

**OFFICIAL CONSTITUTION**

**and**

**BY-LAWS**

**of the**

**PANTEX GUARDS UNION**

**a Texas Nonprofit Corporation**

**Adopted 2003**



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**PREAMBLE**

The aspirations of the Union are to construct an organization which shall subserve the best interest of all its members, to promote and protect the interest of the membership, and to elevate the moral, intellectual and social conditions of each of its members. The purpose or purposes for which the Union is organized is to better the conditions of workers, improve the grade of their products, develop a higher degree of efficiency in their respective occupations and to protect and promote the interests of the members by bargaining collectively with their employers to secure better working conditions and to do all things necessary and pertinent to accomplish the Union's purposes. The objectives of the Union are to secure terms and conditions of employment for harmonious relations between us and our employer based on equity, justice and fair dealing. For the successful accomplishment of the ends desired by the Union, and for the due regulation of business connected therewith, this Constitution and By-Laws is hereby framed:

**CONSTITUTION**

**ARTICLE I  
NAME**

This organization shall be known as the Pantex Guards Union, hereinafter referred to as the "Union".

**ARTICLE II  
PRINCIPAL OFFICE**

- A. The principal office of this organization shall be located in the State of Texas or at such other place as the Executive Board may designate. This organization may have such other sub-offices either within or without the State of Texas as the Executive Board may require from time to time. The Union office may be located in the home of an officer.
- B. All books, records and financial documents shall be kept at the principal office of the Union, unless directed otherwise by the Executive Board.

**ARTICLE III  
OBJECTS**

The objects of the Union shall be:

- A. To unite into one labor organization all workers eligible for membership, regardless of race, religion, color, national origin, sex, age, disability or pregnancy;
- B. To operate as a non-profit employee represented organization not for pecuniary gain;
- C. 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;
- D. To secure improved wages, rates of pay, hours of employment, benefits, conditions of work and other economic advantages through organization, negotiations and collective bargaining through legal and economic means, and other lawful methods;
- E. To provide educational advancement and training for employees, members and officers;
- F. To safeguard, advance, and promote the principle of free collective bargaining, the rights of workers, and the security and welfare of all the people by political, educational and other community activity;
- G. To provide financial and moral assistance to other labor organizations or other bodies having purposes and objectives in whole or in part similar or related to those of this organization, e.g. National Council of Security inspectors (NCSI) and Amarillo Central Labor Council (ACLC);
- H. To protect and preserve the Union as an institution and to perform its legal and contractual obligations;
- I. 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 this Constitution and By-Laws and for such additional purposes and objects not inconsistent therewith as will further the interests of this organization and its members, directly or indirectly.



**ARTICLE IV  
JURISDICTION**

The jurisdiction of the Union shall extend to any person employed as a guard to enforce against employees and other persons rules to protect property of the employer, or property assigned to the care of the employer, or to protect the safety of persons on the employee's premises. Such jurisdiction shall be limited to such persons permitted to become members of the Union under the provisions of the *National Labor Relations Act*, as amended, or under the provisions of the laws of the country in which working. All persons serving in a managerial or supervisory capacity shall be excluded.

**ARTICLE V  
MEMBERSHIP**

A. QUALIFICATIONS

Only such persons employed as prescribed in ARTICLE IV - JURISDICTION hereof, who are of good moral character, citizens of the Country and meet all prescribed requirements of the *Labor-Management Reporting And Disclosure Act (LMRDA)*, as amended, are eligible for membership in this organization. All persons serving in a managerial or supervisory capacity shall be excluded.

B. ILLEGAL MEMBERSHIP

No person who has been convicted of a felony nor any person who is or becomes a member of the Communist Party or any other subversive organization or advocates the overthrow of the government of the United States of America, or any State, Territory or Possession thereof, or of any political subdivision therein by force or other illegal means, shall become or remain a member of this organization, including serving in any official Union capacity. Furthermore, any person who fails to meet the other requirements as noted in the *LMRDA*, as amended, shall not be eligible to be a member of this organization.

C. APPLICATION

Application for membership must be made on the appropriate form provided by the Union. No person holding membership, serving as an officer or employee, or serving in any official Union capacity in any other Union shall be admitted to or permitted to retain membership in this organization.

D. CANDIDATES

Candidates for membership shall conform to all requirements of this Constitution and By-Laws and shall require a majority vote of members in good standing, present and voting at a regular or special meeting when proposed for membership.

E. OATH OF OBLIGATION

The newly elected members, before being admitted to membership, shall subscribe to the following affirmation:

INITIATORY OBLIGATION

“I \_\_\_\_\_, of my own free will and accord, and on my sacred honor, do promise and swear to keep the affairs of the Union private unless authorized to reveal them.

I will abide by its laws and will use all honorable means to protect employment for my brother members.

I will make every possible effort to attend all meetings and will pay all dues, fines and assessments levied in accordance with this Constitution and By-Laws of the Union.

I will further agree that I will obey the lawful directions and orders of the officers of the Union, be orderly in its meetings, be respectful in words and deed, be charitable in judgment of my brother members and will render full allegiance to the Union.”

**ARTICLE VI  
NONDISCRIMINATION**

- A. The Union shall not discriminate against any person, for any reason, or cause or attempt to cause any employer to discriminate against any person, for any reason; because of race, religion, color, national origin, sex, age, disability or pregnancy.
- B. As used in this Constitution and By-Laws, the masculine, feminine and neuter genders shall each be deemed to include the others unless the context requires otherwise. The singular shall include the plural and the plural shall include the singular wherever the context of this Constitution and By-Laws permits.

**ARTICLE VII  
OFFICERS AND ELECTIONS**

- A. The constitutional officers of the Union shall consist of a President, Vice President, Business Agent, Treasurer, Secretary, Sergeant at Arms and three (3) Trustees, all of whom shall comprise the Executive Board.
1. The non-constitutional officers of the Union shall consist of three (3) elected negotiating committee members, who shall serve on the Negotiating Committee with the President, Vice President and Business Agent.
- B. No person who has been convicted of a felony nor any person who is or becomes a member of the Communist Party or any other subversive organization or advocates the overthrow of the government of the United States of America, or any State, Territory or Possession thereof, or of any political subdivision therein by force or other illegal means, shall become or remain an officer of the Union, including serving in any official Union capacity. Furthermore, any person who fails to meet the other requirements as noted in the *LMRDA*, as amended, shall not be eligible to be an officer of the Union.
- C. No member shall be eligible to be a candidate for an office unless he has been in continuous good standing for a period of twenty-four (24) consecutive months prior to nomination, except any member who terminates his membership and who has been in continuous good standing for at least a period of twenty-four (24) consecutive months immediately prior to such termination and who reinstates his membership within five (5) calendar years from date of termination of his membership shall be eligible to become a candidate after twelve (12) consecutive months continuous good standing prior to nomination.
- D. All nominations and seconding of candidates for office shall be made in person at the regular monthly meeting in October.
- E. Only members in good standing at the time of nomination shall have the right to nominate or second a candidate for office. No candidate may nominate himself or second his own nomination.
- F. No member whose dues have been withheld by his employer for payment to the Union pursuant to his voluntary dues authorization provided for in the Collective Bargaining Agreement shall be declared ineligible to stand for election, nominate, second or vote for a candidate for office in the Union, by reason of a delay or default in the payment of dues by the employer to the Union.

- G. No member shall hold, or be a candidate for, more than one (1) constitutional office on the same ballot. If a member is nominated for more than one (1) constitutional office, he shall notify the Secretary, in writing, within seven (7) calendar days as to which nomination he shall accept. In the event timely written notification is not received, this person's nominations shall be void, and his name shall not appear on the ballot.
- H. In the event only one (1) candidate is nominated for any office, or only three (3) candidates are nominated for any office which requires three (3), the nominee(s) shall be declared duly elected as the incumbent(s) at the nomination meeting, and shall take office in the manner prescribed below.
- I. The ballot containing the offices to be elected along with each candidate nominated for the office, in the order so nominated, shall be posted in accordance with ARTICLE XV – MEETINGS, paragraph A., which shall include the date, time and place of the election and shall be posted at least fifteen (15) calendar days prior to such election.
- J. Elections shall normally be held every two years in the month of November following the date of nominations in October in which nominations are made. A one (1) year term or a three (3) year term may be voted on and approved by the membership in order to align officer terms with the expiration of the Collective Bargaining Agreement, which will eliminate the transition of officers during the preparation for and initiation of contract negotiations.
- K. Elections shall be by secret ballot, ballots shall be made available to all members in good standing and proper collection boxes shall be provided for the collection of ballots. (Secret ballot means the expression by ballot, voting machine, or otherwise, but in no event by proxy, of a choice with respect to any election or vote taken upon any matter, which is cast in such a manner that the person expressing such choice cannot be identified with the choice expressed.)
- L. Before a vote is taken, it shall be the duty of the President to appoint three (3) tellers to assist the Sergeant at Arms in collecting and counting the ballots. It shall be their collective duties to count the ballots in the presence of the membership and observers and report the outcome to the President, who shall then announce the results of the ballot.
- M. The election shall be decided for the duly nominated candidate receiving the majority of the ballots cast for that office; write-in votes shall not be counted. In the event no candidate receives a majority; the two candidates receiving the most votes shall then enter into a secret ballot run-off election to be held during the following month's meeting.
  - 1. In regard to the Board of Trustees and the Negotiating Committee, the election shall be decided for the three (3) duly nominated candidates receiving the greatest number of the ballots cast for that office; write-in votes shall not be counted.

- N. Absentee voting may be authorized by a majority vote of the membership in good standing, present and voting at the regular meeting prior to the election. Only members who are approved at this meeting for reasons beyond their control or other prevailing factors shall be allowed to vote absentee. All absentee ballots must be approved and received by the Vice President before the closing of the polls. Absentee voting shall be conducted with all proper safeguards and in accordance with the requirements of the *LMRDA*, as amended.
- O. The newly elected officers shall take office on the second Monday in the January following the election. They shall take the Oath of Obligation set forth in this Article prior to taking office.
- P. Newly elected and qualified officers shall hold office until their successors are duly elected and installed.
- Q. Except for the office of President, upon the death, resignation, disability or removal from office for cause of any officer, or any vacancy, such vacancy shall be filled for the balance of the term year by appointment of the President with concurrence from the Executive Board. The membership shall then vote to fill the vacancy, in the manner prescribed above, for the balance of the term of office, if any.
- R. OATH OF OBLIGATION

Before entering into the duties of their respective offices, the officers of the Union shall subscribe to the following affirmation:

OBLIGATION OF OFFICERS

“I \_\_\_\_\_, upon assuming the duties of the office of \_\_\_\_\_, of my own free will and accord, do solemnly swear to uphold this Constitution and By-Laws and promote the good and welfare of the Union. I promise to perform the duties of the office to which I have been elected to the best of my ability and for the benefit of all members. I shall deliver to my successor all books, records, documents and other property of the Union of any kind and nature that may be in my possession at the close of my official term.

I further agree to attend all meetings, except when absence is unavoidable, and encourage other members to do the same. I shall acquaint myself with this Constitution and By-Laws of the Union and familiarize myself with the terms of all contracts between the Union and any employer.

I shall render full allegiance to the Union and never consent to subordinate its interest to those of any other trade union or labor organization.”

**ARTICLE VIII  
DUTIES OF OFFICERS**

A. PRESIDENT

It shall be the duty of the President to preside at all meetings of the Union and its Executive Board and conduct same in accordance with parliamentary rules, as prescribed in Robert's Rules Of Order (the most current edition), and in conformity with this Constitution and By-Laws; to call meetings, as deemed necessary, in accordance with this Constitution and By-Laws; to execute the laws and orders thereof; to vote on all questions where it is necessary to a choice, including to vote on all matters at Executive Board meetings where it is necessary to break a tie vote; to appoint all committees, unless otherwise provided for, of which committee he shall be an ex-officio member (except an election or nominating committee in which he is or will be a candidate); to appoint three (3) tellers to assist the Sergeant at Arms in distributing, collecting and counting ballots; to appoint other officers to attend meetings, as necessary; to authorize visitors, with a need, to enter a meeting place; and to transact such other business which may pertain to his office and which may be necessary to the proper function of the Union. He, or any other designated officer, shall jointly sign all vouchers for the Treasurer for the authorized disbursements of this organization's funds, as provided by this Constitution and By-Laws, or by special direction of the Executive Board or the membership.

B. VICE PRESIDENT

The Vice President shall perform the duties of the President in the absence of the President. Upon the death, resignation, disability or removal from office for cause of the President, he shall assume that office for the unexpired term. He shall also preside at meetings when called upon by the President and at times when the President may be temporarily unable to discharge his duties. He shall also fulfill prescribed duties as may be assigned by the President or Business Agent.

C. BUSINESS AGENT

It shall be the duty of the Business Agent to organize all unorganized workers within the jurisdiction of the Union; to adjust grievances of the members of the Union; to oversee all business with the employer and fulfill the obligations of all aspects of the Collective Bargaining Agreement; to be chairman of the negotiating committee, grievance committee and steward committee; to assist the Treasurer in collecting monies due the Union; when authorized by the Executive Board, or the membership, have full power and authority to sign all contracts and agreements or any other documents for or in behalf of the Union; and to look after the general business of the Union. He shall submit a monthly report of the activities of the Union at each regular meeting. The President shall perform these duties in the absence of the Business Agent.



D.     TREASURER

The Treasurer shall keep a correct record between the Union and its members. He shall collect all dues and monies owed the Union. He shall notify all members who are two (2) months in arrears on their dues. He shall submit his books to the Board of Trustees at least once each fiscal year, prior to the end of the fiscal year, for audit and approval. It shall be the duty of the Treasurer to receive all monies paid to the Union, giving a receipt for same, if requested. He shall make financial statements for each regular meeting and announce receipts and disbursements at each regular meeting. He shall deposit all money received in a financial institution recommended by the Board of Trustees or Executive Board. He shall pay all bills ordered by the Union when signed by a designated officer, as defined in ARTICLE XI—SALARIES AND EXPENSES, paragraph H. DISBURSEMENTS. He shall pay all Union expense vouchers as soon as possible after receipt of said vouchers. He shall hold no more than three hundred dollars (\$300) in his possession as a petty cash fund to meet the immediate demands of the Union. He shall submit his books and receipts to the Board of Trustees for their audit and approval when called upon to do so, and at the expiration of his official term of office. He shall turn over to his successor all monies and property of the Union that may be in his possession. He shall execute and file all forms and reports required, such as LM reports and forms required by Federal, State and Local agencies. He shall issue all membership and withdrawal cards. He shall attend meetings as directed by the President. Whenever a Treasurer's term of office expires or is otherwise terminated, he must see that his successor is properly bonded before he transfers to his successor in office the funds, papers, documents, records, vouchers, worksheets, books, money and other property of the Union.

E.     SECRETARY

It shall be the duty of the Secretary to keep a correct and impartial account of the proceedings of each meeting of the Union and Executive Board, and to report the minutes of each previous month's regular meeting during each regular meeting; to call the roll of officers; to furnish the chairman of each committee a copy of such resolutions as may be adopted by the Union, applicable to its respective duties; to insure that notices of regular or special meetings and elections are posted in accordance with the provisions of this Constitution and By-Laws; to mail a written notice to all members of the Union, at their last recorded address, to be present at the regular meeting of the Union at which the Executive Board shall be making a report and favorable recommendation, or a verified petition is to be considered, upon any amendment or amendments to this Constitution and By-Laws; to notify all parties concerned as to the date, time and place of all hearings; to attend meetings as directed by the President; to keep a record of all members admitted by initiation or otherwise and the date they were sworn in as members, as well as rejections and suspended or expelled members; to provide each new member with a free copy of this Constitution and By-Laws; and to forward a copy of each Collective Bargaining Agreement made with any employer to any employee who requests such a copy and whose rights as such employee are directly affected by such Agreement, in accordance with the requirements of the *LMRDA*, as amended.

F. SERGEANT AT ARMS

The Sergeant at Arms shall attend the door at the meetings of the Union and not allow any person to enter who is not a member in good standing or allow any member to retire from a meeting without permission from the chair, (The President may authorize visitors, with a need, to enter the meeting place.); assist the President when called upon in preserving order; control the sign-in sheets and ballot boxes; distribute, collect and count ballots with the assistance of three (3) appointed tellers; preserve for one (1) year from the date of an election the ballots and all other records pertaining to an election; and perform such other duties as may pertain to his office or which the President, or the membership, may direct.

G. BOARD OF TRUSTEES

The Board of Trustees shall be composed of three (3) elected Trustees. The Senior Trustee (as determined by seniority in the Union) shall be the designated chairman. The Senior Trustee shall also be authorized to sign vouchers and checks. The Trustees shall see to it that all funds, other than the amount specified in paragraph D. TREASURER above, are deposited in an approved financial institution. It shall be the further duty of the Trustees to supervise all funds, bonds, properties, securities and investments of the Union, subject to the instructions from the Executive Board, or the membership, and to inform the financial institutions as to the proper signatures on checks issued by the Union. They shall audit the books of the Treasurer at least once each fiscal year, prior to the end of the fiscal year, for approval and they shall report their findings on the same to the membership of the Union at the next regular monthly meeting following the month in which the audit is performed. They shall prepare and execute bonds as prescribed in ARTICLE XIII — BONDING and in compliance with the requirements of the *LMRDA*, as amended. It shall be their duty to recommend such measures as will safeguard the funds of the Union. They shall perform such other duties as may be assigned to them from time to time by the Executive Board. If one (1) of the Trustees is temporarily unable to act because of illness, absence or other reasons, the remaining two (2) Trustees may act to carry out the duties imposed by this Constitution and By-Laws.

**ARTICLE IX  
EXECUTIVE BOARD**

- A. The Executive Board shall consist of the President, Vice President, Business Agent, Treasurer, Secretary, Sergeant at Arms and Board of Trustees.
- B. It shall be the duty of the Executive Board to try and decide all offenses as may be directed to them by this Constitution and By-Laws or at the special direction of the membership. The Executive Board shall exercise supervision over matters of policy of the Union, shall interpret this Constitution and By-Laws when such interpretation comes into question and shall have the power and authority to reinstate any and all members of the Union who may become delinquent in their payments of initiation fees or dues. The Executive Board shall also have the authority to take up any and all matters of grievances and mediations (whether internal or external), arbitrations and Memorandums of Understanding (MOU). The Executive Board shall then report to the next regular meeting their recommendations and such recommendations, after being approved by the membership, shall be the final authority of the Union.
- C. The Executive Board shall have the authority to conduct routine Union business between the Union's regular meetings. The Executive Board shall be further empowered to appropriate funds to defray expenses that are incurred between regular meetings. All such actions or appropriations of the Executive Board shall be subject to the approval of the membership at the next regular meeting. If the actions or appropriations of the Executive Board are not approved, then such actions or appropriations shall become null and void henceforth.
- D. The Executive Board shall be subservient to the vote of the membership, except as explicitly noted in this Constitution and By-Laws.

**ARTICLE X  
STEWARDS**

- A. The Stewards duties, functions and responsibilities are limited to receiving complaints from members; checking jobs for environment, safety and health violations; checking for violations of the Collective Bargaining Agreement(s); conducting accident investigations; and reporting such to the Business Agent for proper administration.
- B. One (1) Steward and one (1) Alternate Steward shall be elected each year to represent each shift. Each shift shall elect their Steward and Alternate Steward by “division” or by secret ballot from members in good standing who have been nominated and have agreed to serve, if so elected. Each shift’s Steward and Alternate Steward shall be elected by a majority vote of each shift’s members in good standing, present and voting during the nomination and election process. This nomination and election process shall be accomplished in the time between the second Monday in January and February 1<sup>st</sup> of each year. Notification by the current Steward to his respective shift of the nomination and election process shall be made at least one (1) workday prior to the nomination and election being conducted. Their one (1) year term of service shall be from February 1<sup>st</sup> of one year to January 31<sup>st</sup> of the following year. In the event a Steward or Alternate Steward fails, for any reason, to fulfill his one (1) year term of service, their vacancy shall be filled using the above criteria. Alternate Stewards shall assist the Stewards with their respective shift and shall represent their respective shift in the absence of the Steward.
- C. Stewards shall have the authority to represent any member on complaints upon request of the members. Stewards also have the authority to represent any member in regard to investigations, grievances and disciplinary actions. All complaints, actions and decisions shall be submitted to the Business Agent for proper administration. Stewards are also required to properly file all paperwork. This includes Safety Reports, Grievance Reports (following the proper grievance procedure steps), submitting all information requests to the Business Agent and submitting copies of all pertinent notes to the Business Agent to aid in the processing of grievances or other matters.
- D. Stewards shall continue open communication with the Business Agent, Alternate Steward, grievant and shift members in order to keep everyone properly informed of all pertinent matters. Stewards and Alternate Stewards should also communicate with other shift Stewards and Alternate Stewards on a regular basis in order to keep each shift informed of pertinent issues. In addition, Stewards shall submit a monthly report of the pertinent activities of their shift at each regular meeting.
- E. Stewards have no authority to take strike action, or any other action interrupting the business of his employer, or any action not specifically set forth in this Constitution and By-Laws, except as specifically authorized by official action of the Union.

**ARTICLE XI  
SALARIES AND EXPENSES**

**A. SALARIES**

The salaries, if any, of the officers shall be fixed by the Executive Board, subject to approval by the membership, and shall remain fixed for the term of their office. The salaries of Union employees, if any, shall be fixed by the Executive Board.

**B. EXPENSES AND LOST WAGES**

Expenses and lost wages of all officers and members incurred while conducting the Union's business shall be borne by the Union.

**C. SCHEDULED DAY(S) OF REST**

All officers and members shall be paid for all hours worked, or a minimum of four (4) hours, at their straight time rate of pay, when conducting Union business on their scheduled day(s) of rest.

**D. SCHEDULED DAY(S) OF WORK**

All officers and members shall be paid for all hours worked, at their straight time rate of pay, when conducting Union business on their scheduled day(s) of work, when such work is in excess of their normal scheduled hours of work.

E. Paragraphs B., C. and D. above shall include all officers, Stewards and any other members required to perform services for the Union. If, in the opinion of the Executive Board, unnecessary or exorbitant expenses have been paid out on a voucher, the Executive Board shall have the authority to deny payment or demand refund.

**F. UNION STRIKE ACTIVITY**

During Union strike activity, the Negotiating Committee shall be paid ten dollars (\$10) per hour for performing their official duties, not to exceed ten (10) hours of pay on a daily basis.

G. UNION BUSINESS

Union business shall be considered as:

1. Pension and 401(k) meetings
2. Contract and MOU negotiations
3. Grievance, mediation and arbitration meetings
4. Meetings with management when two (2) or more officers attend
5. Monthly membership meetings
6. Executive Board meetings
7. Board of Trustee meetings
8. Negotiating Committee meetings
9. Regular and/or special meetings
10. Any and all work performed by officers and members to accomplish their assigned duties

H. All officers and Stewards shall receive, for their service to the Union, a copy of the latest edition of The Legal Rights Of Union Stewards. If an officer or Steward serves more than one (1) term, he shall not receive another copy of said book during his subsequent term of service, unless, or until, a new revised edition is published.

I. DEATH BENEFIT

If any Union member in good standing dies, or is diagnosed with a terminal illness and is subsequently removed from SPO status and dies, a death benefit of three thousand dollars (\$3,000) shall be paid to the member's spouse or designated legal executor. Every effort shall be made to pay this benefit within forty-eight (48) hours after notification is made to the Business Agent.

J. DISBURSEMENTS

Disbursements made against the general fund or any special fund must be made by check bearing the signature of two (2) designated officers of the Union. Officers designated must be the President, Vice President, Treasurer or Senior Trustee. No check drawn against any account of the Union shall be valid unless it bears at least two (2) authorized signatures and is accompanied by an authorized voucher. The Treasurer shall pay all Union expense vouchers as soon as possible after receipt of said vouchers.

K. INVALID EXPENDITURES

No Union monies shall be expended for loans, grants, contributions or donations.

(This does not include monies authorized for deaths, funerals and retirements.)

L. RECORDS

All records pertaining to salaries, expenses, lost wages, disbursements and all other expenditures of the Union shall be kept for a period of at least six (6) calendar years.

**ARTICLE XII  
REVENUE**

**A. REVENUE**

1. The revenue of the Union shall be derived from Initiation Fees, Dues, Fines, Assessments and Investments.
2. The rates of Initiation Fees or Dues shall not be increased, and no Assessments shall be levied except by majority vote, conducted by secret ballot, of the members in good standing, present and voting at a regular or special meeting when proper notice of such meeting and the intention to vote upon such question has been made in accordance with this Constitution and By-Laws.

**B. INITIATION FEES**

1. The current Initiation Fees of the Union shall be fifty dollars (\$50). Payment shall be made in full before initiation of admission into the Union.
2. All such monies received shall be non-refundable, except those probationary employees who fail the probationary period and are terminated shall be refunded such monies received.
3. During the Union's presentation to each new hire, each new hire shall be given the opportunity to make application to join the Union. For each new hire that chooses to join the Union, and subsequently completes and returns all the necessary paperwork on the same day as the presentation, the Union shall waive the Initiation Fees for that day only.

**C. DUES**

1. The current Dues of the Union shall be thirty dollars (\$30) per month.
2. Five dollars (\$5) of the thirty dollars (\$30) dues shall be designated to a special savings fund. This special savings fund is to be used for training, education and as a strike contingency fund. Any use other than mentioned above must be approved by the membership.

**D. ASSESSMENTS**

The Union may levy a general or special assessment from time to time, as it deems necessary.



E. PAYMENTS

Each member of the Union must pay his dues by payroll deduction, or by check, which shall be delivered to the Treasurer or mailed to the Union address and received no later than the twentieth (20<sup>th</sup>) day of each month. Dues received on or by the twentieth (20<sup>th</sup>) day of the month constitute payment of that calendar month's dues. Any fines or assessments must be paid to the Treasurer, as stated above, within thirty (30) calendar days after being levied. Any member failing to pay dues, fines or assessments on or before the due date shall stand automatically suspended from membership in the Union and shall forfeit all rights and benefits of such membership.

F. LEAVES OF ABSENCE

A member on any leave of absence must pay his dues for the first thirty (30) calendar days of absence. In the event his leave of absence exceeds thirty (30) calendar days, he may be issued a Withdrawal Card if he desires, provided that all dues, fines and assessments shall have been paid up to date of issuance of a Withdrawal Card or he may continue to pay dues and remain a member of the Union with all rights attendant thereon. In the event a member on extended leave of absence fails to take a Withdrawal Card within thirty (30) calendar days or chooses not to continue to pay dues; he shall pay a Readmission Fee of twenty-five dollars (\$25) upon his return to work.

G. RESIGNATIONS

No member seeking to resign from membership in the Union may do so except by submitting such resignation in writing to the Treasurer. Any member who resigns before he has paid all dues, fines, assessments and other financial obligations owing to the Union shall nevertheless be obligated to pay such obligations. All members acknowledge that any obligations owing at the time of resignation shall be collectible by the Union in any appropriate forum as provided in paragraph J. DEBTS below. This shall not relieve any member of any obligation to comply with any other provision of this Constitution and By-Laws regarding acquisition or maintenance of membership in good standing.

H. SUSPENSIONS

Any member suspended pursuant to paragraph E. PAYMENTS above and this paragraph H. SUSPENSIONS of this Article may be readmitted to membership within thirty (30) calendar days after suspension upon payment of the dues, fines or assessments imposed, plus a Readmission Fee of twenty-five dollars (\$25). Any member who has been suspended for a period of greater than thirty (30) calendar days may be readmitted upon the payment of a Readmission Fee of fifty dollars (\$50), in addition to the amount of the dues, fines or assessments due. Any member who voluntarily resigns his membership in the Union shall be obligated to pay the full Initiation Fees as specified in paragraph B. INITIATION FEES above upon application for readmission to membership. The Union's application for membership forms must be resubmitted in this case. The Executive Board, upon review, may suspend the fees, fines or assessments.

I. TERMINATIONS

1. On termination, a member may be issued a Withdrawal Card if he desires, provided that all dues, fines and assessments shall have been paid up to the date of the issuance of a Withdrawal Card or he may continue to pay dues and remain a member of the Union with all rights attendant thereon. In the event a terminated member fails to take a Withdrawal Card within thirty (30) calendar days or chooses not to continue to pay dues, he shall pay a Readmission Fee of twenty-five dollars (\$25) upon submittal of his application for membership after his return to work.
2. A rehire holding a Withdrawal Card shall pay dues commencing with the month in which he submits his application for membership after he is rehired but shall not be required to pay a Readmission Fee.
3. A member taking a Withdrawal Card from the Union shall not be entitled to any benefits of any kind other than the right to make application for reinstatement. A Withdrawal Card shall become null and void after five (5) years from the date of issuance.
4. When a member is involuntarily terminated and the Union is pursuing the involuntary termination to arbitration, the Union shall waive all dues and the member shall remain in good standing until final disposition of the arbitration.

J. DEBTS

1. All members of the Union are under a positive duty to see that their obligations are paid on or before their due date each month.
2. The failure of a Steward or any officer of the Union to appear or to collect the obligations shall not in any manner excuse the member from his obligation to pay his obligations on or before their due date.
3. Any debt, including fees, dues, fines and assessments owed the Union by a member are legal obligations and must be paid upon written explanation and demand. Failure to pay promptly shall obligate the member to pay all collection costs, including attorney fees, in addition to the original debt.

K. RECORDS

All records pertaining to Initiation Fees, Readmission Fees, Dues, Fines, Assessments and all other revenues of the Union shall be kept for a period of at least six (6) calendar years.

**ARTICLE XIII  
BONDING**

Every officer, agent, representative or employee of the Union, or of a trust in which the Union is interested, who handles funds or other property thereof shall be bonded to provide protection against loss by reason of acts of fraud or dishonesty on his part directly or through connivance with others. The bond of each such person shall be fixed at the beginning of the Union's fiscal year or at the beginning of their tenure or term of office, whichever is sooner. The amount of the bond shall not be greater than fifty percent (50%) nor less than twenty percent (20%) of the funds handled by him and his predecessor or predecessors, if any, during the preceding fiscal year. Such bonds shall be individual or schedule in form, and shall have a corporate surety company as surety thereon. Any person who is not covered by such bonds shall not be permitted to receive, handle, disburse, or otherwise exercise custody or control of the funds or other property of the Union or of a trust in which the Union is interested. No such bond shall be placed through an agent or broker or with a surety company in which the Union or any officer, agent, representative or employee of the Union has any direct or indirect interest. Such surety company shall be a corporate surety which holds a grant of authority from the Secretary of the Treasury, as an acceptable surety on Federal bonds. The Union shall at all times meet the minimum requirements of the *LMRDA*, as amended.

**ARTICLE XIV  
FISCAL YEAR**

The Fiscal Year of the Union shall extend from the first (1<sup>st</sup>) day of January to the following thirty-first (31<sup>st</sup>) day of December.

**ARTICLE XV  
MEETINGS**

- A. The Union shall hold a regular meeting at least once a month at a date, time and place as the Union may direct. This meeting shall provide sufficient opportunities to cover each shift that members of the Union may work. Notice of such regular meeting shall be posted at least fifteen (15) calendar days prior to such meeting.
- B. Special meetings shall be called by the President, whenever in his judgment the interest of the Union demands it, provided that notice of such meeting is posted a least five (5) calendar days prior to such meeting, stating the date, time, place and purpose of said meeting.
- C. Executive Board meetings shall be called by the President, whenever in his judgment the interest of the Union demands it. Each Executive Board member shall be notified prior to the meeting of the date, time, place and purpose of said meeting.
- D. Motions shall be deferred until the next regular meeting and posted, in accordance with paragraph A. above, for all members to review prior to the next regular meeting at which time the motions shall be addressed, unless the motions must be addressed immediately because of timeliness or criticality.
- E. No motion regarding change of shifts shall be in order unless and until there is a petition requesting and wanting to vote on a change of shift from the members in good standing which totals at least twenty percent (20%) of the total membership. Such petition shall include the name, badge number, signature, address and phone number of each member so listed and all information shall be verified by the Executive Board prior to such motion being in order.
- F. The meetings of the Union shall be governed by this Constitution and By-Laws and Robert's Rules Of Order (the most current edition). In case of conflict, this Constitution and By-Laws shall govern.

**ARTICLE XVI  
QUORUM**

A quorum shall consist of not less than five (5) members of a regular, special or Executive Board meeting called in accordance with this Constitution and By-Laws. When a quorum exists, the members present in good standing shall be authorized to transact any such business that may be properly before such meeting.

**ARTICLE XVII  
COLLECTIVE BARGAINING**

- A. The authority to bargain collectively for the Union shall be vested in a Negotiating Committee. The Negotiating Committee shall be composed of the President, Vice President, Business Agent and three (3) elected committee members. The Business Agent shall be the designated chairman. A quorum shall consist of the President or Business Agent and at least three (3) other members of the Negotiating Committee.
- B. All proposed Agreements shall be submitted to the membership at least fifteen (15) calendar days in advance of submission to the employer. Any proposed changes developing during the period of negotiations shall be submitted as they arise and as time and feasibility of content permit.
- C. The results of any collective bargaining negotiations with an employer shall be subject to the ratification of the members in good standing covered by the Agreement.
  - 1. The ratification process shall be done in an open meeting and copies of the proposed Agreement shall be made available to all members, in good standing which are present and voting at the meeting, for their inspection prior to voting on the proposed Agreement.
  - 2. A meeting for the consideration of an employer's last contract offer may be called by the President on any reasonable notice to the members under the circumstances.
  - 3. A majority vote of the members in good standing which are present and voting at the meeting shall be required to ratify the Agreement.

**ARTICLE XVIII  
STRIKES AND WALKOUTS**

- A. A strike vote may not be taken until notice of intention to take such a vote has been given to the membership of the Union in the same fashion as notices of regular or special meetings are given.
- B. A majority vote of the members in good standing which are present and voting at the meeting shall be required to authorize a strike.
- C. The President may call a strike after a favorable majority vote of the members is documented, as stated in paragraph B. above, and a failure of ratification by a majority of those Union members in good standing covered by the Agreement and voting on an employer's proposed contract occurs, as stated in ARTICLE XVII — COLLECTIVE BARGAINING.



**ARTICLE XIX  
CHARGES, TRIALS AND APPEALS**

- A. In order to maintain discipline and to provide for the observance of the provisions of this Constitution and By-Laws, the Union shall have power to levy such penalties on any member found guilty after charges have been properly brought and hearings have been held in accordance with the provisions of this Constitution and By-Laws of the Union and the provisions of the *LMRDA*, as amended.
- B. Any member who commits an offense or offenses discreditable to the Union or who endeavors to create dissension among the members or who works against the interest and harmony of the Union or who advocates the dissolution or division of the Union shall be fined, suspended or expelled at the discretion of the Executive Board.
- C. Any officer or member who willfully slanders an officer or member; or who fraudulently receives, misapplies or embezzles funds of the Union, of a member or of an applicant entrusted to him for payment, shall be fined, suspended or expelled at the discretion of the Executive Board.
- D. Any member who wrongfully takes or retains funds, books, papers, records, forms or any other property belonging to the Union; or who mutilates, erases, destroys or in any way injures books, papers, records, forms, bills, receipts, vouchers or other property of the Union, shall be fined, suspended or expelled at the discretion of the Executive Board.
- E. In addition to the above, the basis for charges against members or officers of the Union shall consist of, but shall not be limited to the following:
1. Willful violation of any specific provision of the *LMRDA*, as amended.
  2. Violation of any specific provision of this Constitution and By-Laws or failure to perform any of the duties specified thereunder.
  3. Violation of a member's Oath of Initiatory Obligation.
  4. Violation of an officer's Oath of Obligation of Officers.
  5. Gross disloyalty or conduct unbecoming a member.
  6. Gross inefficiency of an officer which hinders or impairs the interests of the Union.
  7. Misappropriation or embezzlement of the Union's funds or property.
  8. Conversion of the Union's funds or property for personal gain.
  9. Secession or fostering the same.

10. Disruption of Union meetings.
  11. Assaulting or provoking assault on fellow members or officers.
  12. Abuse of fellow members or officers within, or without, the meeting hail.
  13. Abuse of fellow members or officers by oral, written or electronic communication or media.
  14. Failure to follow the rules of order or rulings of the presiding officer at meetings of the Union, or any similar conduct in or about places being used to conduct Union business.
  15. Crossing or working behind any authorized primary picket line established by the Union.
  16. Working for an employer against whom the Union is on strike.
  17. Causing or participating in an unauthorized work stoppage.
  18. Activities which tend to bring the Union into disrepute.
  19. Violation of sound Union principles.
  20. Disobedience to the rules, regulations, mandates or decrees of the Union.
  21. Conduct which is disruptive of or interferes with the performance of the Union's legal or contractual obligations.
  22. Actions or conduct which shall be considered inconsistent with the duties, responsibilities, obligations or allegiance of a member to the Union.
- F. A member or officer of the Union charged by any other member or officer of the Union with any offense constituting a violation of this Constitution and By-Laws shall be tried by the Executive Board. If the member being charged, or bringing charges, is a member of the Executive Board, this member shall not be allowed to hear and rule on the charges.
- G. Whenever charges are brought against any member or officer of the Union, such charges must be filed within fifteen (15) calendar days of the date of the incident giving rise to the charges. All charges must be filed in writing in duplicate with the President and must specify the specific offense or offenses and the Article and Paragraph of this Constitution and By-Laws so violated and must be signed by the member or officer making the charges. (If the President is being charged, or is bringing charges, the charges shall be filed in writing in duplicate with the Vice President.)

- H. No member or officer of the Union shall be tried unless he shall be served by the President, personally or by certified mail (return receipt requested), with a written copy of such charges specifying the nature of the offense or offenses of which he is accused. Thereupon, the accused shall be required to stand trial on the date, time and place designated, which shall not be less than fifteen (15) calendar days from the date the charges are served upon the accused. The Secretary shall also notify all parties concerned as to the date, time and place of the hearing.
- I. The accused may appear in person and with evidence and witnesses, to answer the charges brought against him. The accused may only select a member of the Union to represent him or he may represent himself in the presentation of his defense, including examination of evidence and the cross examination of witnesses; and the charging party may only select a member of the Union to assist him or he may proceed unassisted in the presentation of evidence and witnesses in support of the charges.
- J. Failure of any interested party in any case to appear before the trial or appellate body at the date, time and place designated in the notice shall constitute a waiver of appearance and the hearing shall proceed or the appeal heard regardless of the absence of such party.
  - 1. If the accused willfully neglects or refuses to stand trial, the Executive Board shall deem him guilty as charged and he shall be punished as the Executive Board may determine. Such punishment shall constitute a final adjudication from which there can be no appeal.
  - 2. If the charging party fails to appear in person and/or present evidence before any trial or appellate body on the date, time and place of the hearing, the charges shall be dismissed. Such dismissal shall constitute a final adjudication from which there can be no appeal and after dismissal the accused may not be retried on the same charges for the same violations as first accused but may be tried on the same charges if subsequent violations do occur.
- K. If charges are brought and such charges are not sustained and the Executive Board is convinced that the same were not brought in good faith or were actuated by malice, the Executive Board may, after another hearing preceded by proper notice with new charges being filed, impose such penalty by way of punishment as in its judgment is deemed proper under the circumstances.
- L. The Executive Board shall have the power to summon witnesses and bring charges against any member failing to answer such summons. Testimony shall be taken and the Executive Board shall render its findings and a decision.
- M. Compensation of witnesses called by any party in a hearing shall be the responsibility of the party calling the witnesses.

- N. The Executive Board may determine to have a qualified court reporter to record the proceedings of the hearing. Further, in such instance, all recorded data produced by the court reporter shall become the sole property of the Union.
- O. The Executive Board shall have the authority to determine the manner of recording and reporting the proceedings and shall have the authority to exclude any method not so authorized. When the Executive Board has come to a decision on the hearing, the verdict shall be recorded in the minutes. The decision of the Executive Board shall be effective when rendered.
- P. Decisions and penalties imposed upon individual members or officers found guilty of charges may consist of verbal warning; written reprimand; fine; suspension; expulsion; denial to hold any office permanently or for a fixed period; command to do or perform, or refrain from doing or performing, specified acts; or any combination thereof. If the penalty is by way of fine, then the same must be paid pending an appeal, if one is taken.
- Q. The Executive Board may remove from office any officer, elected or appointed, when in its judgment after hearing the charges against such officer, the charges warrant such action.
- R. All fines imposed shall be paid to the Treasurer within thirty (30) calendar days of the verdict, unless other arrangements satisfactory to all parties have been made. All fines imposed by the Executive Board must be paid prior to any regular dues in order to entitle a member to any privileges, rights or benefits of the Union.
- S. In the event disciplinary action is taken against the accused, he may make appeal from the decision of the Executive Board to the membership of the Union. The appellant shall personally deliver or mail by certified mail (return receipt requested) a written notice of such appeal to the President no later than fifteen (15) calendar days from the date the decision was rendered. No specific form or formality shall be required except that such notice shall clearly state an appeal is being taken from the particular decision rendered in the particular case. Pending any appeal, the decision appealed from shall remain in full force and effect. Appeals shall be heard solely on the record made before the Executive Board during the hearing. Appeals shall be held at the next regular meeting of the Union after receipt of the notice of appeal by the President. The appellant shall not be allowed to bring forth any information that is not already a matter of record of the hearing. A two-thirds (2/3) majority vote of members in good standing, present and voting at such regular meeting shall be necessary to override the decision of the Executive Board. If a member of the Executive Board is interested in the case as a party thereto, this member shall not participate as an Executive Board member during this process.
- T. Decisions of the Executive Board and/or the membership shall be final and binding.

- U. On a case by case basis, a member who has been expelled by the Union may join again by making application to the Executive Board but not before at least one (1) year has elapsed from the date of expulsion. Upon their favorable recommendation, he may join if two-thirds (2/3) of the members in good standing, present and voting at the next regular meeting concur.
  
- V. No member or officer of the Union shall resort to any court or agency outside the Union unless, or until, he has exercised all his rights as a member, and all form of relief and avenues of appeal, as provided by this Constitution and By-Laws, have been exhausted by him.

**ARTICLE XX  
LEGAL EXPENSES**

The Union is authorized to pay any and all expenditures in any case, matter or cases where an officer, or one charged with acting in behalf of the Union, is charged with any violation or violations of any law or is sued in any civil action or actions:

- A. If a majority of the Executive Board in its sole discretion, subject to the approval being nullified by a two-thirds (2/3) majority vote of members in good standing, present and voting at a regular meeting shall be necessary to override the decision of the Executive Board, determines that said charges or lawsuits are:
  - 1. unfounded;
  - 2. politically motivated;
  - 3. filed in bad faith in an attempt to embarrass or destroy the Union or the officers thereof.
  
- B. If a majority of the Executive Board in its sole discretion, subject to the approval being nullified by a two-thirds (2/3) majority vote of members in good standing, present and voting at a regular meeting shall be necessary to override the decision of the Executive Board, determines that the expenditures should be made.

**ARTICLE XXI  
INTERPRETATIONS**

The Executive Board shall interpret this Constitution and By-Laws and any member shall have the right to appeal from the interpretation and decision of the Executive Board pursuant to ARTICLE XIX — CHARGES, TRIALS AND APPEALS.

**ARTICLE XXII  
AMENDMENTS**

In order to amend this Constitution and By-Laws, the following process shall govern:

- A. Any member in good standing may propose any amendment or amendments to this Constitution and By-Laws by submitting the proposed amendment or amendments in writing to the President at a regular meeting of the Union. The proposed amendment or amendments shall then be referred to the Executive Board for consideration and recommendation.
  1. Upon a favorable recommendation of the proposed amendment or amendments by the Executive board, the Union shall then be notified by mail and vote upon such recommendation as outlined below.
  2. Upon a non-favorable recommendation of the proposed amendment or amendments by the Executive Board, the Executive Board shall notify the member making such proposal and further the Union shall not be notified by mail and no vote shall be taken as outlined below, unless and until there is a petition requesting and wanting to vote on the proposed amendment or amendments from the members in good standing which totals at least twenty percent (20%) of the total membership. Such petition shall include the name, badge number, signature, address and phone number of each member so listed and all information shall be verified by the Executive Board prior to the Union being notified by mail and voting upon such petition as outlined below.
- B. The Executive Board may propose any amendment or amendments to this Constitution and By-Laws.
- C. Whenever the Executive Board reports a favorable recommendation upon any amendment or amendments to this Constitution and By-Laws, proposed in writing at a regular meeting or initiated by the Executive Board, or a verified petition is in order, the Secretary shall mail a written notice to all members of the Union, at their last recorded address, to be present at the regular meeting of the Union at which such report and favorable recommendation, or verified petition, is to be considered.
- D. A two-thirds (2/3) majority vote, conducted by secret ballot, of the members in good standing, present and voting at such regular meeting of the Union, shall be necessary to adopt any amendment or amendments to this Constitution and By-Laws.
  1. A two-thirds (2/3) majority vote, as specified herein, is not necessary to increase Initiation Fees or Dues, or to levy an Assessment. (This is covered in ARTICLE XII — REVENUE, paragraph A. REVENUE.)



**ARTICLE XXIII  
DISSOLUTION**

The Union cannot dissolve if there are at least seven (7) dissenting members who are in good standing. Upon dissolution, the assets of the Union shall be distributed to a 501(c)(5) Labor Organization that promotes the Unions' purposes as explained in the Preamble to this Constitution and By-Laws.

**ARTICLE XXIV**

**PROPERTY RIGHTS**

- A. The title to all funds, property and assets of the Union shall at all times be vested in the Pantex Guards Union for the joint use of the membership of the Union but no member shall have any severable proprietary right, title or interest therein.
- B. Membership in this organization shall not vest any member with any right, title or interest in, or to, the funds, property or assets of the Union now owned or possessed, or that may be hereafter acquired, and each member hereby expressly waives any right, title or interest in, or to, the funds, property or assets of the Union now owned or possessed, or that may be hereafter acquired.

**ARTICLE XXV  
SAVING CLAUSE**

- A. If any provision of this Constitution and By-Laws should become or be held invalid or inoperative by any competent authority of the executive, judicial or administrative branch of Federal or State Government, the Executive Board shall have the authority to suspend the operation of such 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 Paragraph of this Constitution and By-Laws shall become invalid by operation of law or by any tribunal of competent jurisdiction, the remainder of this Constitution and By-Laws or the application of such Article or Paragraph to persons or circumstances other than those to which it has been held invalid, shall not be affected thereby.
  
- B. Unless specifically provided otherwise, wherever this Constitution and By-Laws provides for action by the Executive Board, the words "Executive Board" shall mean a majority of the members of the Executive Board present and voting at a duly called meeting.

**BY-LAWS**

**ARTICLE I  
DUTIES AND RESPONSIBILITIES**

It shall be the duty of every member of the Union to so conduct himself as to bring peace and harmony between himself and brother members of the Union and with his employer. To accomplish this, he shall:

- A. practice as well as preach unionism.
- B. keep strictly private the business conducted at the meetings of the Union.
- C. pay his dues in advance.
- D. notify the Business Agent of the Union when he changes his address or phone number.
- E. at no time solicit his fellow member's job, unless such member is leaving voluntarily.
- F. not injure the interest of another member by undermining him by any act which would jeopardize that member's office or standing.
- G. by no word or action seek to undermine or injure a fellow member with his employer.
- H. make his demands fair.
- I. at all times cooperate with the officers of the Union.
- J. cooperate with his Union representatives by giving them all the facts concerning a grievance.
- K. support his leadership by never doing anything that will lose respect for the Union.
- L. assist his fellow members in case of sickness or distress.  
(This can be accomplished by giving donations, collecting contributions, organizing raffles, etc.)

- M. attend the scheduled meetings of the Union, unless prevented by reasons of schedule, sickness or unforeseen circumstances over which he has no control.
- N. not cause or acquiesce in any unauthorized strike, stoppage of work, boycott or picketing.
- O. at all times carry his Union card on his person and show it to anyone who demands to see it.
- P. at all times, while at work or on official Union business, wear his Union Button/Pin in a conspicuous place.
- Q. at all times, while at work, wear his Union Officer/Steward Pin in a conspicuous place.

**ARTICLE II  
ORDER OF BUSINESS**

The following is the normal Order of Business for Union Meetings:

- A. Opening Ceremony/Call to order
- B. Pledge of Allegiance to the Flag (where flag is displayed)
- C. Roll call of officers
- D. Initiation of new members
- E. Voting on applications for membership
- F. Reading of the minutes of the previous meeting
- G. Reading of the financial report
- H. Stewards' reports
- I. President's report
- J. Business Agent's report
- K. Unfinished/Old Business
- L. Reports from Boards, Committees and Delegates
- M. New business
- N. Any other business for the good of the welfare of the Union or its members
- O. Closing/Adjournment

**ARTICLE III  
OPENING CEREMONY**

At the appointed time for opening a meeting, the President standing at his station shall give three (3) taps of his gavel and say “This meeting shall now come to order.” “The Sergeant at Arms shall please close the door and all persons not entitled to sit with us shall please retire from the room.” He then gives one (1) tap of his gavel and says, “I now declare this meeting duly convened and open for the transaction of all such business as may properly come before it.”

[One (1) tap of the gavel means that the President is asking members to keep in order.]

**ARTICLE IV  
RULES OF ORDER**

All questions of parliamentary law and Rules of Order not specifically provided for in this Constitution and By-Laws shall be decided according to the principles laid down in Robert's Rules Of Order (the most current edition).

- A. No member shall be allowed in the meeting in an intoxicated condition.
- B. No member shall retire from the meeting without permission from the chair.
- C. A member having been ordered to take his seat three (3) times by the chair, without heeding, shall, at a minimum, be barred from participating in any further business at that time.
- D. No member shall use profane or ungentlemanly language during the meeting.
- E. No member shall interrupt a debate, except on a question of personal privilege or of information.
- F. No member shall engage in conversation during the progress of the meeting without first having obtained permission from the chair.
- G. Any conversation by whispering or otherwise, which is calculated to disturb a member while speaking or hinder the transaction of business, shall be deemed a violation of the Rules of Order.
- H. The Union shall have the power to declare further Rules of Order which shall tend to increase the decorum and dignity of the meeting.
- I. Any member violating the Rules of Order of the Union shall be deemed guilty of disorder and the Executive Board shall render the appropriate penalty.



**ARTICLE V  
RULES OF PROCEDURE**

All questions of parliamentary law and Rules of Procedure not specifically provided for in this Constitution and By-Laws shall be decided according to the principles laid down in Robert's Rules Of Order (the most current edition).

- A. All motions, if requested by the chair, must be submitted in writing.
- B. No member shall be allowed more than one (1) vote on any given issue.
- C. All questions, unless otherwise provided, shall be decided as a majority vote of members in good standing, present and voting may direct.
- D. On motion, the regular Order of Business may be suspended, by a two-thirds (2/3) majority vote of members in good standing, present and voting, at any time to dispose of any urgent matter.
- E. Any conversation by whispering or otherwise, which is calculated to disturb a member while speaking or hinder the transaction of business, shall be deemed a violation of the Rules of Order.

**ARTICLE VI  
MOTIONS**

All questions of parliamentary law and Motions not specifically provided for in this Constitution and By-Laws shall be decided according to the principles laid down in Robert's Rules Of Order (the most current edition).

- A. A motion, to be entertained by the presiding officer, must be seconded and the mover as well as the seconder must be recognized by the chair.
- B. Any member having made a motion can withdraw it by consent of his seconder, but a motion once debated cannot be withdrawn except by a majority vote of the members in good standing, present and voting.
- C. A motion to amend an amendment shall be in order, but a motion to amend an amendment to an amendment shall not be permitted.

**ARTICLE VII  
DEBATE**

All questions of parliamentary law and Debate not specifically provided for in this Constitution and By-Laws shall be decided according to the principles laid down in Robert's Rules Of Order (the most current edition).

- A. A motion shall not be subject to debate until it has been stated by the chair.
- B. When a member rises to speak, he shall rise and respectfully address the chair, and if recognized by the chair, he shall be entitled to proceed.
- C. If two (2) or more members rise to speak at the same time, the chair shall decide which is entitled to the floor.
- D. Any member speaking shall confine himself to the question under debate and avoid all personal, indecorous or sarcastic language.
- E. No member shall interrupt another while speaking, except to a point of order, and he shall definitely state the point, and the chair shall decide the same without debate.
- F. If a member, while speaking, be called to order, he shall take his seat until the point of order is decided, then if decided in order he may proceed.
- G. If a member shall feel himself personally aggrieved by a decision of the chair, he may appeal to the body from the decision.
- H. When an appeal is made from a decision of the chair, the Vice President shall then act as chairman, said appeal shall then be stated by the chairman in these words, "Shall the decision of the chair be sustained as the decision of the Union?" The member making the appeal shall then have the right to state the grounds of appeal, and the chair shall give reasons for his decision. Thereupon, the members shall proceed to vote upon the appeal without further debate, and it shall require a majority vote of members in good standing, present and voting to sustain such appeal.
- I. No member shall speak more than once on the same question until all have spoken, nor more than twice without unanimous consent, nor more than five (5) minutes at any one time without consent of a two-thirds (2/3) majority vote of all members in good standing, present and voting.
- J. The presiding officer shall not speak on any subject unless he first retires from the chair, except on points of order. If he retires from the chair to speak on a subject of debate, he may not resume the chair until after the subject as been properly processed. In case of a tie vote, he may cast the deciding vote.

K. When a question is before the meeting, no motion shall be in order except:

1. To adjourn
2. To lay on the table
3. For the previous question
4. To postpone to a given time
5. To refer or commit
6. To amend

These motions shall have precedence in the order given. Motions made under 1., 2. or 3. are not debatable.

L. A motion to adjourn shall always be in order, except when a member already is speaking on the floor or when members are voting.

M. A motion to lay on the table is intended to temporarily lay aside any business to attend to something more urgent. It requires a two-thirds (2/3) majority vote of members in good standing, present and voting to “lay on the table”. It requires a majority vote of members in good standing, present and voting to “take from the table”. A tabled motion that was not considered during the meeting in which it was proposed shall be required to be represented at another subsequent meeting in order to be considered.

N. A motion to postpone to a given time or to postpone indefinitely shall require a two-thirds (2/3) majority vote of members in good standing, present and voting. An indefinitely postponed motion that was not considered during the meeting in which it was proposed shall be required to be represented at another subsequent meeting in order to be considered.

O. If a motion has been amended, the question on the amendment shall be put to a vote first; if more than one (1) amendment has been offered, the questions shall be put to a vote as follows:

1. Amendment to the amendment
2. Amendment to the original proposition

- P. Before putting a question to vote, the presiding officer shall ask, “Are you ready for the question?” Then it shall be open for debate. If no member rises to speak, or there is no more debate, the presiding officer shall then put the question in this form, “ All in favor of the motion say ‘Aye’;” and after the affirmative vote has been expressed, “All opposed to the motion say ‘No’.” After the vote has been completed, he shall announce the results in this manner, “It seems to be carried (or lost) and so ordered.”
- Q. Before the presiding officer declares the vote on the question, any member may ask for a division of the house, in which case the chair is duty bound to comply with the request, and a standing vote shall be taken and the Secretary shall count those standing in favor and those opposed and announce the result of each count.
- R. When a question has once been decided, it cannot again be considered except with the approval of a two-thirds (2/3) majority vote of members in good standing, present and voting to “reconsider”. A motion to reconsider a question must be made and seconded by two (2) members who voted with the majority.