of The Union may elect (provided that former union has a reciprocal plan of accepting withdrawal cards from The Union of this International Union in lieu of an initiation fee, upon application for membership and irrevocable surrender of an honorable withdrawal card or evidence of honorable termination of membership in those instances where unions do not issue withdrawal cards and upon payment of the current month's dues, if accepted for membership in The Union, to be inducted into The Union without the payment of any initiation fees, the Executive Director/CFO of The Union to forward such evidence to the International Secretary-Treasurer in lieu of initiation fees on such applicant.
- (e) The reinstatement fee shall be one hundred dollars (\$100.00) and the first month's dues, except that members working under a collective bargaining agreement in effect with this Union shall, in addition, be required to pay all back dues not to exceed six (6) months.

SECTION 3. DUES

- (a) The current dues schedules of this local union are available to members upon written request.
- (b) Dues schedules will be increased by the amount of any increase directed by the

International Union including per capita contributions and/or increase in International strike benefit contributions, unless waived with the approval of the International President.

- (c) Dues established by this local union will be based on a percentage of wages or similar automated scale and adjusted in accordance with (b) above. In the case of a bargaining unit for which dues rates were previously charged under a different method the Executive Board may opt to continue that method.

SECTION 4. WORK PERMITS

Work permits may be issued to persons employed for a period not to exceed ninety (90) days or to persons working "on call" within the jurisdiction of The Union in establishments where The Union has Union agreements. A work permit shall allow a person to work without the payment of initiation fees and dues; provided, however, that any such person may apply at any time during such period for membership in The Union. Such permits shall be issued monthly, and the fees shall be the same as The Union's regular monthly dues prorated.

SECTION 5. ASSESSMENTS

No assessment of any kind can be levied except as voted by secret ballot by a majority of the membership present and voting at a meeting called for that purpose and of which all members have been notified at least fifteen (15) days in advance. Such assessment must be subject to approval of the President of the International Union in advance of being levied.

SECTION 6. The fiscal year of the Union shall be the twelve (12) month period ending on the 31st day of July each year.

ARTICLE 13 - DISBURSEMENTS

SECTION 1. The funds of this Union cannot be divided among individual members and can be utilized only for valid Union purposes. Expenditures shall in all cases be made by checks signed by the Executive Director/ CFO and countersigned or authorized in writing by the President or

whichever third officer who may be designated by this Local Union Constitution to countersign a check or other disbursement of funds provided, however, that a petty cash fund of two hundred dollars (\$200) for each Union office shall be authorized by the Executive Board, from which expenditures can be made, subject to audit by the Trustees.

SECTION 2. The Fiscal year of this Local Union shall be a twelve (12) month period ending with the last day of the month of July each year.

SECTION 3. No officer or member shall be authorized or permitted to contract any indebtedness or bills without first obtaining approval of the Executive Board. The Executive Director/ CFO shall not issue any checks for the payment of any indebtedness or bill, which has not been previously approved by the Executive Board. Provided, however, that authorized salaries, rent and other regular recurring bills necessary in the administration of the Union's affairs shall be paid when they are due.

SECTION 4. No disbursements shall be voted on at any regular or special meetings of the Union after 10 p.m.

SECTION 5. The initiation fees, reinstatement fees and other obligations owed by this Union to the International Union shall constitute a preferred claim and must be paid promptly by The Union each month prior to the payment of any other obligation of The Union.

ARTICLE 14 - REMOVAL OF OFFICIALS

SECTION 1. In order to commence impeachment proceedings against any official of this Local Union, a petition must be filed with the Executive Board, signed by twenty-five percent (25%) of the active members in this Local Union. The petition shall state the specific offense(s) with which the official is charged, as well as a brief statement sufficient to apprise the members asked to sign the petition and the Executive Board of the charge(s) being proffered.

SECTION 2. The Executive Board or a subcommittee consisting of an odd number of at least three members of the Executive Board appointed by the President of this Local Union shall act as the Trial Board in all proceedings under this Article. Any official under charges by virtue of any impeachment petition shall be automatically barred from acting as a member of the Trial Board.

SECTION 3. The Trial Board shall follow the same procedure as provided for in the OPEIU's Uniform Disciplinary Procedure. Copies of the Uniform Disciplinary Procedure are available upon request from the office of the Secretary-Treasurer of the International Union.

SECTION 4. If the Trial Board finds the charged party guilty, it shall then, by majority vote, determine the proper penalty, which may include removal from office, reprimand, fine, suspension, prohibition from running for office, and/or expulsion.

SECTION 5. All officers, Trustees, Executive Board members, and all members of all standing committees of this Local Union are deemed "officials" within the purview of this Article.

SECTION 6. Any official found guilty by the Trial Board pursuant to proceedings held under this Article, shall have the right to appeal set forth in the OPEIU Uniform Disciplinary Procedure. Pending any decision on such appeal, the decision of the Trial Board shall become effective upon issuance, unless stayed pending appeal by a majority vote of the Trial Board.

ARTICLE 15 - UNIFORM UNITED STATES DISCIPLINARY PROCEDURE

SECTION 1. The failure of any member or officer to comply with either the International Constitution or The Union's Constitution and Bylaws or guilty of failing to comply with other established regulations of The Union may be reprimanded, suspended or expelled as provided in Article 15.

SECTION 2. FILING OF CHARGE AGAINST MEMBER OR LOCAL UNION OFFICER

(a) A charge against a member or a Local Union officer shall be filed and tried in the Local

Union to which the charged member belongs, or to which the charged member last belonged, if the charged party is no longer a member at the time the charge is filed, except as provided in Section VIII below.

- (b) Two or more members may be jointly charged if they participated in the same charged activity or course of conduct. Two or more members may join in the filing of a charge. In this Disciplinary Procedure, the singular terms “member”, “party”, and “charge” shall include the plural terms “members”, “parties”, and “charges”.
- (c) A charge must be filed with the Executive Director/ CFO of the Local Union within sixty (60) days from the time when the charging party became aware of, or should have become aware of, the alleged offense. A charge shall be deemed filed when received by the Executive Director/ CFO. If the Executive Director/ CFO is a charged party in a charge, that charge shall be filed with the first of the following officers who is not a charged party: President, Vice President, and Recording Secretary. If all of those officers are charged parties, the charge shall be filed with the International Secretary-Treasurer. If the charge is filed with an officer other than the Local Union Executive Director/ CFO, the officer with whom the charge is filed shall assume the duties of the Local Union Executive Director/ CFO required by this Disciplinary Procedure.
- (d) The charge must be in writing, and shall contain the name, home address, telephone numbers, and employer of the charging party; the name (address, telephone numbers, and employer, if known) of the charged party; citation of the provisions of any Constitution or Bylaws violated; and set forth in detail the activities or conduct protested, including the events, dates, time, names of persons involved, names of witnesses, and identification of any relevant documents or other evidence.

SECTION 3. NOTICE OF CHARGE AND RIGHT TO REPLY

- (a) Within ten (10) days of receipt of the charge, the Executive Director/ CFO shall forward copies of the charge, the International Union Constitution, the Constitution and Bylaws of the Local Union, this Disciplinary Procedure, and the International Union Appeal Procedure to the charged party at the charged party’s last known

address.

- (b) The copy of the charge sent to the charged party shall also be accompanied by a letter informing the charged party that he/she may provide the Trial Board of the Local Union with a written reply to the charge, but such reply must be received by the Trial Board within ten (10) days of the charged party's receipt of the charge.
- (c) Within ten (10) days of receipt of the reply or within ten (10) days after the last day upon which the reply could be received, whichever is earlier, the Executive Director/ CFO shall send copies of the reply to the charge, if any, the International Union Constitution, the Constitution and Bylaws of the Local Union, this Disciplinary Procedure and the International Union Appeal Procedure to the charging party.

SECTION 4. TRIAL BOARD

- (a) The Charge shall be tried before the Executive Board of the Local Union, or a committee consisting of an odd number of at least three (3) members of the Executive Board appointed by the President of the Local Union. The entire Executive Board, or this committee, shall serve as the Trial Board, except that no member of the Executive Board discussions, deliberations, votes, or other activity concerning that charge.
- (b) The President of the Local Union shall, appoint a replacement to the Trial Board for any Executive Board member disqualified by the provisions of Section IV, A.
- (c) If any party states in a written objection to the Trial Board that any member of the Trial Board should not serve on the Trial Board, such objection shall be decided by the Trial Board before or at the beginning of the trial of the charge. A member of a Trial Board should be removed only for strong and compelling reasons. If the Trial Board removes any of its members, the President of the Local Union shall select another Local Union member as a replacement.
- (d) If the President of the Local Union is a charging party, a charged party, or will be a witness in the trial of a charge, the Executive Board shall appoint the committee to serve as a Trial Board or replace the President on the Trial Board with another member of the Local Union. If the President is the subject of a written objection to

the Trial Board and is removed by the Trial Board, the Executive Committee shall select another member of the Local Union to replace the President on the Trial Board. If all members of the Local Union Executive Board are charged or charging parties or witnesses in the trial of a charge, then a Trial Board consisting of an odd number of at least three other members of the Local Union shall be appointed by the International President. The Executive Director/ CFO of the local Union shall immediately inform the International President if such a charge has been filed.

SECTION 5. PRE-TRIAL PROCEDURES

- (a) Within ten (10) days after the time limit for the written reply of the charged party has expired, the Trial Board shall review the charge and the reply. At its discretion, the Trial Board may appoint a member or members to investigate the charge and pursue settlement short of trial. The Trial Board shall dismiss the charge where it determines that:
1. The charge was not timely filed under Section II, C above;
 2. The charge does not specify the nature of the offense or offenses as required by Section II, D above;
 3. The conduct alleged does not constitute a subject for discipline as specified in the International Union Constitution or the Constitution or Bylaws of the Local Union;
 4. The charge is frivolous on its face; or
 5. The undisputed facts warrant dismissal
- (b) When the Trial Board determines that dismissal of the charge is warranted, it shall, within seven (7) days of such determination, send a written notice to both parties setting forth the reasons for the dismissal. Any such dismissal shall be appealable to the membership of the Local Union under the procedures set forth in Section VII, C through H below for appeal of a Trial Board decision.
- (c) If a charge is dismissed for lack of specificity under A, 2 above, the charging party shall be granted seven (7) days to refile an amended charge, however, no further amendment(s) of the charge shall be permitted. Any such amended charge shall be

processed and considered by the Trial Board as if it were a newly filed charge, except that the sixty (60) day period for filing a charge under Section II, C shall not be applied.

- (d) When the Trial Board determines that a trial is warranted, it shall set a trial date and provide the parties with notice of this trial date, which shall be no less than twenty-one (21) and no more than forty-two (42) days from the receipt of the trial notice; provided, however, that upon request and for good cause shown, the Trial Board may extend the trial date for a maximum of thirty (30) additional days.
- (e) If the conduct which is the subject of the charge seriously threatens the interests of the Local Union or the International Union, the charged party may be temporarily suspended without pay pending trial from any elective or appointive position in the Local Union by a two-thirds (2/3) vote of the Trial Board. Any officer or official so suspended who is found innocent, shall be immediately reinstated and made whole for the period of suspension.

SECTION 6. TRIAL OF THE CHARGE

- (a) At the trial of the charge before the Trial Board, both the charging and charged parties shall have the right to present evidence, call witnesses, cross-examine witnesses, and to obtain production of relevant union documents, subject of reasonable limitations approved by the Trial Board. All parties shall have the right to be present at the trial. The charged party shall be presumed innocent until proven guilty. The burden of proof shall lie with the charging party who shall present his/her case first. Immediately after the conclusion of the presentation of the evidence, both parties shall be entitled to present oral or written closing statements.
- (b) The charged party shall have the right to refuse to testify. If the charged party does not appear at the trial and presents no good cause for not attending, the trial shall proceed in his/her absence.
- (c) Any party may be represented at the trial by one other Local Union member. Both parties shall have the right to consult with an attorney-at-law who shall be permitted to attend or participate in the trial, except as a member.

- (d) The Trial Board shall have the right to determine whether persons other than the parties and their representatives, and witnesses while testifying, shall be permitted to attend the trial.
- (e) One member of the Trial Board shall be selected to make and maintain an accurate, detailed record of the testimony given at the trial and retain copies of any other evidence presented.
- (f) The Local Union shall assume the costs, if any, required for the trial facility, and any other costs the Trial Board deems reasonably necessary. The charging and charged parties shall pay all costs or expenses incurred on their behalf in any trial or other portion of a disciplinary proceeding.
- (g) After the close of the trial, the Trial Board shall deliberate and vote on whether the party is guilty of the charged offense or offenses. A majority vote of the Trial Board members is required for a finding of guilty. If the Trial Board finds the charged party guilty, it shall then, by majority vote, determine the proper penalty, which may include reprimand, fine, suspension, prohibition from running for office, and/or expulsion.

SECTION 7. NOTICE OF DECISION AND RIGHT OF APPEAL

- (a) Within fifteen (15) days after the close of the trial, the Trial Board shall provide the parties with a statement of its decision, including the finding, the penalty, if any, and the reasons supporting the finding and penalty. The decision of the Trial Board shall become effective upon issuance, unless stayed pending appeal by a majority vote of the Trial Board.
- (b) If the Trial Board does not consist of the entire Executive Board, its decision may be appealed by any party to the Executive Board by a written notice of appeal received by the Executive Director/CFO within fifteen (15) days after the party receives the Trial Boards' decision. If there is an appeal, the Executive Board shall sustain, modify, or reverse the findings and penalty or penalties, if any, imposed by the Trial Board at its next regular meeting or at a special meeting called to consider the appeal, and notify the parties of its decision within seven (7) days of the date the

decision is made.

- (c) The Trial Board statement, or the Executive Board notification, as applicable, shall inform the parties that they may appeal the finding and/or the penalty to the next regular membership meeting of the Local Union which is scheduled to occur at least thirty (30) days from the party's receipt of the notice of the Trial Board decision or the Executive Board notification. The statement or the Executive Board notification shall also inform the parties that if they wish to appeal, they must send a notice of appeal to the Executive Director/CFO of the Local Union to be received within fifteen (15) days from the party's receipt of the Trial Board statement or the Executive Board notification. It shall be the responsibility of the Trial Board or the Executive Board to ensure that the parties receive the required amount of advance notice of the membership meeting.
- (d) At the membership meeting at which the appeal is considered, the Trial Board shall present a report of the trial, its deliberations, and decision to the membership. The report shall include a summary of the testimony, and a statement of the reasons supporting the decision. At the conclusion of the report, the Trial Board shall grant the parties equal periods of time in which to make statements in support of or opposition to the decision of the Trial Board or the Executive Board.
- (e) The membership shall sustain, modify or reverse the findings and penalty, or penalties, if any, imposed by the Trial Board or the Executive Board.
- (f) Any member may request that any finding made and/or penalties imposed in relation to any specific charge be voted upon separately.
- (g) All votes of the membership required or permitted by this Disciplinary Procedure shall be by secret ballot. All issues shall be decided by a majority of the members present and voting.
- (h) The action of the membership on a Trial Board or Executive Board finding and/or penalty, including any membership disposition of an appeal of a dismissal of a charge by the Trial Board or Executive Board, may be appealed through the procedure set forth in the International Union Appeal Procedure, but shall become effective immediately unless stayed pending appeal by majority secret ballot vote of the

members present and voting, or by order of the International President.

**SECTION 8. CHARGES AGAINST INTERNATIONAL UNION OFFICERS AND
INTERNATIONAL UNION STAFF**

- (a) A charge by a member against an International Union officer who resides in the United States, or against a member who is on the International Union Staff and resides in the United States, acting in his/her capacity as an International Union officer or staff person, shall be filed with both the International President and the International Secretary-Treasurer within sixty (60) days from the time when the charging party became aware of, or should have become aware of, the alleged offense. A charge shall be deemed filed when received by both the International President and the International Secretary-Treasurer.
- (b) The charge must be in writing, and shall contain the name, address, telephone numbers, and employer of the charging party; the name (address and telephone numbers, if known) of the charged party; citation of the provisions of any Constitution or Bylaws violated; and set forth in detail the activities or conduct protested, including the events, dates, times, names of persons involved, names of witnesses, and identification of any relevant documents or other evidence.
- (c) The International Secretary-Treasurer shall promptly send a copy of the charge to the charged party and the party's last known address. The copy of the charge shall be accompanied by copies of the International Union Constitution, this Disciplinary Procedure, the International Union Appeal Procedure, and a letter informing the charge party that he/she may provide the International President and International Secretary-Treasurer with a written reply to the charge, but such reply must be received by these International Officers within ten (10) days of the charged party's receipt of the charge. The International Secretary-Treasurer shall also promptly send copies of the reply, International Union Constitution, this Disciplinary Procedure, and the International Union Appeal Procedure to the charging party.
- (d) The International President shall appoint a Trial Committee consisting of three (3) members of the International Union Executive Board who are not charged or charging parties, or witnesses, to hear the charge. If the International President is a charged

or charging party, or a witness, the Trial Committee shall be appointed by the International Union Executive Board. After the time limit for the written reply of the charged party has expired, the Trial Committee shall review the charge and the reply, and shall dismiss the charge where it determines that:

1. The charge was not timely filed under Section 8, a above;
2. The charge does not specify the nature of the offence or offenses as required by Section 8, b above;
3. The conduct alleged does not constitute a subject for discipline as specified in the International Union Constitution or the Constitution or Bylaws of the Local Union;
4. The charge is frivolous on its face; or
5. The undisputed facts warrant dismissal.

(e) When the Trial Committee determines that dismissal of the charge is warranted, it shall, within seven (7) days of such determination, serve both parties with a written notice setting forth the reasons for the dismissal. Any such dismissal shall be appealable to the International Union Executive Board in accordance with the procedure set forth in the International Union Appeal Procedure.

(f) If a charge is dismissed for lack of specificity under D, 2 above, the charging party shall be granted seven (7) days to refile an amended charge, however no further amendment(s) of the charge shall be permitted. Any such amended charge shall be processed and considered by the Trial Committee as if it were a newly filed charge, except that the sixty (60) day period for filing a charge under Section VIII, A shall not be applied.

(g) If the charge is not dismissed, or if the dismissal of the charge is reversed on appeal, all further proceedings shall be conducted under the procedures set forth in Sections 2 (b) through (d), 3, and 5 of Article 15 of the International Union Constitution.

SECTION 9. TRANSMISSION OF DOCUMENTS AND COUNTING DAY

(a) Whenever this Disciplinary Procedure requires a document to be sent to a party, or

any Local Union or International Union officer of body, the document shall be sent by first class mail, postage prepaid, by personal delivery, by fax, or by e-mail, unless expressly provided otherwise. If sent by personal delivery, the person making the delivery shall provide the Executive Director/CFO of the Local Union or the International Union, as applicable, with a signed statement setting forth the name of the document delivered, the name of the recipient, and the time, date, and place of delivery.

(b) All days referred to in this Disciplinary Procedure are calendar days.

SECTION 10. EFFECTIVE DATE

(a) This Disciplinary Procedure shall be effective on the date it is sent to the Local Unions by the International Secretary-Treasurer, and so far, as possible shall apply to all pending disciplinary proceedings.

(b) No person shall be denied any existing substantive or procedural rights because of the taking effect of this Disciplinary Procedure. Any claim of such denial shall be promptly presented in writing to the International President and shall be resolved as directed by the International President.

SECTION 11. SEVERABILITY

If any provision of this Disciplinary Procedure is held to be illegal or invalid in a final judgment of a court of competent jurisdiction, the remainder of this Disciplinary Procedure shall remain in full force and effect.

ARTICLE 16 - WITHDRAWAL AND MILITARY SERVICE CARDS

SECTION 1. The Executive Director/ CFO of The Union shall place in withdrawal status members who leave the jurisdiction of The Union and who are at that time in good standing with all obligations to The Union and the International Union paid, including the current month. Any person in withdrawal card status shall not be entitled to participate in the operation of The Union. A person in such status who has complied with the conditions of

the same, shall upon resuming or commencing work within the jurisdiction of The Union shall be readmitted to membership in The Union upon payment of the current month's dues but without the payment of the initiation fee.

SECTION 2. Members entering the armed services of the United States or Canada, during emergency periods as determined by the Executive Board of the International Union, and who are in good standing with all obligations to the International Union and the Local Union paid, including the month in which they entered the armed service shall be issued military service cards which shall continue their membership without the payment of dues or other fees for the period of the service required by such emergency periods and for an additional ninety (90) day period or until they again resume work within the jurisdiction of the Union, whichever occurs first; except that such person shall only accrue rights to benefits to the extent determined by The Union.

SECTION 3. Withdrawal and military service cards shall be issued by the Executive Director/ CFO of the Local Union and monthly reports of all such cards issued, deposited or canceled shall be made to the Secretary-Treasurer of the International Union.

SECTION 4. Local Unions may issue work permits to persons employed for a period of time not exceeding ninety (90) days for work within the jurisdiction of the Local Union in establishments where the Local Union has union agreements, which work permit shall allow such person to work without the payment of initiation fees and dues; provided, however, that any such person may apply at any time during such period for membership in such Local Union. In the event a person works beyond ninety (90) days, then any extension beyond this period will be subject to approval by the International President. Such permits, if used by a Local Union, shall be issued monthly and the charge shall be the same as the Local Union's regular monthly dues. Work permits shall be issued by the Local Union Executive Director/ CFO and monthly reports of all work permits issued shall be made to the Secretary-Treasurer of the International Union.

SECTION 5. All withdrawal, military service and work permit cards shall be secured by the Local

Union from the Secretary-Treasurer of the International Union.

ARTICLE 17 - STRIKES

SECTION 1. In the event of a dispute between any members of The Union and a particular employer or employers, The Union shall not call a strike against such employer or employers unless these actions have been taken:

- (a) A majority of the members of the bargaining unit involved vote to strike by secret ballot at a special meeting of which such unit members have been notified; within 30 days prior to the scheduled day of the strike.
- (b) Prior to taking a strike vote, the members shall be fully informed of and consider the most recent bargaining positions of the employer and this Local Union.
- (c) Before or after the members vote to call a strike, the Executive Board of this Local Union must vote to grant a strike sanction of such strike, and the approval of the President of the International Union shall be obtained before a strike may be commenced.
- (d) Approval of the President of the International Union shall not be construed as approval, ratification, or participation by the International Union in any particular activity of the Local Union involving such strike and shall imply no more than that such strike is not contrary to the best interests of the International Union, its Local Unions, and its members.
- (e) If this Local Union is or becomes a member of a Council as organized under Article XVII of the International Union Constitution, the International President shall consider the opinion of the Council as to whether a strike called by this Local Union shall be sanctioned by the International Union.
- (f) A majority of the bargaining unit present at a meeting of which all unit members have been notified, vote by secret ballot to call a strike; or to authorize the bargaining unit, Executive Director/ CFO to call a strike.

SECTION 2. Strikes against any employer, or employers, may be terminated if a majority of the members of the bargaining unit employed by such employer or employers so request by secret

ballot at a special called meeting.

ARTICLE 18 - INTERNATIONAL CONSTITUTION

The Constitution of the International Union shall be the paramount law applying to the government of The Union, and all provisions of said International Union Constitution insofar as the same are or may be applicable to the affairs and activities of The Union are hereby, by reference thereto, incorporated into and made part of this Constitution and Bylaws; and any provision contained herein which is contrary to or opposed to the provisions of the International Union Constitution shall be inoperative and of no effect, except as the International President may otherwise specifically approve.

ARTICLE 19 - GENERAL PROVISIONS

SECTION 1. Copies of all collective bargaining agreements entered into by this Local Union shall be filed at the International's headquarters, and all such agreements, together with such information as may be necessary for a proper understanding of the agreement, shall be submitted to the President of the International Union. Whenever possible, this information shall be provided in electronic format. The International Union assumes no responsibility for any agreement to which is not an actual party.

SECTION 2. The International Union assumes no responsibility for the acts or actions of this Local Union, its officers or members not expressly directed or authorized by the International Union or its duly authorized representatives.

SECTION 3. If any provision of this Constitution and Bylaws is held to be illegal or invalid in a final judgment of a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

SECTION 4. This Local Union shall ascertain whether any employer(s) with which it has a collective bargaining agreement allows its stockholders, executives, or administrative personnel to contribute to an employer Political Action Committee fund through payroll

deduction. Any employer which allows any such payroll deduction must be required to permit employees in the bargaining unit to utilize the same procedures for check-off of contributions to the J. B. Moss Voice of the Electorate Fund (VOTE).

This Local Union will vigorously pursue in all collective bargaining negotiations with Employers a provision in the collective bargaining agreement permitting check-off of contributions to the J. B. Moss Voice of the Electorate Fund (VOTE).

This Local Union shall use the standard check-off form provided by the International Union for dues, fees and/or J. B. Moss Voice of the Electorate Fund (VOTE) contributions.

SECTION 5. All references to “days” in this Constitution and Bylaws are calendar days.

ARTICLE 20 - AMENDMENTS TO THE CONSTITUTION

SECTION 1. A proposed amendment to this Constitution may be introduced by the Executive Board, or by a petition containing the proposed amendment which has been signed by at least 10% of members in good standing. Such a petition must be presented to the Executive Board before it can be considered by the body.

SECTION 2. The Executive Board shall include the proposed amendment(s) in its minutes to be read at the next membership meeting. There can be no vote or discussion on the subject of the amendment(s) at that meeting, but it shall be held over until the succeeding membership meeting.

SECTION 3. The meeting notice for the succeeding meeting shall contain the actual language being voted on at said meeting. A vote of two-thirds (2/3) of the eligible members voting on such matters under the Local Union’s Constitution shall be required to constitute acceptance of the proposed amendment(s) to this Constitution and Bylaws, except as provided in Article 20, Section 4 herein.

SECTION 4. No amendment(s) to this Constitution and Bylaws shall take effect until the approval of the President of the International Union has been secured.

SECTION 5. Pursuant to Article XIX, Section 15 of the International Union Constitution, its obligation of this Local Union to update this Constitution and Bylaws in accordance with actions taken at each OPEIU Convention, to the extent applicable, no more than six (6) months after receipt of a listing of Constitutional changes from the International Union Secretary-Treasurer.

ARTICLE 21 - RULES OF ORDER

SECTION 1. Except as otherwise provided in The Union's Constitution and Bylaws or rules, Robert's Rules of Order revised shall apply at all meetings of the Union.

- (a) The President or in the absence of the President, the Vice-President or the Executive Director/ CFO shall take the chair at the time appointed for The Union to meet and shall immediately call the members to order providing a quorum is present.
- (b) Business shall be taken up in the prescribed order, unless otherwise determined by vote.
- (c) All questions unless otherwise directed by the Constitution and Bylaws shall be decided by a majority.
- (d) No question shall be called unless duly moved and seconded; nor shall it be considered or debated until it has been stated by the chair.
- (e) Resolutions, amendment(s) and lengthy motions shall be reduced to writing, on the demand of the secretary, the chair or a member.
- (f) When a motion is pending, it shall only be in order to amend it or to amend the amendment(s).
- (g) When a motion is on the floor, no other motion shall be in order, except:
 - to adjourn,
 - to table,

to call the question,
to table to a time certain,
to refer to a standing committee,
to refer to a special committee, and
to amend;

The first three motions shall be decided without debate.

- (h) When the previous question is moved and seconded, it shall be put in this form: "Shall the question be called?" If this form is carried, all further motions, amendment(s) and debate shall be excluded, and the main question voted without delay.
- (i) When an appeal is made from the decision of the chair, the Vice-President shall act as chairperson. Said appeal shall then be stated by the chair to the meeting in these words: "Shall the decision of the chair be sustained?" The objecting member shall then have the right to state the grounds of appeal, and the chair will give reasons for the decision. Thereupon, the members will proceed to vote on the appeal without further debate. A majority vote will sustain an appeal.
- (j) A motion to adjourn having been rejected, some other business must intervene before a similar motion is in order.
- (k) Before the presiding officer declares the vote on a question, any member may ask for a division of the house.

A standing vote shall then be taken, and the secretary shall count the votes.

- (l) No member shall be allowed to speak more than once nor longer than five (5) minutes to the same motion, to the exclusion of others unless to explain, and then shall be confined to the explanation and not debate the main question.
- (m) If more than one member shall rise to speak at the same time, the chair shall designate which is entitled to the floor.
- (n) When the chair desires to debate a question, the chair shall be surrendered to

the next senior officer or Executive Board member present.

- (o) A member desiring to speak shall rise and respectfully address the chair, and shall not be interrupted unless called to order, and must then be seated until the point is decided.
- (p) No meeting shall be adjourned until after the report of the Executive Director/CFO.

INITIATION OF MEMBERS AND OATH OF OFFICE

INITIATORY OBLIGATION

“I, _____, pledge my honor before these witnesses to faithfully comply with the Constitution, laws, and all amendment(s) thereto of Office and Professional Employees International Union, Local No. 30, and of the International Union.”

OATH OF OFFICE

“I, _____, do solemnly pledge my word and honor before these witnesses that I will, to the best of my abilities, perform the duties of my office. At the close of my official term, I will turn over to my successor all books, records and all other properties, including funds, of this Local Union, that may be in my possession. I will also deliver all such properties to the International Union upon lawful demand. I will at all times devote my efforts to further the objectives and best interests of my Union.”

ORDER OF BUSINESS

1. CALL TO ORDER
2. ROLL CALL OF OFFICERS
3. READING OF THE MINUTES OF THE PREVIOUS MEETING
4. NOMINATION & ELECTION OF OFFICERS & EXECUTIVE BOARD MEMBERS (when appropriate)
5. INSTALLATION OF OFFICERS (when appropriate)
6. READING OF MINUTES OF THE EXECUTIVE BOARD & ITS REPORT ON NEW APPLICANTS
7. COMMUNICATIONS
8. REPORTS OF OFFICERS
9. REPORTS OF STANDING COMMITTEES
10. REPORTS OF SPECIAL COMMITTEES
11. REPORT OF EXECUTIVE DIRECTOR/CHIEF FINANCIAL OFFICER TO INCLUDE FINANCIAL REPORT
12. REPORTS OF UNITS & DELEGATES TO AFFILIATED COUNCILS
13. OLD BUSINESS
14. NEW BUSINESS
15. GOOD AND WELFARE
16. ADJOURNMENT