

# BY-LAWS



# TEAMSTERS LOCAL 481

AMENDMENTS APPROVED MARCH 15, 2017, BY IBT

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# **TEAMSTERS LOCAL 481 BY-LAWS**

## **ARTICLE I (1) - NAME**

This Local Union shall be known as the Automotive & Allied Industries Employees of San Diego County, Teamsters Local Union No. 481, and is chartered by the International Brotherhood of Teamsters.

## **ARTICLE II (2) - JURISDICTION**

The jurisdiction of this Local Union shall be as provided in its Charter and as determined by the Local Union Executive Board, the Joint Council of Teamsters No. 42 and the International Brotherhood of Teamsters.

## **ARTICLE III (3) - PRINCIPAL OFFICE**

The principal office of this Local Union shall be located in the City of San Diego, County of San Diego, State of California. The Union may have such other offices as may be determined by the Executive Board.

## **ARTICLE IV (4) - OBJECTS AND PURPOSES**

### **Section 1**

The objects of this Local Union shall be:

A. To unite into one labor organization all workers eligible for membership, regardless of religion, race, creed, color, national origin, age, physical or mental disability, sex, or sexual orientation, gender identity or any other legally protected group or class;

B. To engage in organizing workers to provide the benefit of unionism to all workers and to protect and preserve the benefits obtained for members of this organization;

C. To secure improved wages, hours, working conditions and other economic advantages through organization, negotiations, and collective bargaining, through advancement of our standing in the community and in the labor movement through legal and economic means, and other lawful methods;

D. To provide educational advancement and training for employees, members and officers;

E. To safeguard, advance, and promote the principle of free collective bargaining, the rights of workers, farmers and consumers, and the security and welfare of all the people by political, educational and other community activity;

F. To engage in cultural, civic, legislative, political, fraternal, educational, charitable, welfare, social and other activities which further the interest of this organization and its membership, directly or indirectly.

G. To provide assistance, financial, moral or other to other labor organizations or other bodies having purposes and objectives in whole or in part similar or related to those of this organization;

H. To engage in community activities which will advance the interest of this organization and its members in the community and in the nation, directly or indirectly;

I. To protect and preserve the Union as an institution and to perform its legal and contractual obligations;

J. To carry out the objectives of the International Union as an affiliate thereof and its duties as such an affiliate;

K. To receive, manage, invest, expend or otherwise use the funds and property of this organization to carry out the duties and to achieve the objectives set forth in these By-Laws and the International Constitution and for such additional purposes and objects not inconsistent therewith as will further the interest of this organization and its members, directly or indirectly;

L. To educate its members, members of sister labor organizations, the public generally, and employers, of the importance and benefits of union organization; to educate the foregoing in matters of political action, and to assist its members and others in any matters which bear a reasonable relation to the wages, hours and working conditions of members, and the economic and political conditions of the families of members.

## **Section 2**

It is recognized that the problems with which this labor organization is accustomed to deal are not limited to unionism or to organization and collective bargaining alone, but encompass a broad spectrum of economic and social objectives as set forth above, and as the 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 is for the benefit of the organization and its members.

## **ARTICLE V (5) - MEMBERSHIP**

### **Section 1**

Eligibility to membership shall be as set forth in the International Constitution and applicants for membership shall comply with and be subject to the requirements imposed by these By-Laws and the International Constitution. Every applicant to membership in this Union must be employed in the craft or the various employments over which this Union has jurisdiction.

### **Section 2**

A. An applicant shall be considered a member when they meet all the following requirements for membership:

- a. Written application for membership.
- b. He shall have signed a dues checkoff authorization permitting the initiation fee to be withheld from earnings. If no dues checkoff authorization is signed, membership shall date from the first month for which dues are paid, once full payment of the initiation fee is completed. Or, he shall have tendered the initiation fee and one month's dues by cash.

The first money received from an applicant for membership must be applied to the payment of dues for the month in which the applicant is first obligated to pay dues. If this Local Union permits an applicant to pay an initiation fee on a deferred basis, the installment payments must be allocated to first satisfy the member's dues obligation. All new members presenting themselves for initiation shall receive upon request a free copy of the International Constitution and Local Union

Bylaws from the Local Union. However, any alleged failure to receive such copy shall not excuse a member from violation of any duty or obligation imposed upon him by his oath of office, initiation or membership.

- c. Acceptance of the application by the Union.
- d. Taking the obligation at the regular meeting or special initiation class following the action upon their application.
- e. Obligation:

Fellow worker, you will now take an obligation that will bind you to the International Brotherhood of Teamsters and this Local Union, and that will in no way conflict with your religious belief or your duties as a citizen:

"I, \_\_\_\_\_ (give name) \_\_\_\_\_, pledge my honor to faithfully observe the constitution and the laws of the International Brotherhood of Teamsters and the bylaws and laws of this Local Union.

I pledge that I will comply with all the rules and regulations for the government of the International Union and this Local Union.

I will faithfully perform all the duties assigned to me to the best of my ability and skill.

I will conduct myself at all times in a manner as not to bring reproach upon my Union.

I shall take an affirmative part in the business and activities of the Union and accept and discharge my responsibilities during any authorized strike or lockout.

I pledge not to divulge to non-members the private business of this Union, unless authorized to reveal the same.

I will never knowingly harm a fellow member.

I will never discriminate against a fellow worker on account of race, color, religion, sex, age, physical or mental disability, national origin, sexual orientation, gender identity, or any other legally protected group.

I will refrain from any conduct that would interfere with the Union's performance of its legal or contractual obligations.

I will at all times bear true and faithful allegiance to the International Brotherhood of Teamsters and this Local Union."

In the event the applicant shall fail to take the obligation within a reasonable time following the acceptance of their application, they shall forfeit the monies tendered, except for good cause shown. All initiation money left on deposit by default of the applicant shall be considered forfeited at the expiration of 30 days, except for good cause shown.

B. The Executive Board, or its designate, shall examine and pass upon all candidates for membership, and a candidate may be required to appear before the Board for examination. Having once received the approval of the Executive Board, or its designate, it shall require a majority vote of the membership at the next regular meeting to reject a candidate for membership.

### **Section 3**

Any member who has not paid their dues for the prior month shall not be a member in good standing until their financial obligations are paid in full to date. Payment of such obligations after their due date shall not restore good standing status for such month or months in computing the continuous good standing status required by Article XVII, Subsection 3(b) of these By-Laws as a condition of eligibility for office.

### **Section 4**

Only members in good standing may attend meetings, nominate or second candidates for union office or vote on union matters.

## **ARTICLE VI (6) - RESPONSIBILITIES OF MEMBERS**

### **Section 1**

Every member by virtue of their membership in this Local Union is obligated to adhere to and follow the terms of the Union's By-Laws and the International Constitution with respect to their rights, duties, privileges and immunities conferred by them and by statute. Each member shall faithfully carry out such duties and obligations and shall not interfere with the rights of fellow members.

## **Section 2**

Because the objective of this Union, as set out above, is designed to improve and increase the economic conditions of members, members of other unions, and of workers generally, it is desirable and necessary that this Union be preserved as an institution. The preservation of the organization as an institution, and the attainment of the objects of this Union, is dependent in no small part upon this Union having the exclusive jurisdiction to organize and to represent workers engaged in the craft and in the area of jurisdiction.

## **Section 3**

Every member of this Union is required, therefore, to refrain from fostering, encouraging or advocating, individually, or in concert with others, dual unionism; or from fostering or encouraging secession from this Union. It shall also be a violation of these By-Laws for any member, singly or in concert with others to conduct themselves so as to interfere with the legal, or contractual obligations of this Union to its members, other unions, employers and others.

## **Section 4 - Negotiations, Ratifications of Agreements, Strikes and Lockouts**

Every member by virtue of his membership in this Union covered by a collective bargaining agreement at his place of employment authorizes this Union to act as his exclusive bargaining representative with full and exclusive power to execute agreements with his employer governing terms and conditions of employment and to act for him and have final authority in presenting, processing and adjusting any grievance, difficulty or dispute arising under any collective bargaining agreement or out of his employment with such employer, in such manner as the Union or its officers deem to be in the best interest of the Union in accordance with Article XII and other applicable provisions of the Constitution of the International Brotherhood of Teamsters. The Union and its officers, business representatives and agents may decline to process any such grievance, complaint, difficulty or dispute, if in their sole discretion and judgment, such grievance, complaint or dispute lacks merit. The provisions of Article XII, Section 2 relating to area, multi-area, national company-wide or industry-wide contracts, shall supersede any provision of this Section.

If a settlement cannot be reached in connection with the negotiation or modification of a collective bargaining agreement between the members of this Local Union and an employer after the officers have used reasonable means of achieving a settlement through the process of collective bargaining, the matter shall be subject to the strike procedure, conditions and qualifications set forth in the Constitution. The Local Executive Board may, in its discretion, provide that the strike vote be limited to the members employed in a particular division, craft, or place of employment. In such

cases where area-wide, conference-wide, or national agreements are involved, it is understood that the specified majorities of the members covered by such agreements must vote to strike as set forth in Article XII, Sections 1 and 2 of the Constitution, and, in such event, such strike vote shall apply to this Local Union, irrespective of the individual vote of this Local Union on that question.

Strike votes shall not be required in any case where a collective bargaining agreement then in existence authorizes such strike for the purpose of enforcing the terms of such agreement. Nor shall a strike vote be required for a strike in support of demands that an employer agree to the terms and conditions of an agreement already negotiated and approved on a state, multi-state, multi-area, multi-employer or national, company-wide or area basis of which unit such employer is a member. In either case, the Local Union Executive Board, subject to the approval of the General President, may call the strike in support of its position, and may also, with the approval of the General President, terminate such strike without vote.

Pursuant to your submissions and the authority vested in the office of the General President by Article VI, Section 4, of the International Constitution, the proposed amendments to Article are The Secretary-Treasurer shall submit to Joint Council two (2) copies of all proposed collective bargaining agreements with a company in an industry in which there is an area standard established by pre-existing agreements or amendments thereto, or where otherwise directed to do so by the Joint Council, for approval before submission to the employer. If no Joint Council exists, such proposals shall be submitted to the State Conference for its approval. In those cases where the proposed agreement is for operations which are already subject to an area-wide agreement, or a prospective area-wide agreement is already planned, the proposed agreement shall be submitted to the Director of the appropriate Trade Conference or Division for approval before submission to the employer.

Ratification of agreements or amendments shall be subject to vote in the same manner as provided for in connection with bargaining demands as set forth in Section 27(A), or in the case of area-wide, conference-wide or national agreements in accordance with the Constitution and rules adopted by such bargaining group, except that where the General Executive Board has directed the Local Union to refrain from executing such agreement, no proposed agreement shall be considered ratified by any vote until and unless it is specifically approved by the General Executive Board. Where a final contract proposal has been reduced to writing at the time it is to be submitted for vote, copies of the written proposal shall be made available to the affected membership. True copies of final agreements arrived at by the Local Union shall be filed by the Secretary-Treasurer with the Economic and Contracts Departments of the International Union within sixty (60) days after execution, together with a list of the names and locations of employers and number of employees covered by such

agreements. The Secretary-Treasurer shall, as of January first of each year, submit to the Economic and Contracts Departments of the International Union a list of agreements in effect, showing the name of the employer or employers, parties thereto, location or locations, and the expiration date.

### **Section 5**

No member shall interfere with the elected officers, business representatives or business agents of this organization in the performance of their duties and each member shall, when requested, render such assistance and support in the performance of such duties as may be required by them, provided that this does not interfere with the individual's rights as a member. Each member shall adhere to the terms and conditions of pertinent collective bargaining agreements and shall refrain from any conduct that would interfere with the performance by this Union of its legal or contractual obligations.

### **Section 6**

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

### **Section 7**

Every member shall follow the rules of order at all meetings of the Union.

### **Section 8**

All members shall keep the Union informed of changes of address. Failure to comply with this rule shall be no excuse for not receiving notices of any nature from the Union.

### **Section 9**

Any member leaving their job, changing their job or going on a new job, shall report such change immediately to the Union Office.

### **Section 10**

All members must carry their identification cards and receipt at all times and present the same upon demand by any authorized representative of the Union.

## **Section 11**

Membership in this Union shall not vest any member with the right, title or interest in or to the funds, property or other assets belonging to the Union now or hereafter and no member shall have a property right to membership in this organization.

## **Section 12**

The Executive Board shall have the power, subject to approval of the membership, to adopt and enforce the other reasonable rules as to this subject matter.

# **ARTICLE VII (7) - OFFICERS**

## **Section 1**

The officers of this Local Union shall be the President, Vice-President, Secretary-Treasurer, Recording Secretary and three Trustees. These officers shall constitute the Executive Board of the Union. The term of office of all officers shall commence on the first of January in the year following the election.

## **Section 2**

Any officer of the Union who absents himself for three (3) consecutive meetings without a proper excuse shall be subject to charges for failing to perform his duties and may be removed from office only after he has been afforded a full and fair hearing in strict compliance with Article XIX of the International Constitution.

## **Section 3**

The officers of the Local Union shall perform the duties prescribed for their respective offices by the International Constitution, these By-Laws, the general duties of their office, and those duties assigned by the Executive Board and/or membership.

# **ARTICLE VIII (8) - DUTIES OF PRESIDENT**

## **Section 1**

It shall be the duty of the President to preside at meetings of this Union, to preserve order therein, and to enforce the International Constitution, these By-Laws and the rules of order adopted by the Executive Board; and in general, to perform all duties incident to the office of President, and such other duties as may be provided by the Executive Board from time to time.

## **Section 2**

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; and shall announce the result of all votes.

## **Section 3**

The President shall perform such other duties as the International Constitution and these By-Laws may require.

## **ARTICLE IX (9) - DUTIES OF VICE-PRESIDENT**

It shall be the duty of the Vice-President to preside at Union meetings in the absence of the President. The Vice-President shall perform such other duties and render such assistance as may be directed by the Executive Board.

## **ARTICLE X (10) – DUTIES OF SECRETARY-TREASURER**

### **Section 1**

The Secretary-Treasurer shall be the executive and administrative head of this Union Except as limited by this Constitution and By-Laws or the International Constitution, the Secretary-Treasurer is authorized and directed to supervise, direct and control all of the administrative functions of this Union.

### **Section 2**

The Secretary-Treasurer shall perform all the duties imposed upon the Local Union Secretary-Treasurer by the International Constitution, by these By-Laws and in general perform all duties incident to the office and such other duties as from time to time may be assigned to him/her by the Executive Board. The Secretary-Treasurer shall see that all notices shall be given in accordance with the provision of these By-Laws or as required by law.

### **Section 3**

The Secretary-Treasurer shall have custody of the Local Union seal and 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, and shall keep important documents, papers, correspondence, as well as files on contracts and agreements with employers.

#### **Section 4**

The Secretary-Treasurer shall receive all monies paid the Local Union, giving receipt thereof for any dues, initiation fees, or other fees, assessments or fines. All monies received from any source whatever shall be deposited in such reliable bank or banks in the name of the Local Union at least twice a month or more often, if possible, as the Executive Board may designate from time to time.

#### **Section 5**

The Secretary-Treasurer may from time to time provide the terms and conditions of employment for employees and representatives of this organization including, but not limited to such fringe benefits as vacations with pay, holidays, sick leave, time off for personal leave, and in connection therewith any disability or sickness, health and welfare and retirement benefits and activities, and facilities relating thereto, and may from time to time provide changes therein, as well as additional compensation and allowances.

#### **Section 6**

The Secretary-Treasurer shall be authorized and empowered to call strikes where a question of organizing or a violation of an existing collective bargaining agreement is concerned, and shall be authorized and empowered to present proposals to employers, where the Secretary-Treasurer determines that there is an existing standard or industry-wide agreement covering a like craft or employment.

#### **Section 7**

The Secretary-Treasurer shall have the authority to expend such funds as may be authorized or required by the International Constitution, the Constitution or By-Laws of other organizations with which this Union may be affiliated, these By-Laws, or the Executive Board of this Local Union, or by majority vote of the members present at a regular or special general membership meeting or meetings, and the usual and ordinary re-occurring expenditures reasonably necessary for this Union to function.

The Secretary-Treasurer shall also have authority to lease, purchase or dispose of fixed assets for the organization up to \$10,000.00 in amount for any one asset, and that authority be granted to the Local Union Executive Board to lease, purchase or dispose of fixed assets up to \$20,000.00 in amount for any one asset, and that

authority to lease, purchase or dispose of fixed asset amounting to more than \$20,000.00 be approved by the general membership.

### **Section 8**

The Secretary-Treasurer shall have general charge and supervision of all employees of this organization and shall have the power to appoint, suspend or discharge organizers or other employees or professional assistance and services. Business Agents, Assistant Business Agents or Representatives shall be appointed and may be removed at will only by the appointing authority. Representatives shall, in all cases where the duties of the officers, business agents or employees are not specifically prescribed by these By-Laws, the Constitution or resolutions of the Executive Board, obey the directions and order of the Secretary-Treasurer. He may delegate any of his functions to officers or representatives. Business agents who are not officers shall not exercise executive functions or determine policy. He is authorized to set the salaries for such employees.

### **Section 9**

The Secretary-Treasurer shall also have charge of all labor disputes involving this Union.

### **Section 10**

A. The Secretary-Treasurer may take such action as in his judgment will further the best interest 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.

B. The Secretary-Treasurer, in the exercise of his duties, may take any such action as in his judgment is necessary in order to attain the objectives and further the purposes of this Union, and to preserve this Union, or other organizations with which it is affiliated as an institution and which do not violate the provisions of these By-Laws, or the International Constitution, or other valid resolutions of this Union.

### **Section 11**

The Secretary-Treasurer shall preside at meetings of the Local Union Executive Board, shall enforce the International Constitution, these Bylaws, and Rules of Order adopted by this Union and shall ensure that all officers perform their respective duties. He shall also have the right to serve on all committees by virtue of his office.

## **Section 12**

The Secretary-Treasurer shall be empowered and directed to attend any and all meetings which have a reasonable effect on the activities of this Union.

## **Section 13**

The Secretary-Treasurer shall provide each new member with a free copy of the International Constitution, upon request. The Secretary-Treasurer shall provide any member with a copy of the International Constitution and of these By-laws.

## **Section 14**

The Secretary-Treasurer shall make available to the Trustees all documents necessary for them to verify and complete the monthly Trustees' Report, including, but not limited to, items identified in subparagraph Section (4).

## **Section 15**

The Secretary-Treasurer shall make available for inspection by the International Auditor any documents necessary for the Auditor to complete the audit schedules or to complete assignments from the General Secretary-Treasurer.

## **Section 16**

Upon completion of an election of officers that results in a new principal executive officer, the incumbent principal officer or designee shall meet with the principal office-elect during the period between the date of the election and the end of the term of office to review pending grievances, open contract negotiations and the Local's financial records.

## **ARTICLE XI (11) - DUTIES OF RECORDING SECRETARY**

It shall be the duty of the Recording Secretary to attend meetings of the Executive Board; to take minutes of the proceedings of the Union and the Executive Board, which need not be verbatim; to keep a record of the names of members comprising each committee. 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. Minutes shall accurately record the motions made at meetings and shall include the names of the members making and seconding a motion, whether the motion was adopted or rejected, and the results of any division of the house or secret ballot votes.

Minutes at meetings shall specifically include all financial transactions approved at the meeting. Minutes of meetings shall be the official records of the Local Union and shall be maintained at the Local Union's principal business office.

## **ARTICLE XII (12) - DUTIES OF TRUSTEES**

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

## **ARTICLE XIII (13) - POWERS AND DUTIES OF EXECUTIVE BOARD**

### **Section 1**

Except as may be otherwise provided in these By-Laws, the Executive Board is authorized and empowered to conduct and manage the affairs of this organization, and to manage, invest, expend, contribute, use, lend, and acquire Local Union funds and property in the pursuit and accomplishment of the objectives set forth in the Constitution of the International Union and these By-Laws and resolutions adopted in furtherance thereof. Any action or expenditure reasonably related to the objectives or purpose of this Union and not contrary to any provisions of these By-Laws or resolutions adopted in accordance therewith is authorized. The Executive Board is hereby empowered, in addition to such other general powers conferred by these By-Laws to:

A. Make and change rules and regulations not inconsistent with these By-Laws or the International Constitution for the management and conduct of the affairs of this Local Union; and to transact all business between membership meetings, except as may be otherwise provided for herein;

B. The Executive Board shall fix the salary of the Secretary-Treasurer with the approval of the membership. Policies establishing benefits, including, but not limited to, sick leave, vacation, travel and car allowances for officers and employees shall be written and compiled in a Policies and Procedures Manual maintained and updated by the Executive Board.

C. Provide for the payment of attorneys, accountants, and such other special or expert services as may be required for the organization; to secure an audit of the books of this organization by a certified public accountant at least once a year;

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 actions of any nature, subject to the provisions of Article IX, Section 9 (c) of the International Constitution, if, in its judgment, it shall be necessary or desirable to protect, preserve, or advance the interest of the organization;

E. Fill all vacancies in office, which occur during the term of such office for the entire remainder of the unexpired term, in the manner provided in Article XXII, Section 9 of the International Constitution;

F. Designate substitutes for the President or Secretary-Treasurer for the purpose of signing checks;

G. Determine the manner in which referendums shall be held;

H. The Executive Board shall affiliate this Union with such other organizations as may be required by these By-Laws or the International Constitution, and may affiliate this Union with other organizations that have, in whole or in part, objectives and purposes similar to those of this Union, except that they may not affiliate with a dual organization;

I. 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 Local and for the benefit of the organization and members;

J. The Board shall have the power to appoint or to provide for the election of delegates or representatives and alternates to all affiliated bodies, conferences, or

conventions (except the International convention which is subject to the rules of the International Constitution) with the approval of the membership.

## **Section 2**

The Executive Board shall hold regular meetings at least once a month without other notice than this By-Laws, and may hold other meetings at such time and place as shall be determined by the Secretary-Treasurer by notifying the entire Board. The meeting of the Local Union Executive Board shall be no less frequent than meetings of the Local Union.

## **Section 3**

A majority of the Board shall constitute a quorum for the transaction of business at any meeting of the Board. The action of a majority of the Board present at a meeting at which a quorum is present shall be the action of the Board.

## **Section 4**

On matters requiring action by the Executive Board, when the Executive Board is not in formal session the Executive Board may act by telegram, letter, electronic mail or telephone. When the Secretary-Treasurer requires action by the Executive Board, he may obtain same by telegraphing, writing, electronic mailing or telephoning to the members of the Executive Board and such members may take action on the matter brought to their attention in the same manner. Such action so taken by the majority of the members of the Executive Board shall constitute action of the Board as though the Board were in formal session; provided, however, that any such action must be recorded in the minutes of the Executive Board and ratified by a majority of the members of the Executive Board at its next meeting.

## **Section 5**

The Board shall determine the unit or units of membership which will vote on matters relating to collective bargaining agreements and strikes and may provide for sectional membership meeting on either a shift, geographical, or craft or other similar basis.

## **Section 6**

The Executive Board shall have the power and the duty to adopt reasonable rules pertaining to the conduct of meetings, not inconsistent with this Constitution, and shall have the power and the duty to adopt reasonable rules as to the responsibility of every member to this Union as an institution and to require every member to refrain from conduct that would interfere with this Union's legal or contractual obligations. Such

rules shall include, among other things, prohibitions and restraints on members to refrain from advocating in any respect, dual unionism, or secession, but shall not restrict any of the rights of members protected by law.

## **Section 7**

The Executive Board may, in any matter where a vote or ballot is required, determine whether the vote shall be taken at a regular or special meeting, or by a referendum vote, or referendum mail ballot of the members affected. The Board will determine the rules and procedures under which any votes or ballots will be conducted, and determine what notice shall be given the members, subject to these By-Laws, the International Constitution, resolutions of the membership, and applicable law, if any.

## **Section 8**

Any action taken by an officer in good faith and within the scope of his authority and power under these By-Laws shall not be the basis for any personal liability against such officer.

## **Section 9**

The Local Union Executive Board shall not have the authority to bind the Local Union for personal services to be rendered to the Local Union or its Executive Board, such as, but not limited to, legal, accounting, consulting, public relations and editorial services, by contract, agreement, or otherwise, beyond the expiration of the term of the Executive Board in office at the time such action is taken. This shall not prevent the Local Union Executive Board from entering into a bona fide collective bargaining agreement with another Union covering Local Union employees; provided, however, that if the Local Union employees form a union following the Local Union officer election, or a new collective bargaining agreement covering such employees is negotiated after the Local Union officer election, the newly organized unit shall not be voluntarily recognized, or the new collective bargaining agreement shall not be entered into on behalf of the Local Union, until such action is approved by the officers-elect.

## **Section 10**

The authority of shop stewards, whether elected or appointed, shall be limited to and shall not exceed the following duties and activities:

A. The investigation and presentation of grievances with his employer or the designated company representative in accordance with the provision of the collective bargaining agreement;

B. The collection of dues when authorized by appropriate Local Union action;

C. The transmission of such messages and information, which shall originate with, and are authorized by the Local Union or its officers, provided such messages and information:

- a. have been reduced to writing, or
- b. if not reduced to writing, are of a routine nature and do not involve work stoppages, slowdown, refusal to handle goods, or any other interference with the Employer's business

Stewards have no authority to take strike action, or any other action not set forth in these By-Laws, or any other action interrupting the business of their employers, except as specifically authorized by official action of the Local Union.

D. The Secretary-Treasurer shall schedule seminars and other such educational programs as deemed beneficial to the stewards at his/her discretion.

### **Section 11**

If the Executive Board is deadlocked for two consecutive meetings on any matter within its exclusive authority under this Section of the By-Laws, the matter shall be referred to the membership for resolution.

### **Section 12 - Bonding**

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

B. If the Local Union Executive Board, in its sole judgment, believes that it would be to the advantage of this organization to join with the International and/or any or all of its subordinate bodies or affiliated Local Unions in obtaining a bond or bonds covering persons in the Local Union and such other organizations under a bond or bonds issued to said International Union or other subordinate body, then, in such event, the Local Union Executive Board is authorized and empowered to enter into such arrangements and pay from the general funds of this Local Union the cost for bonding these persons in this Local Union, but such surety coverage shall conform to the requirements set forth in Section 12 (2).

C. Should the bond of any person required to be bonded be canceled after surety coverage has been afforded, then such person shall be allowed thirty (30) days within which to arrange either for reinstatement of his coverage or the substitution of another bond meeting the requirements of Section 12 (a) to take the place of the canceled bond. However, during the period such person or a new officer is not covered by such surety bond, the Local Union Executive Board shall make whatever arrangements necessary to relieve such person of the handling of any money or property of the Local Union.

D. If an employee or officer referred to in Section 12 (c) cannot within thirty (30) days provide the surety bond required in conformity with the provision of Section 12 (a), the Local Union Executive Board shall be authorized and empowered to permit him to remain in his office or position under such arrangements as it may consider reasonable, but shall not require or permit him to handle any of the money or control any of the property of the Local Union.

### **Section 13**

All officers of the International Union and affiliated bodies when installed after election shall be required to take the following oath of office:

I, \_\_\_\_\_, do sincerely promise, upon my honor as a trade unionist and a Teamster, that I will faithfully use all of my energies and abilities to perform the duties of my office, for the ensuing term, as prescribed in the Constitution and By-Laws of this Union. As an officer of this great Union, I will, at all times, act solely in the interest of our members, devote the resources of our Union to furthering their needs and goals, work to maintain a Union that is free of corruption, to preserve and strengthen democratic principles in our Union and to protect the members' interests in all dealings with employers. I will never forget that it is the members who put me here, and it is the members whom I will serve. I further promise that I will faithfully comply with and enforce the Constitution and laws of the International Union and Bylaws of this Union, that I will, at all times, by example, promote harmony and preserve the dignity of this Union. I also promise that at the close of my official term, I will promptly deliver any money or property of this Union in my possession to my successor in office.

## **Section 14**

The elected officers and business agents of this Local Union shall be delegates to other subordinate bodies and conventions thereof, by virtue of their office or elected position. The principal executive officer shall have first priority. After the principal officer, the remaining delegates shall be selected from the salaried elected officers and elected business agents (if any) in the following priority: president, secretary-treasurer, vice president, recording secretary, trustee in order of number of votes received in the most recent election; elected business agents in order of number of votes received in the most recent election.

## **ARTICLE XIV (14) - ALLOWANCES, EXPENSES, BENEFITS**

### **Section 1**

The nature of the activities of this Union are such that the officers, representatives, and key administrative employees must participate in cultural, civic, political, fraternal and educational activities in addition to their specifically assigned duties; that such activities benefit the Union and its members; the officers, representatives, and key administrative employees must be considered to be on continuous call; therefore the Secretary-Treasurer shall be empowered and directed subject to the approval of the Executive Board to:

A. Pay the expenses, either by reimbursement or directly, of officers, representatives, and employees incurred in connection with the activities of the Union. However, officers who are full time employees of the Local Union shall not receive additional payments for attendance at Executive Board or membership meetings.

B. Pay the expenses, either by reimbursement or directly of officers, representatives, or employees for authorized trips outside the territory of the Union;

C. Provide automotive transportation to officers, representatives, or employees, either in the form of an allowance, or the furnishing of a leased or Union owned car, as the Executive Board may decide and provide maintenance therefor. The Executive Board is empowered to sell, exchange or lease automobiles, or arrange financing therefor on behalf of the Union.

D. Any employee expense report is subject to inspection by any member in good standing upon demand by that member. No reproduction of said report by member shall be made without authorization from the Executive Board.

E. Any such allowance must be of a reasonable amount, based upon the financial condition of the Local Union and the expenses the allowance is expected to cover. All policies adopted by the Executive Board shall be written and included in the policies and procedures Manual referenced in Article XIII (13), Section 1,B. of these Bylaws.

F. Where allowances are provided, officers and employees may not be reimbursed for additional expenses for items intended to be covered by the allowance without specific additional authorization by the Executive Board and approval by the membership. In no event shall an officer or employee receive more than one payment for the same expense.

**Section 2**

Any personal benefit derived from the operation of this Article above, is declared extra compensation to such officers, representatives and employees for the continuous on-call character of their employment.

**ARTICLE XV (15) - INITIATION FEES AND DUES**

**Section 1.(a)**

Initiation fees for membership in this organization shall be based on whether the Employee is in a part-time/no benefits position or whether the Employee is either full-time or qualified for medical benefits.

EMPLOYEE STATUS	INITIATION FEE
Full-time or qualified for medical benefits	\$150.00
All other employees	\$50.00

The Executive Board may establish a uniform reduced initiation fee for unorganized employees.

**Section 1.(b)**

Any Employee paying an initiation fee in the "all other employees" category who subsequently becomes either fulltime or qualified for medical benefits shall, upon

becoming fulltime and/or qualified for medical benefits, pay a supplemental initiation fee of \$100.00 as a result of their becoming "fulltime" or "qualified for medical benefits."

## **Section 2**

A. the dues of this Local Union for each month shall be payable on or before the last business day of the month at the office of the Secretary-Treasurer.

B. Dues shall be computed as set forth in Article X, Section 3 (d) of the International Constitution.

C. All members when paying dues shall pay in full through the calendar month during which payment is made.

D. Any member who shall be three months in arrears in the payment of dues, fines, assessments, or other charges, at the end of the third month shall automatically stand suspended and shall not be entitled to any rights or privileges of membership.

E. Any member being suspended because of being three (3) months in arrears of dues may be reinstated by the payment of a reinitiation fee equal to initiation fee plus all dues accruing during his suspension.

## **Section 3**

Any member, who shall be three months in arrears in the payment of dues, fines, assessments, or other charges, shall automatically stand suspended at the end of the third month and shall not be entitled to any rights or privileges of membership. Any member who has been automatically suspended for failure to pay dues and other charges shall be under a continuing obligation to pay dues during the period of his suspension. Upon payment of the delinquent dues and reinitiation fee, the member shall be restored to good standing status. However, payment of dues shall not restore good standing status if fines and other charges due are not paid. The Local Union Executive Board shall have the power to waive, or reduce, on a non-discriminatory basis, the payment of delinquent dues, assessments and/or reinitiation fees for good cause shown.

## **Section 4**

The first money received from an applicant for membership must be applied to the payment of dues for the month in which the applicant is first obligated to pay dues. Should this Local Union permit an applicant to pay an initiation fee on a deferred basis, the installment payments must be allocated to first satisfy the member's dues

obligation. Membership for new members shall date from the first month for which dues are paid once full payment of the initiation fee is completed.

## **Section 5**

Any increase in the rate of dues or, initiation fees, reinitiation fees or by the levying of any general or special assessment by the Local Union shall be made in accordance with the following procedure:

A. Reasonable notice shall be given by the Secretary-Treasurer to the membership at least 15 days prior to the meeting at which the membership will consider the question of whether or not such dues, initiations or reinstatement fees, general or special assessments 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 provided in this section 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 meeting shall decide the issue.

## **ARTICLE XVI (16) - TRANSFER AND WITHDRAWAL CARDS**

### **Section 1 - Transfer Cards**

Transfer cards shall be issued upon written application of the member and approval of the Secretary-Treasurer of the Local Union into which a member seeks to transfer. Transfer cards will be issued in conformity with the requirements set forth in Article XVIII, of the International Constitution.

### **Section 2 - Withdrawal Cards**

A. A member who has been issued a withdrawal card shall be considered to have voluntarily withdrawn from membership in this Local Union. A member shall be considered transferred from this Local Union upon acceptance of his transfer card by another Local Union.

B. When the Local Union is required to give to a member an honorable withdrawal card under the terms of the International Constitution and its By-Laws it may prove for the continuance of Local Union benefits to such inactive member under conditions which it may set forth, but such inactive member shall not be permitted to

hold office or vote, and shall have only such right to participate in the meetings and the affairs of the Local Union as shall be uniformly permitted by the Local Union Executive Board.

C. Withdrawal cards shall be issued in conformity with the requirements set forth in Article XVIII, Section 6 of the International Constitution.

D. Supervisory employees shall not be permitted to hold office unless permitted by federal, state, local or provincial law.

### **Section 3**

No member seeking to resign from membership in any Local Union may do so except by submitting such resignation in writing to the Secretary-Treasurer of the Local Union. Any member who resigns before he has paid all his dues, assessments, fines, and other financial obligations owing to any subordinate body shall be obligated to pay such obligations to his former Local Union. All members acknowledge that any obligations owing at the time of resignation shall be collectible by the Local Union in any appropriate forum. This shall not relieve any member of any obligation to comply with any other provision of this Constitution regarding acquisition of membership in good standing.

## **ARTICLE XVII (17) - NOMINATION AND ELECTION OF OFFICERS**

### **Section 1 - Time of Nomination and Elections**

Meetings as hereinafter established for nominations of officers shall be held in the month of November subject to the provisions of the International Constitution. Elections shall be held not less than thirty (30) days after nominations have been closed. The Local Union Executive Board shall set the time and place of nominations and elections and such time and place and other relevant arrangements shall be convenient to the greatest possible attendance by all the members. This Local Union shall elect its officers by secret ballot not less often than once every three (3) years. Incumbent officers shall continue to perform the duties of their office until their successors have been duly elected, qualified, and installed.

### **Section 2 - Notice of Rules, Nominations, Meetings and Election**

At least twenty (20) days prior to the date of nomination meeting, specific notice of the date, time and place of the nomination meeting and the offices to be filled shall be mailed or shall be published in any Union publication mailed to the membership of the Local Union (except that notice of nominations and election may be combined); each

member shall be advised in such notice that the election rules are set forth in the By-Laws which are available upon request.

### **Section 3 - Eligibility of Members**

A. Every member whose dues are paid up through the month, which is prior to the month in which the nominations or election is held, shall have the right to nominate, vote for, or otherwise support the candidate of his choice. No member whose dues have been withheld by his employer for payment to the Local Union pursuant to their voluntary authorization provided for in a collective bargaining agreement shall be declared ineligible to nominate or vote for a candidate for office in the Local Union by reason of a delay or a default in the payment of dues by the employer to the Local Union. However, a member on check-off shall be under a duty to pay his dues directly to the Local Union during any calendar month in which he does not have sufficient earnings, which are subject to the check-off authorization, from which his employer could make the dues deduction. The Secretary-Treasurer of the Local Union shall review the eligibility to hold office of any member at such member's request and shall make a report on the eligibility of that member within five (5) days thereafter to any interested member.

B. Every member in good standing by the payment of his dues on or before the last business day of the current month, in accordance with the International Constitution, and who has been in such continuous good standing for each consecutive month in the twenty-four (24) month period immediately prior to nomination, and who has complied with the other requirements of eligibility for office in this Local Union shall be eligible to hold office. However, a member on dues checkoff whose employer fails to make a proper deduction during any month in which the member has earnings from work performed during the month from which the dues could have been deducted, or has earnings from which the employer normally makes a dues deduction pursuant to the contract or established practice, shall not lose good standing status for that month. In such an event, the Local Union shall notify the member of his employer's failure and payment shall be made by the member within thirty (30) days of said notice in order to retain good standing status.

C. To be eligible for election to any office in the Union a member must:

1. be in continuous good standing and actively employed as a member under the jurisdiction of Local 481 for a period of twenty-four (24) consecutive months prior to the month of nomination and must be eligible to hold office if elected. "Continuous good standing" means the payment of monthly dues to the Union on or before the last business day of the month in which such dues are owing, together

with no interruption in active membership in the Union because of suspension, expulsion, withdrawals, transfers, or failure to pay fines or assessments. Provided, however, that if a member on withdrawal deposits his card in the month immediately following the month for which it was effective and pays his dues for both months in a timely manner as provided in Article X, Section 5(c), such period of withdrawal shall not be considered a break in continuous good standing in the Local Union. Failure of Local 481 to issue a withdrawal card shall not be conclusive proof that a nominee was actively employed at the craft under the jurisdiction of Local 481 during the required twenty-four (24) month period prior to his nomination if a challenge is made based on evidence to the contrary, in which event a determination shall be made on the facts presented. Periods of unemployment during the twenty-four (24) month period preceding the nomination shall not be considered a break in active employment at the craft within the jurisdiction of the Local Union if the nominee was actively seeking and available for employment in the craft, and not working outside the craft during such periods of unemployment. Members in a reserve component of the military or National Guard who are called to active service lasting more than thirty (30) days but not more than twenty-four (24) consecutive months, may have their eligibility determined in accordance with Article II, Section 4(a)(4) of the International Constitution.

2. have attended a minimum of fifty percent (50%) of the regular or divisional meetings (in the event divisional meetings are ever instituted in this Local) of the Union during the twelve (12) consecutive months immediately prior to nomination for office. This Local Union shall keep accurate records reflecting those members who are in attendance at each meeting and shall exempt from the attendance requirement any member who, because of illness, regular employment, or other good cause, is unable to attend a meeting. This exemption system shall be uniformly and fairly applied.
3. for good cause such as, but not limited to, illness or absence from the session for reasons connected with employment, a member may be excused from attending a meeting of the Local Union by action of the Local Union Executive Board, provided an application in writing to be excused is made by the member. Such excused meeting shall be counted toward the number of meetings attended for the purpose

of applying the terms of Article XVI, Section 3 (c) (2) of the Local Union By-Laws.

4. the requirements of continuous good standing and working in the jurisdiction of the Local Union and attendance at the meetings of the Local Union shall not be applicable to any officer or employee during a leave of absence granted to such officer or employee with the approval of the Local Union Executive Board.
5. to be eligible for election to any office in Local 481, a member who has been involuntarily transferred from another local Union must have worked at the craft as a member of the union from which he was transferred and as a member of Local 481, and must have been so employed and in continuous good standing on a cumulative basis in both Local 481 and the Local from which he was transferred for a total of twenty-four (24) months prior to nomination.

#### **Section 4 - Nomination Procedures**

A. Nominations shall be held in accordance with provisions of Article XVII, Section 1 above at a general or special membership meeting or meetings or at a meeting or meetings of each separate division, craft, or place of employment authorized by the Local Union Executive Board to hold separate meetings. If nominations are held at separate division, craft, or place of employment meetings, the members may nominate candidates from their own or any other division, craft, or place of employment for election to Union office. Nominations and the conduct of the election and related questions shall be the first order of business at the nomination meeting and complete minutes shall be kept of that business. Nothing in this provision shall prohibit the holding of a special meeting in the month of November, at which meeting nominations and the conduct of elections shall be the sole order of business. Nominations shall be taken at the scheduled time and date even if there is no quorum present as required by these Bylaws;

B. Nominations shall be made at the meeting by a member in good standing other than the nominee by motion seconded by a member in good standing other than the nominee. Nominations may also be submitted by mail petition specifying the name and signature of the nominator and seconder, the position sought, and the signature of the nominee. Candidates are advised to verify the good standing status of their nominator and seconder prior to the nomination meeting.

C. Nominations shall not be closed until a call for further nominations have been made three (3) times by the Chair without further nomination being made.

D. If an election committee is used, after nomination each candidate for the office of President and Secretary-Treasurer may designate one (1) member for service thereon who shall thereupon be appointed by the President.

E. In the event only one (1) candidate is nominated for any office, no election shall be conducted for such office unless required by law, and such unopposed candidate shall be declared elected by acclamation at the nominations meeting, effective as of the conclusion of the term of the previous incumbent.

F. A member otherwise eligible to run for office shall become a bona fide candidate only upon his nomination for office and acceptance of the nomination. To be eligible to nominate and otherwise participate in the nomination meeting, a member must have his dues paid through the month prior to the month in which the nomination meeting is held. Candidates must accept nominations at the time made either in person or, if absent, in writing, and may accept nomination for only one office. After a candidate has accepted nomination, he may not, under any circumstances, revoke his acceptance after the ballots are printed, except where as a result of the revocation the remaining candidate is unopposed.

G. Every member eligible to nominate candidates shall be entitled to nominate one (1) candidate, but only one (1), for each office open. Prospective candidates may not nominate themselves nor second their own nominations.

H. If any nominee should die before the election, his name shall nevertheless appear on the ballot. In the event such name shall receive the requisite number of votes to be elected, the position shall then be filled in the same manner as vacancies are filled when they occur during a term of office as provided in Article XIII.

I. If there is only one (1) nominee for an office and he is finally ruled ineligible after the nomination meeting, then the office shall be filled by appointment by the newly elected Local Union Executive Board.

## **Section 5 - Elections**

A. After the nominations meeting, but no less than twenty (20) days prior to the election, specific notice of the date, time, and place of the election and of the offices to be filled shall be mailed to each member at his last known home address, if no notice has previously been sent. The election shall be held not earlier than thirty (30) days after the nomination meeting, as may be designated by the Local Union Executive Board. The election shall be by secret ballot to be placed in boxes, unless the Local Union Executive Board has authorized the use of some standard type of

election mechanical device insuring a secret ballot by machine vote, the election box or boxes or machine or machines, however, to be located at a place or places designated by the Local Union Executive Board; balloting shall be open for a period not less than six (6) hours during the period between the hours of 8:00 A.M. and 8 P.M., A Local Union may extend voting beyond these hours if necessary to accommodate work schedules and provide members a reasonable opportunity to vote. It shall be the duty of the Local Union Executive Board to provide safeguards for the honest and fair conduct of such election. When the majority of offices are contested the election shall be conducted by mail referendum balloting in accordance with the procedures promulgated by the International Union and United States Department of Labor. Ballots shall be mailed to all active members and shall be returnable to a secure post office box no earlier than thirty (30) days after the nomination meeting. The Executive Board shall utilize a neutral agency to supervise the distribution, collection and tabulation of the ballots. Candidates shall have the right to have their observers present at all phases of the ballot processing procedure.

B. Voting shall be conducted by the members in good standing. There shall be no proxy voting. Each such member shall be entitled to one vote. The Local Union Executive Board shall have the authority to establish all rules and regulations for the conduct of the election to supplement the provisions of the International Constitution and the Local Union By-Laws, including the authority to use mail referendum balloting or absentee balloting without membership approval. The General President shall also have the authority to direct the use of mail referendum balloting or absentee balloting without membership approval, any action of the Local Union Executive Board to the contrary notwithstanding. Absentee voting by mail shall be permitted from the city or town where they are normally employed at the time of voting, because of vacation or on employment tour of duty. The Local Union Executive Board may permit additional reasons for absentee balloting if they so desire. Application for absentee ballots shall be made to the Secretary-Treasurer not less than five (5) days prior to the date set for election and shall contain the grounds therefor. Absentee ballots shall be valid only if they are received by the close of business on the day prior to the election. Absentee voting shall be conducted with all proper safeguards for secrecy of the ballot. Voting by writing in the name of a person who was not duly nominated shall not be permitted. Any ballot shall be declared void if it contains any mark other than the voting mark.

C. Each candidate, at his own expense, shall have the right to have any observer other than himself at each polling place and at the counting of the ballots who must be a member of the Local Union in good standing. Observers may challenge the eligibility of voters, and all challenged ballots shall be sealed in a blank envelope, which in turn shall be sealed in an envelope with the name of the voter thereon. Challenges shall be investigated to determine their validity, if the challenged ballots are sufficient in number to affect the result of the election. The blank envelope

containing the ballot shall not be opened until such time as all challenges have been ruled upon and the name-bearing envelopes destroyed. Upon request of any candidate, deemed reasonable by the Election Committee, voting machines, if used, shall be checked for proper operation. Candidates shall have the right to be present at the counting of the ballots.

D. To be eligible to vote in the election, a member must have his dues paid through the month prior to the month in which the election is held and must still be an active member on the day of the election. The candidate for each office who received a plurality of the votes cast for the office shall be elected thereto except in the case of Trustees in which case the three (3) candidates receiving the highest number of votes shall be elected. In the event of a tie vote, the candidates shall resolve such tie by lot, except in the case of a tie for the office of Secretary-Treasurer of the Local Union, in which case there shall be a re-election between only the candidates who have tied for the highest number of votes and only for that principal office. The officers-elect shall take office at the end of the term of the incumbent officers, regardless of the date of installation, which installation may take place at either the same meeting at which they were elected or, if not elected at a meeting, at the next meeting following their election. Where the nominee is unopposed at the regularly designated nominations meeting, there shall be no necessity for the election of such nominee and he shall be declared duly elected at such nomination meeting, effective as of the conclusion of the term of the previous incumbent. Except as provided above, no runoff election should be held.

E. No officer may run for another office in this Local Union, the term of which covers part of his current term, unless he resigns from his current office at the time of nomination, such resignation to be effective upon installation of his successor. He shall announce his intention to resign not later than thirty (30) days prior to the nomination meeting and will not be eligible for appointment to the vacancy created by his resignation. No officer may hold another office in any other Local Union (other than a trusteed Local Union) during his term of office except by authorization of the General President and the Local Unions involved.

F. There shall be no write-in candidates and any ballot containing a write-in candidate shall be void insofar as the vote for that office is concerned and such ballot for that office shall not be considered as having been cast in determining the vote for that office.

G. During the period between the date of election and the end of the term of office no extraordinary expenditures of Local Union funds shall be made, and no action shall be taken that commits the Local Union to make such extraordinary expenditures in the future, without the approval of the officers-elect and the membership. An expenditure shall be considered extraordinary if it falls within the definition set forth in

Article XXII, Section 4(e) of the International Constitution. In the event the election results in a new complement of officers, the outgoing officers must comply with the restrictions in Article XXII, Section 2(b) of the International Constitution regarding entering into contracts for personal services.

### **Section 6 - Duties of Secretary-Treasurer in Connection with Nominations and Election**

A. The Secretary-Treasurer shall at least twenty (20) days prior to the holding of the nominations give notice, as above provided, to the membership of the time, place, and date and the offices for which nominations will be in order in connection with the election. Such notice shall be given in the manner determined by the Local Union Executive Board consistent with these rules.

B. The Secretary-Treasurer shall review the eligibility to hold office of any member at such member's request and shall make a report on the eligibility of that member within five (5) days thereafter to any interested member. The Secretary-Treasurer shall comply with requests from members to determine their eligibility if made prior to the nomination meeting.

C. Unless a joint nomination election notice was sent, the Secretary-Treasurer shall give written notice to the membership of the Local at least twenty (20) days prior to any election date of the time, place, date, hours, and number of offices upon which voting shall be held by mailing such notice to the last known home address of every active member;

D. Upon reasonable request of any declared and eligible candidate for office, the Secretary-Treasurer shall arrange for the distribution of any campaign literature, by mail or otherwise, provided that such candidate pays the reasonably estimated cost involved in advance. Candidates may make such requests a reasonable period of time prior to the conduct of the nomination meeting. The Secretary-Treasurer shall not delay the distribution of any candidate's mailing. Any reduced rate mailing permit available to any candidate shall be made available to all candidates on an equal basis. The Secretary-Treasurer may require that all campaign literature shall be presented to him at the principal office of the Local Union no later than a reasonable number of days prior to the election and all candidates shall be given reasonable notice of that cutoff date. The Secretary-Treasurer may, where in his judgment it appears necessary, provide for a consolidation of such distribution in which case the cost of such distribution be assessed upon the candidates involved on a pro rata basis.

E. The Secretary-Treasurer to the extent required by law shall upon reasonable notice make available for inspection by any bona fide candidate the

membership list of the Local Union covered by Union security agreements once within thirty (30) days prior to the election date. No candidate shall be permitted by the Secretary-Treasurer to copy any names or address of employees shown on such list and such inspection must be made in the presence of the Secretary-Treasurer or his designee.

F. The Secretary-Treasurer shall retain copies of all requests for distribution of campaign literature and copies thereof, shall make a record of the date the literature was distributed, the cost thereof, and the amount received therefor, and shall also retain a copy of the notices of nominations and of the election, a copy of the ballot, the official tally sheet submitted by the tellers, all ballots, ballot return envelopes and such other records including election rules as shall relate to the conduct of the election. All copies and records shall be retained for one (1) year.

### **Section 7 - Nomination and Election Protests**

A. Any member who desires to challenge a ruling on eligibility to run for office shall appeal, in writing, within forty-eight (48) hours after receipt of the ruling to the General President or his designee. The decision of the General President shall be appealable to the General Executive Board pursuant to the provisions of Article VI, Section 2 of the International Constitution. In the event there shall be any protest or charges made concerning an election by any member prior to the holding of the election, such protest or charge shall be made in writing by such member within forty-eight (48) hours of his knowledge of the event complained of and shall specify the exact nature and specifications of protest. Such protest or charges shall be made to the Local Union Secretary-Treasurer who shall refer the protest or charges to the Local Union Executive Board for disposition. The decision of the Local Union Executive Board shall be appealable to the General President, pursuant to the provisions of Article VI, Section 2 of the International Constitution.

B. In the event there shall be any protest or charge by any member concerning the conduct of the election after the election has been held, such protest or charge shall be made in writing by such member within seventy-two (72) hours setting forth the exact nature and specifications of the protest and his claim as to how it has affected the outcome of the election. Such protest or charge shall be made to the Secretary-Treasurer of the Joint Council or State Conference if there is no Joint Council with which the Local Union is affiliated and the protest or charge shall be referred to the Executive Board for disposition. The decision of the Executive Board shall be appealable to the General Executive Board for final decision, which is not appealable to the Convention.

C. If votes are challenged such challenge shall be made in writing at the time of the election with specific reasons given for such challenge.

## **ARTICLE XVIII (18) - MEETINGS**

Membership meetings shall be general or special.

### **Section 1 - General Membership Meetings**

A. General membership meetings shall be held monthly at such place and time as shall be designated by the Local Union Executive Board subject to disapproval by the membership. The time and place of meeting in effect when these By-Laws are adopted shall continue until changed by the Local Union Executive Board upon reasonable and adequate notice to the membership. Membership meeting may be suspended during any three months between June and October by action of the membership at a meeting after reasonable notice of the intention to vote upon such question.

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

C. The Local Union Executive Board is authorized to permit membership meetings to be held on a division, craft, place of employment, or other similar basis as it shall consider appropriate considering the special needs of the organization so as to permit the membership to attend meetings and to express their view and otherwise exercise their rights as members. There shall be no limitation on the right of any member to be heard at any such separate meeting provided herein on all matters which apply to the general membership, but such member shall be permitted to vote only at such separate division, craft, or place of employment meeting to which he has been assigned.

D. When the Local Union Executive Board authorizes such meeting by division, craft, or place of employment, each such meeting shall be conducted by the officers of the Local Union or by their designees and under the same procedures and rules as a general membership meeting, excepting only special meetings for limited purposes such as voting on contracts or strikes, handling of grievances, etc.

E. On all matters which apply to the general membership, the votes of the meeting of each particular division, craft, or place of employment shall be totaled to determine the action of the Local Union in such matters.

F. Members at each separate division, craft, or place of employment authorized to hold separate meetings may nominate candidates from their, or any other, division, craft, or place of employment for election to the Union office; may vote separately on initiation fee, dues and assessments which may apply to them alone, if higher than the minimum applicable to the general membership; and may, when authorized by the Local Union Executive Board, vote separately on approval or disapproval of, or on matters arising under, contracts applicable only to them, and strikes or other activities in which only they will participate.

### **Section 2 - Special Meetings**

Twenty percent (20%) of the members in good standing of the Local Union may submit a written petition for a special meeting to the President of the Local Union, setting forth the reasons therefor, and the President shall call the special meeting within a reasonable time, If the Local comprises employees of more than one employer, then no more than half of such twenty percent (20%) shall be from the same employer. If the President does not call such meeting, the Local Union Executive Board shall call such meeting within fifteen (15) days of the original petition. The President may, on his own motion, call a special meeting. Reasonable notice of the date, time, and place of any special meeting, and of the questions to be presented, shall be given the membership.

### **Section 3 - Quorum**

The quorum of a general or special membership meeting shall be fifteen (15). The Local Union Executive Board shall establish the number constituting the quorum for division, craft or place of employment meetings.

### **Section 4 - Referendum**

When a referendum is permitted by the General President, reasonable notice shall be given through the Secretary-Treasurer of the time, date, place and question upon which the referendum is to be held. In a referendum, only members affected shall be permitted to vote concerning matters not affecting the entire membership. The Local Union Executive Board shall, at least ten (10) days in advance of the referendum, adopt rules and regulations for the conduct of the referendum subject to the approval of the General President.

## **Section 5 - Eligibility**

Subject to the provisions of Article VI, Section 1 (h) of the International Constitution, every member eligible to vote in an election under Article XVI shall be eligible to vote on any question before the membership meeting or in a referendum.

## **Section 6 - Conduct**

The Local Union Executive Board or the presiding Chairperson at any meeting is authorized to exclude from any meeting any member against whom charges are pending. If it should appear to the presiding Chairperson that any member is so conducting himself to constitute a threat to the orderly conduct of the business of the meeting, he may order him ejected, subject to appeal to the membership. at any time when in the judgment of the presiding Chairperson of the meeting it appears that the meeting has become so disorderly as to prevent proper deliberation of the matters which might properly come before the meeting, the presiding Chairperson shall have the right to adjourn such meeting forthwith, upon his own motion, and without second, and even though there may be other motions upon the floor. There shall be no appeal from such action since it is taken as a result of conditions which would prevent orderly consideration of the appeal by the meeting. If such action is taken by the presiding Chairperson, the time and place for a subsequent meeting, if there is to be one, shall be determined by the Local Union Executive Board. If no such determination is made, then the next meeting shall be the next regularly scheduled meeting. The Local Union Executive Board may at any time prior to or at a meeting disqualify from attendance at such meeting those members as to whom it has reasonable cause to believe that their presence at such meeting will cause disturbance or disorder. The presiding Chairperson can detail members or other persons to remove persons who have been ordered removed, or to prevent attendance of members who are under the influence or disorderly, without calling upon the police. The rights of members to attend meetings, which come before such meetings are subject to the above powers and duties of the presiding Chairperson and of the Local Union Executive Board.

## **Section 7 - Rules of Order**

- Rule 1: The regular order of business may be suspended by a vote of the meeting at any time.
- Rule 2: The Chairperson of the meeting shall enforce these rules and regulations and may direct that members be removed from the meeting for violation of these rules.
- Rule 3: Any conversation by whispering or otherwise or any other activity which is calculated to disturb or may have the effect of disturbing a member while

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

- Rule 4: Attending meetings "under the influence" is basis for removal.
- Rule 5: The meeting may determine what portions of its business shall be secret.
- Rule 6: When a member wishes the floor, he shall rise and respectfully address the chair, and if recognized by the Chair, he shall state his name.
- Rule 7: If two or more members rise to speak, the Chair shall decide which is entitled to the floor.
- Rule 8: Every member, while speaking shall adhere to the question under debate and avoid all invective and indecorous language, but all members shall have the right to express their views, arguments, and opinions upon candidates and upon any business properly before the meeting.
- Rule 9: No member shall interrupt another member while speaking except for a point of order, and he shall definitely state the point, and the Chair shall decide the same without debate.
- Rule 10: Any member, while speaking, being called to order by another, at the request of the Chair, shall cease speaking and be seated until the question of order is determined.
- Rule 11: If any member shall feel himself aggrieved by a decision of the Chair, he may appeal from the decision of the Chair to the meeting without debate.
- Rule 12: When an appeal is made from the decision of the Chair, said appeal shall be stated by the Chairperson to the meeting in these words: "Shall the decision of the Chair be sustained as the decision of this meeting?" The member making the appeal will have the right to state the grounds of appeal, and the Chair will give his reasons for the decision. Thereupon, the members will proceed to vote on the appeal without further debate, and it shall require a majority vote to overrule the Chair.
- Rule 13: No member shall speak more than once on the same question until all members wishing to speak have had an opportunity to do so, nor more than twice without the permission of the Chair, nor more than ten (10) minutes at one (1) time.

- Rule 14: In presenting a motion, a brief statement of its object may be made, but no discussion of its merits shall be admitted until the question is stated by the Chair.
- Rule 15: Any member may call for a division of a question when the subject or sense admits thereof.
- Rule 16: All votes other than amendments to these By-Laws or Rules of Order may be reconsidered at the same or next succeeding meeting upon a motion made and seconded by two (2) members who voted in the majority, provided a majority of the membership present and voting agrees thereto; membership present and voting agrees thereto; but after a motion to reconsider has once been lost, it shall not be renewed.
- Rule 17: The following motion shall have precedence in the following order:

First	to adjourn
Second	to close debate
Third	to take up the previous question
Fourth	to lay on the table
Fifth	to postpone indefinitely
Sixth	to postpone to a definite time
Seventh	to refer
Eighth	to amend

The first four shall be decided without debate.

- Rule 18: When a question is postponed indefinitely, it shall not come up again, except upon a majority vote of the members present and voting.
- Rule 19: The motion to close debate may be made by two (2) members and shall be put in this form: "Shall the debate now close?" If adopted, the President shall proceed to take up the question before the membership, according to priority, without further debate.
- Rule 20: The call for the previous question on the original motion may be made by six (6) members and shall be put in this form: "Shall the main question be now put?" If adopted, the effect shall be to take up the question on the original motion to the exclusion of all debate and all amendments which have not been adopted.

- Rule 21: If proper motion to amend has been made, the question on the amendment shall be put first; if more than one amendment has been offered, the question shall then be put as follows:
1. amendment to the amendment
  2. amendment
  3. original proposition
- Rule 22: A motion to adjourn shall always be in order except:
1. when a member has the floor
  2. when members are voting
  3. when a motion is pending
- Rule 23: A motion to adjourn having been put and lost shall not be in order again, provided there is further business before the Local Union, until fifteen (15) minutes have elapsed.
- Rule 24: The Chair shall state every question coming before the Local Union before permitting the opening of debate thereon. Immediately before putting it to a vote he shall ask: "Is the Local Union ready for the question?" Should no member rise to speak on the question, or if a majority shall vote to close discussion, the Chair shall put the question. After he has risen no member shall be permitted to speak further upon it.
- Rule 25: When the presiding Chairperson 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 Chairperson shall recommence taking the vote.
- Rule 26: One (1) tap of the gavel shall call to order; two (2) taps to be seated; three (3) taps to rise.
- Rule 27: Any question on procedure in debate, not provided for herein shall be governed by Robert's Rules of Order, Revised.
- Rule 28: All rulings of the presiding officer on procedure, which are not challenged during the meeting, become final and unappealable upon adjournment of the meeting.

## **Section 8 - Warden And Conductor**

A warden and conductor may be appointed by the chair and may be removed by him. If appointed, the warden shall have charge of the inner door and shall admit only those entitled to be in attendance. He shall not allow any member "under the influence" to enter the meeting place. He shall assist the chair in maintaining order.

It shall be the duty of the conductor to assist the warden and to bring the proposed new members to be obligated as members. He shall also escort all guests to the chair. He shall perform the duties of the warden in the absence of the warden.

## **ARTICLE XIX (19) - CHARGES AND TRIALS**

### **Section 1**

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 and these By-Laws. In applying the rules and procedures relating to Union discipline, the essential requirements of due process of law (notice, hearing, and judgment based upon the evidence) shall be observed, without, however, requiring the technical formality followed in courts of law. Recognizing that these requirements of fairness and due process of law will be administered by groups of laboring men and women, this Local Union adopts the following procedures which supplement the requirements of Article XIX of the International Constitution. The following procedural guides are designed to attain justice both to the individual member and the organization, 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.

### **Section 2 - Trial and Appeals**

A. TRIAL: Every member charged with a violation of these By-Laws or the International Constitution shall be accorded a full and fair hearing as required by law. No member of the Local Union Executive Board involved in the subject matter of the charge, shall sit on the trial board. The decision on disqualification under this provision, if raised by an interested party, shall be made in the first instance by majority vote of the Local Union Executive Board, whose decision shall be appealable as part of the case, in accordance with the appeal procedure of the International Constitution and these By-Laws. The officer alleged to be involved shall not vote on whether he is qualified to remain on the hearing panel. If the member charged or preferring the charges is a member of Local Executive Board, or if a member of the Local Executive Board is unable to attend the hearing for any reason, then the principal executive

officer of the Local Union shall appoint a disinterested member as a substitute. If either the President or Secretary-Treasurer of the Local Union is charged or is preferring the charges, or is unable to attend the hearing for any reason, the other officer shall appoint the substitute. If both the President and Secretary-Treasurer of the local are charged or are preferring the charges, or for any reason are unable to attend the hearing, the remaining members of the Local Union Executive Board shall appoint the substitutes. Charges by, against, or involving a majority of the members of a Local Union Executive Board shall be filed with Secretary-Treasurer of the Joint Council for trial by the Joint Council Executive Board. In no event shall any involved officer or member serve on a hearing panel, participate in the selection of a substitute member of a hearing panel, or participate in the decision making process of the trial body. Whenever the words "Joint Council" appear in other sections of these Bylaws, they shall mean Joint council or State or Multi-State Joint Council and include State or Multi-State Conferences in all matters relating to disputes and appeals where there is no chartered Joint Council.

**B. CHARGES:** Charges shall be in writing and signed by those filing same and must be filed in duplicate with Secretary-Treasurer of the body which is to hear the charges, who shall serve the charges and notice of the hearing upon the accused either in person or by mail at least ten (10) days prior to the hearing. No hearing on any charge shall be held less than ten (10) days from the date on which notice of the hearing has been served on the parties unless all parties agree to waive this requirement. In scheduling the time and place of the hearing, due consideration shall be given to the convenience of the accused and witnesses necessary in the case. The charges must set forth the provisions of the International Constitution and these By-Laws allegedly violated and the acts which allegedly constitute such violation in sufficient detail to inform the accused of the offense charged, including, where possible, dates and places. Any charge based upon alleged misconduct which occurred more than five years before the discovery of the conduct giving rise to the charge is barred and shall be rejected by the Secretary-Treasurer except charges based upon non-payment of dues, assessments, and other financial obligations. If charges are filed, the charging party must include in the charges all alleged offenses of which he has knowledge, or, in the exercise of due diligence should have had knowledge, as of the time of the filing of the charges. He may not subsequently file additional charges based upon facts of which he had knowledge, or, in the exercise of due diligence, should have had knowledge, as of the time of the filing of the charges. No member or officer shall be required to stand trial on charges involving the same set of facts as to which he is facing criminal or civil trial until his final court appeal has been concluded. Nor shall a member or officer be required to stand trial on charges that are substantially the same or arise under the same circumstances as prior internal Union charges against such member or officer provided that a decision was rendered

on those prior charges. Charges may be preferred against a suspended member or an inactive member who has been issued a withdrawal card.

In the event of non-compliance with the decision handed down by a trial or appellate body, the member, officer, or Local Union shall stand suspended from rights and privileges under the International Constitution until the provisions of the decision have been complied with, unless the General President has waived payment of a fine or stayed the effectiveness of the decision pending appeal. If, however, the decision carries with it an order of expulsion, then such order of expulsion shall immediately take effect, unless the General President has stayed the effectiveness of the decision pending appeal.

C. RIGHTS OF THE ACCUSED: Throughout the proceedings, there shall be a presumption of innocence in favor of the accused. In order to be sustained, the charges must be supported by a preponderance of reliable evidence and a majority of the members of the panel must vote to find the charged party guilty. The accused shall have the right to present his own evidence, rebut testimony against him, present witnesses favorable to him and cross-examine adverse witnesses. The charging party, the accused, and the Local Union Executive Board may select only a member in good standing of the Local Union to represent them at a hearing conducted before any trial or appellate body. Witnesses need not be members of the Union. The hearings shall be open to other members, subject to the discretion of the Local Union Executive Board in maintaining order and in excluding witnesses except when testifying.

D. ACTION BY THE LOCAL UNION EXECUTIVE BOARD: A summary of the testimony and evidence introduced at the hearing shall be made and a copy of such summary shall be furnished the accused. The Local Union Executive Board shall have the authority to determine the manner of reporting the hearings and shall have the authority to exclude any method not authorized by it. Any request by a party that a verbatim record be made must be received by the Executive Board not later than five (5) business days prior to the scheduled commencement of the hearing and shall be honored. If the Local Union Executive Board decides to have a transcript or recording of the hearing made, the Local Union Executive Board shall furnish a copy of the same to the accused and to other interested parties upon payment of the cost for same, or shall make such copy available to any interested party for copying or consultation without cost.

Within a reasonable time after completion of the hearing the Local Union Executive Board shall decide the case. The decision of the Local Union Executive Board shall be in writing and contain the charges, its own factual findings, and decision, and a notice to the parties informing them of the proper body to which they may appeal, and the time within which the appeal must be filed. A copy of the decision of Local Union

Executive Board must be forwarded to the parties without delay. A copy of all documents in the proceedings shall be kept available at the Local Union's principal office until final disposition is made of these charges.

E. APPEALS: Appeals shall be taken pursuant to the provisions of Article XIX of the Constitution.

## **ARTICLE XX (20) - EXHAUSTION OF REMEDIES**

No member or office of the Local Union shall resort to any court or agency outside this Union or the International Union unless and until he has exercised all his rights as a member and all forms of relief and avenues of appeal as provided by the International Constitution or these By-Laws have been exhausted by him.

## **ARTICLE XXI (21) - CONTINUATION OF PREVIOUS ACTIONS**

It is recognized that this Union has by action of its membership or the Executive Board adopted resolutions and rules for the conduct of its activities prior to the adoption of these By-Laws. All such resolutions and rules shall be continued in effect, and shall be considered as having been adopted under these By-Laws until changed, modified, or superseded, unless such rules and resolutions are contradictory to these By-Laws, in which event they shall be null and void as of the date of adoption of these By-Laws.

## **ARTICLE XXII (22) - AMENDMENTS**

### **Section 1**

The By-Laws shall be amended in the following manner.

A. The proposed amendment shall be submitted in writing at a regular meeting of the Local Union only in January of each year upon initiation by petition of nine (9) members in good standing.

B. The proposed amendment shall be read at two (2) consecutive regular meetings of the membership not less than thirty (30) days from the date of submission, and voted upon at the following regular meeting. A two thirds (2/3) majority vote of the members present and voting shall be required for adoption.

C. Amendments to these Bylaws are subject to the approval of the General President, as provided in Article VI, Section 4 of the International Constitution, and shall not be effective until such approval has been given.

D. Nothing contained in Article XXII of these Bylaws shall preclude the Local Union Executive Board, in the exercise of its discretion, from directing that a membership vote be conducted by mail referendum after appropriate notice and with safeguards to ensure the integrity of the balloting.

E. Within twenty working days after adoption of the amendment, the principle officer of this Union shall submit the amendment(s) to the International Union for final approval.

## **Section 2**

The Secretary-Treasurer shall keep a master copy of these By-Laws and all other amendments that may be added or repealed.

# **ARTICLE XXIII (23) - APPLICATION OF INTERNATIONAL CONSTITUTION**

## **Section 1**

The Union hereby readopts as its Constitution, the Constitution of the International Brotherhood of Teamsters, and incorporates herein by reference as though more fully set forth herein all such provisions of said Constitution as it may be interpreted, modified or amended from time to time.

## **Section 2**

Should there be any conflict between any of the provision of these By-Laws and the Constitution of the International Union, the provisions of the International Constitution shall govern.

## **Section 3**

Should any question arise not specifically covered by these By-Laws, such question shall be determined by the provision of the International Constitution. All proceedings in debate, not herein provided, are to be governed by Robert's Rules of Order.

## **Section 4**

Neither this Local Union, nor any of its officers, business representatives, or employees, has the power to make any contract or to incur any liability which shall be binding upon the International Union or any of its affiliates other than this Local Union unless the written consent of the governing body or executive officer thereof has first been obtained authorizing such action. Neither this Local Union nor any of its officers, representatives, or employees has been authorized or empowered to act as an agent of the International Union or any of its affiliated bodies and shall not be deemed an agent for any such body unless expressly authorized in writing by the governing body of such body to act in that capacity. No agreement or contract shall be binding upon this Local Union unless executed and delivered by its duly authorized officers, and a contract for personal services shall not be binding beyond the expiration of the term of the Executive Board at the time such contract or agreement is made. This shall not prevent a Local Union Executive Board from entering into a bona fide collective bargaining agreement with another union covering Local Union employees, subject to the requirements of Article XXII, Section 2(b) of the International Constitution.

## **ARTICLE XXIV (24) - SAVING CLAUSES**

If any provision of these By-Laws shall become or be held invalid or inoperative by any competent authority of the executive, judicial, or administrative branch of federal or state government, the Local Executive Board shall have the authority to suspend the operation of such provisions 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 or Section of these By-Laws should become invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of these By-Laws or the application of such Article or Section to persons or circumstances other than those to which it has been held invalid, shall not be affected thereby.

The General Executive Board is authorized to adopt any plan or arrangement relating to such requirements and obligations, which may be imposed by applicable law.

## **ARTICLE XXV (25) – RETIREE MEDICAL BENEFITS**

### **Section 1**

Local Union 481 shall, at its own expense, provide retiree medical, prescription drug, dental, and vision benefits to its eligible and former employees through the San Diego

County Teamsters-Employers Insurance Trust Fund, so long as that coverage is available.

## **Section 2**

Eligible employees are defined as those individuals who are either:

- 1) Eligible, as of the effective date of this Amendment, to receive retiree medical, prescription drug, dental, and vision benefits as a result of their employment with Local Union 481 because the Local's former participation in Trust funds provides such coverage; or
- 2) Who:
  - i.) Have ten years of continuous service with the Local Union; and
  - ii.) Have retired directly from employment with Local Union 481; and
  - iii.) Are eligible to draw and actually draw a pension from the Western Conference of Teamsters Pension Trust at the time they retire from Local Union 481.

## **Section 3**

These benefits shall be provided for the natural life of the Employee/former Employee. Upon the death of the Employee/former Employee, no additional benefits will be provided to the surviving spouse, if any.

## **Section 4**

The benefits provided in this Section shall be treated as accrued benefits under 29 U.S.C. Section 1054.

## **Section 5**

The benefits may only be altered, modified or eliminated only for employees who are first hired after this Article has been amended.

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