

# LOCAL 1477 CONSTITUTION

## UNITED ELECTRICAL, RADIO AND MACHINE WORKERS OF AMERICA (UE)

### PREAMBLE

*We, the Electrical, Radio and Machine Workers realize that the struggle to better our working and living conditions is in vain unless we are united to protect ourselves collectively against the organized forces of the employers.*

*Realizing that the old craft form of trade union organization is unable to defend effectively the interests and improve the conditions of the wage earners, WE, THE ELECTRICAL, RADIO AND MACHINE WORKERS, form an organization which unites all workers in our industry on an industrial basis, and rank and file control, regardless of craft, age, sex, nationality, race, creed or political beliefs, and pursue at all times a policy of aggressive struggle to improve our conditions.*

*We pledge ourselves to labor unitedly for the principles herein set forth, to perpetuate our union and work concretely with other labor organizations to bring about a higher standard of living of the workers.*

**Section 1. NAME:** This organization shall be known as United Electrical, Radio and Machine Workers of America (UE) Local 1477, "A Drivers Union in Rail-Crew Transport".

**Section 2. AFFILIATION:** Local 1477 shall be affiliated with the United Electrical, Radio and Machine Workers of America, National Union, and UE Western Region, United Electrical, Radio and Machine Workers of America (UE).

**Section 3. OBJECT:** It shall be the object of this Local to protect, maintain and advance the interests of the workers; to organize the unorganized in conformity with its jurisdiction; and provide for the advancement of the interests of the workers.

**Section 4. ELIGIBILITY:** All persons coming under the jurisdiction of the UER & MWA are eligible to membership in this Local, regardless of age, skill, craft, sex, nationality, color, religious, or political beliefs or affiliation, sexual orientation, disability or immigration status.

**Section 5. OFFICERS AND EXECUTIVE BOARD:** The elected officers of this Local shall be a President, a Vice President & Recording Secretary, one Chief Steward from Colorado and one from New Mexico, a Financial Secretary, and two (2) members elected at large, one from Colorado and one from New Mexico. In addition to the foregoing officers there shall be three Trustees and a Sergeant-at-Arms.

**Section 6. DUTIES OF THE PRESIDENT:** The President of the Local shall:

- (a) Preside at all regular and special meetings of the Local and Local Executive Board.
- (b) Be a member of the Local Executive Board.
- (c) Preserve order and enforce the Constitution and By-Laws of the Union.
- (d) Be an ex-officio member of all committees but shall have no vote at the meetings at which they preside, except in case of a tie.
- (e) Appoint, subject to the approval of the membership, all special committees, when an election of same is not called for.
- (f) Sign checks jointly with the Financial Secretary.
- (g) Give bond in the amount required by the national union.
- (h) Be at all times responsible to the Executive Board.
- (i) The term of office shall be for two (2) years.
- (j) Shall be a delegate to any National Union and Regional Council Convention to which the Local sends delegates.
- (k) Shall be on the Bargaining and Grievance Committee

**Section 7. DUTIES OF THE VICE PRESIDENT & THE RECORDING SECRETARY:** The Vice President & Recording Secretary shall:

- (a) Keep all records of the meetings of the Local Union and of the Local Executive Board.
- (b) Conduct all correspondence of the Local Union, and of the Local Executive Board unless otherwise directed by the Local Executive Board or as otherwise provided herein.
- (c) Be a member of the Local Executive Board.
- (d) Perform such other duties, with the approval of the Local Executive Board, as may be necessary to a proper and effective administration of the affairs of the Local.
- (e) The term of office shall be for two (2) years.
- (f) Shall assist the President in the performance of all duties and act in the President's absence.

**Section 8. DUTIES OF THE BOARD MEMBERS AT LARGE:**

- (a) Board Members at Large will represent the entire membership at the Local Executive Board meetings.
- (b) The term of office shall be for two (2) years.
- (c) Attend each Executive Board Meeting as a voting member.
- (d) There shall be one At Large member elected in Colorado and one At Large member elected in New Mexico.

**Section 9. DUTIES OF THE FINANCIAL SECRETARY:** The Financial Secretary shall:

- (a) Receive, receipt, and account for all money paid to the Local.
- (b) Pay all bills authorized by the Local.
- (c) Furnish all supplies pertaining to the Local.
- (d) Give account of all receipts and expenditures.
- (e) Furnish a monthly Financial Report to the Local.
- (f) Furnish a monthly report on per capita to the Regional Council and National Union.
- (g) Sign checks and per capita reports jointly with the President.

- (h) Give bond in the amount required by the National Union.
- (i) Be a member of the Local Executive Board.
- (j) Perform such other duties with the approval of the Local Executive Board as may be necessary to the proper and effective administration of the Local.
- (k) The term of office shall be for two (2) years.

**Section 10. DUTIES OF THE CHIEF STEWARDS:** The Chief Stewards shall:

- (a) Assist, aide and instruct stewards in the proper handling of their duties in their State.
- (b) Keep records of all complaints and grievances, verbal and written and their outcome for future reference and presentation to the membership.
- (c) Conduct special and regular annual stewards' elections.
- (d) Shall be a member of the Bargaining and Grievance Committee.
- (e) Shall be a member of the Local Executive Board and shall chair the Stewards' Council.
- (f) There shall be one Chief Steward elected in Colorado and one Chief Steward elected in New Mexico.
- (g) The term of office shall be for two (2) years.

**Section 11 DUTIES OF THE TRUSTEES: The Trustees shall:**

- (a) Act as custodians and exercise supervision over all the property of the Local; keep an inventory thereof and report same in writing at a Local meeting in every three-month period.
- (b) Manage and safeguard all property of the Local.
- (c) Examine and audit all books and records of the financial secretary quarterly and make quarterly reports at the regular meeting of the Local following the audit and shall make such other audits and reports at the direction of the Local Executive Board or the Local Union.
- (d) Witness the quarterly official notification by the President and the Financial Secretary to the General Secretary-Treasurer of the National certifying that the Local's books and records have been audited. This notice shall state what the condition of the books and records are.
- (e) They shall not be members of the Local Executive Board.
- (f) The term of office shall be for two (2) years.

**Section 12 DUTIES OF THE LOCAL EXECUTIVE BOARD:**

- (a) All decisions of the Executive Board shall be by a majority vote of the members present.
- (b) Four members of the Executive Board shall constitute a quorum.
- (c) The Executive Board shall perform all duties necessary to the proper administration of the affairs of the Local Union consistent with the Local, Regional and National Constitutions.
- (d) The Executive Board, with the approval of the membership, may fix the compensation to be paid to any member, officer or other person employed by the

- Local Union, provided such compensation shall not exceed the maximum paid the workers in the industry.
- (e) The Executive Board shall act in cases of emergency which may arise between meetings of the Local.
  - (f) The Executive Board shall determine the financial arrangements necessary to ensure that the business of the Union functions in an orderly manner. The Executive Board shall develop and maintain a financial practices document that shall guide the Executive Board on financial expenditures.
  - (g) The Executive Board shall meet at least one time per month and at such other times as the Executive Board or the President may determine. The Executive Board may hold meetings by teleconference as well.
  - (h) The Executive Board may advise or control the course of action of any or all Local Officers and Committees, except as otherwise herein provided, subject to the approval of the membership.
  - (i) The Executive Board shall use every possible means to organize the unorganized within the jurisdiction of the Local.
  - (j) The Executive Board shall establish such committees as may be needed to promote the interests of the Union, subject to the approval of the members.
  - (k) The Executive Board may at any time require from any officer or committee a full and detailed statement of account of any action or business done in the name of the Local.
  - (l) The term of office shall be for two (2) years.
  - (m) The Executive Board shall meet in person at least one (1) times per year. The Executive Board may meet in person more than once per year, budget permitting.

### **Section 13. DUTIES OF SERGEANT-AT-ARMS**

Whenever a meeting is declared a closed meeting, the Sergeant-at-Arms shall examine all persons present at the meeting to ascertain if they are members in good standing of the United Electrical, Radio and Machine Workers of America, and shall not permit any person who is not in good standing to remain. Shall assist the Chairperson in preserving order.

- (a) The term of office shall be for two (2) years.

### **Section 14. NOMINATION AND ELECTION OF OFFICERS**

- (a) Nominations for office shall be made in New Business on the phone at the regular August meeting of the Local on the second Saturday, or by mail received seven (7) days prior to the meeting.
- (b) The elections will be held on the second Saturday in September by phone or other electronic means to ensure the privacy of each members vote.
- (c) The order of nominations shall be President, Vice President & Recording Secretary, Financial Secretary, two (2) Chief Stewards (one from Colorado and one from New Mexico), and two (2) members elected at large, (one from Colorado and one from New Mexico). Each At Large Member shall be elected in their State. Trustees and Sergeant-

at-Arms, Bargaining/Grievance Committee at Large and Delegates to the Regional and National Convention.

- (d) Only members in good standing shall be eligible for office and allowed to vote in the elections.
- (e) No member may be a candidate for more than one office. This does not include Bargaining Committee, or delegate to the Regional Conventions or National Conventions.
- (f) Nominees shall be informed by the Vice President & Recording Secretary, no later than 7 days following the meeting at which nominations were made for the office for which they have been nominated, and asked whether they accept or decline the nomination. If the nominee does not answer, that person shall not be considered a candidate.
- (g) Not less than 15 days prior to the meeting at which nominations will be held, the Vice President & Recording Secretary shall notify the membership in writing by first class mail or publication in the UE News of the offices for which nominations and elections will be held, including, the date time and place that the polls will be open. The election shall be held no earlier than 15 days from the date of notification.
- (h) At the regular meeting of the Local in September, an Election Committee of 3 members shall be nominated and elected. No candidate shall be a member of the Election Committee. The Vice President & Recording Secretary shall call the first meeting of the Election Committee within 14 days after the said meeting of the Local. At its first meeting, the Election Committee shall elect a Chairperson and Secretary by a majority vote of the Committee members present. 2 members of the Committee shall constitute a quorum.
- (i) By the end of August of each year, the Executive Board will determine the time, and place for the September nominations meeting and the October elections.
- (j) The Election Committee shall conduct and supervise the Local election; determine, in accordance with the Constitution, the eligibility of the nominees and of the members voting; prepare and distribute sample and regular ballots; count the ballots cast for each candidate; tabulate the number of persons who voted in the election, and the number blank and mutilated ballots. All ballots shall be kept under seal for not less than one (1) year following the election. The names of the candidates for office shall appear on the ballot in alphabetical order of their last names. All expenditures incurred by the Committee shall be subject to the approval of the Executive Board.
- (k) The election of Local Officers shall be by secret ballot.
- (l) The Chairperson of the Election Committee shall present at the end of the Elections a report of the results of the election. The report shall state the total number of ballots cast, the number of void, blank and mutilated ballots, and the number of votes cast for each candidate for the respective offices. The report will be available to any member after the election. The Election Committee will report on the elections at the next membership meeting. After the report has been made, the membership shall, after approving the report, discharge the Election Committee from its duties.
- (m) Any challenge to the conduct or results of the election must be filed with the Vice President & Recording Secretary within five (5) days after the announcement of the election results. The Executive Board shall promptly investigate such challenge and make recommendation for its disposition to the next regularly scheduled meeting or special meeting. The disputed office shall be filled in accordance with the decision of the

membership, subject to the appeals procedure provided for in Section 21 of this Constitution.

- (n) The terms of the old officers shall expire at the conclusion of the November membership meeting, at which time their successors shall take office. All books, records, monies and all other properties of the Local shall be delivered to the newly elected officers when they assume office.

### **Section 15. ELECTION OF DELEGATES AND STEWARDS**

- (a) The election of One Colorado and One New Mexico delegate to the National Convention and two Colorado and two New Mexico delegates for the Regional Council meetings shall be conducted each year during the Officers Election.
- (b) Local Stewards shall be elected by secret ballot held through an electronic platform that ensures the secrecy of each members vote or by submission of a completed steward petition by the member running for Steward. Stewards shall also be required to sign and agree to uphold the stewards pledge as outlined by the Executive Board

### **Section 16. VACANCIES IN OFFICE & RECALL OF OFFICERS**

- (a) Vacancies: The Executive Board shall appoint individuals to vacant Executive Board seat(s) if there is less than 6 months left in the term of the office vacancy. The President and Financial Secretary shall not be appointed. In the case of a vacancy for the President or Financial Secretary, Section 15 above shall be followed.
- (b) Recall of Officer: Upon written petition of 15% of Local 1477 membership or more, a recall petition may be submitted by the membership to the Executive Board after an officer has been in office at least one (1) year. The Vice President & Recording Secretary shall verify the signatures on a clearly marked Recall Petition for X Officer. Upon verification of valid member signatures, the Local shall proceed with an election according to the rules outlined in Section 16.

### **Section 17. MEMBERSHIP AND SPECIAL MEETINGS**

- (a) Membership meetings of the Local Union shall be held at least every other month to conduct the business of the Local. Membership meetings can be held by conference call.
- (b) 10% of the membership shall constitute a quorum.
- (c) Special meetings may be called by the Executive Board of the Local or on petition of 25% of the membership or more for the transaction of any special or regular business. The notice shall state the business to be transacted at the meeting.
- (d) Notice of special meetings shall be given to the membership by the Vice President & Recording Secretary at least 24 hours prior to the special meeting.

## **Section 18. DUES, INITIATIONS AND REINSTATEMENTS**

(a) Dues shall be \$35 per month. Employees working less than 20 hours shall pay half dues. The bi-weekly dues shall be paid each month for a member to remain in good standing and automatically increased by a percentage equal to any negotiated wage increase. This increase shall go into effect no later than one month after the date of the wage increase. Per capita shall be paid to the National Union in accordance with the UE National Constitution, Article 18, Appendix A.

(b) Initiation fees shall be \$20.00; (\$5.00 of which shall be forwarded to the National Office). New members shall be given copies of the Local Constitution upon request.

(c) Members employed less than five (5) days in anyone calendar month (if dues are collected on a bi-weekly basis, any members employed one day in any given week) shall pay unemployment dues of (\$1.00 maximum) of which thirty (30) cents shall be forwarded to the National Union to cover the cost of the news organ.

(d) Any member who shall fail to pay their current month's dues shall not be in good standing and shall be notified of such delinquency by the Financial Secretary. If such delinquent fails to place himself/herself in good standing within thirty (30) days after such notice, he/she shall be suspended.

(e) Any members suspended for nonpayment of dues may be reinstated by paying their back dues in addition to the current month's dues, and a reinstatement fee of \$20.00, \$5.00 of which shall be forwarded to the National Union.

(f) Upon request, a withdrawal card shall be issued to a member who is no longer working within the jurisdiction of the UER&MWA provided such member is in good standing at the time.

## **Section 19. DUTIES AND PRIVILEGES OF MEMBERSHIP**

Each member at initiation shall pledge himself/herself to support the Constitution of UE Local 1477, the Regional Council and the National Union and to obey all lawful orders of the General Executive Board: in addition to such other obligations as may be required by the Local Union of which he or she becomes a member.

## **Section 20 OFFENSES**

The Local shall have the right to discipline by suspension, or by expulsion any member of the Local who may be found guilty, after a hearing as hereinafter provided, of violation of the Constitution and By-Laws, or the general good and welfare, of the Local, the Regional Council, or the National Union.

## **Section 21. TRIALS AND APPEALS**

(a) If a member of the Local commits an offense against the Constitution, or the good and welfare of the Local, Region or National Union, they shall be given an impartial trial by the Local. The offense for which they are charged shall be presented in writing to the Local by a member in good standing in the United Electrical, Radio and Machine Workers of America. The Local Vice President & Recording Secretary shall give a copy of such charges to the accused member.

(b) A Trial Committee of three (3) members shall be elected by the members present at the next regular membership meeting of the Local following the submission of the charges. The Trial Committee shall record the testimony and make recommendations as to the disposition of the case to the next regular membership meeting of the Local which shall vote on the recommendations.

(c) The member preferring the charges and the accused shall have the right to appeal to the Regional Council, and then to the General Executive Board of the United Electrical, Radio and Machine Workers of America, and from that body to the ensuing National Convention. The respective decisions of the Local, the Regional Council and the General Executive Board shall be final until otherwise decided by the higher body.

(d) If a member of the Local commits the offense of engaging in raiding or secession activities, the following procedure shall be followed notwithstanding any other provisions of the National Constitution, or the Regional Constitution, or this Local Constitution. They shall be given an impartial trial by their Local Union. Such charges must be presented in writing by the member making the charges to the Local of which the accused is a member. The member making the charges must be a UE member in good standing. A copy of said charges is to be given to the accused by the Local Vice President & Recording Secretary. A decision on such charges shall be made by the Local not later than ten (10) days after receipt of the charges by the Local. Either the member preferring the charges, or the accused shall have the right to appeal to the Regional Council, which Regional Council shall have the power to elect from its body a committee to investigate the facts and hold hearings as deemed necessary. A decision of the - Regional Councilor of the Regional Executive Board between meetings of the Council shall be rendered to appellant not later than seven days from the receipt of the appeal by the Regional Council. Appeals can further be taken to the UE General Executive Board and from that body to the ensuing convention. The decision of any lower body shall be final until otherwise decided by a higher body. If a Local does not comply with the provisions of this Section, the General Executive Board shall have the power to assume jurisdiction on such charges of raiding or secession pending before any such Local.

## **Section 22. STRIKES**

(a) No strike shall be called by the Local without the General President, or the representative of the General President having made an effort to adjust the dispute.



(b) It shall be the duty of the Local President or an officer acting in that capacity to notify immediately the General President if a strike is proposed or pending.

(c) Any strike related to the negotiation of a new collective bargaining existing or the renewal of an existing collective bargaining contract and all contract settlements must be approved by a secret ballot vote of the membership of the Local involved, or in the case of an amalgamated Local by secret ballot vote of the shop involved. No representative of the United Electrical, Radio and Machine Workers of America (UE) shall negotiate alone with the employer.

### **Section 23 DEFENSE FUND**

A monthly per capita of \$1.00 from each month's dues shall be placed to the credit of the Locals Defense Fund. This fund shall be used by the Local for defense purposes only.

### **Section 24 AMENDMENTS**

(a) Any member in good standing of the Local, may, with the written endorsement of 15 members in good standing of the Local, submit proposed amendments to this Constitution. Such amendments shall be submitted in writing to the Local Executive Board.

(b) A vote by majority of the Executive Board members may also submit amendments to this Constitution in writing.

(c) The member submitting the amendment must state the Article and Section of the Constitution sought to be amended.

(d) The Local Executive Board shall report the proposed amendment to the regular Local meeting within 60 days after the proposed amendment has been received. The Executive Board shall make its recommendations on the proposed amendment to the membership. At least 14 days prior to the meeting on the voting of the proposed the Recording Secretary shall send to the membership copies of the proposed amendment. The proposed amendment shall become part of this Constitution by a majority vote in favor of the proposed amendment of the members present at the meeting, provided such amendment does not conflict with the Constitution of the Council or the National Union.

### **UE LOCAL 1477 MEMBERSHIP MEETING AGENDA (sample agenda)**

1. Call to Order
2. Roll Call of Officers
3. Reading of Minutes
4. Correspondence
5. Financial Report
6. Report and Recommendations from the Executive Board
7. Report of Committees
8. Report of Representative of National Union

9. Unfinished Business
10. New Business
11. Good and Welfare
12. Adjournment

## **OBLIGATIONS OF MEMBERS**

I do solemnly promise, on my most sacred word of honor, that to the best of my ability, I will: Bear true and faithful allegiance to the UE and will advance its programs and policies, and preserve, protect and defend its Constitution and Bylaws, and those of this Local No. 1477 I will conduct myself at all times in a manner that will bring credit upon this Union and that will contribute toward its success. I will never defraud nor misrepresent this Union or allow any other member to do so if in my power to prevent it.