



**LOCAL UNION  
CONSTITUTION  
AND BYLAWS**



**LOCAL UNION  
CONSTITUTION AND BYLAWS**

**OF THE**

**OFFICE AND PROFESSIONAL  
EMPLOYEES  
INTERNATIONAL UNION**

**LOCAL UNION NO.106**



**JUNE 2019**

# CERTIFICATION

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

Attested to this \_\_\_\_\_ day  
of \_\_\_\_\_, 20\_\_ .

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*(LOCAL UNION SECRETARY-TREASURER)*

## TABLE OF CONTENTS

Article Subject	Page(s)
I. Preamble .....	1
II. Name .....	1
III. Existence .....	1-2
IV. Jurisdiction .....	2
V. Membership .....	2-6
VI. Membership Meetings .....	6-7
VII. Officers and Duties .....	8-13
VIII. Executive Board .....	13-16
IX. Elections .....	16-19
X. Election Board .....	20-22
XI. Election Offenses .....	22-23
XII. Finances .....	23-24
XIII. Use of Funds .....	24-25
XIV. Prohibited Activities .....	25-27
XV. Applicants .....	27-28
XVI. Procedure at Meetings .....	28
XVII. Removal of Officials .....	28-29
XVIII. ....	
Withdrawal and Military Service Cards .....	29-30
XIX. Strikes .....	30-31
XX. Vacancies in Office .....	31
XXI. Limitations on Committees .....	32
XXII. Affiliations and Delegates .....	32-33
XXIII. International Constitution .....	33-34
XXIV. General Provisions .....	34-35
XXV. <u>Amendments</u> .....	35-40
Initiation of Members and Oath of Office .....	41



**CONSTITUTION AND BYLAWS  
FOR OPEIU LOCAL UNION NO. \_\_\_\_\_**

**ARTICLE I**

*Preamble*

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

**ARTICLE II**

*Name*

This organization, located at New London, CT, shall be known as the Office and Professional Employees International Union, (OPEIU), Local Union No.106. This Local Union shall be and remain a chartered Local Union of the International Union affiliated with the AFL-CIO.

**ARTICLE III**

*Existence*

This Local Union cannot be dissolved while there are seven (7) dues-paying members therein who desire to continue its existence. When this Local Union ceases to represent employees of any employer, the International Union Executive Board may suspend the charter of this Local Union and order it dissolved. Upon the dissolution of this Local Union, all its properties and assets, including its funds, books and records, shall become the property of the International Union, to be held by the International Union in trust for a period of one (1) year, during which time such property shall be returned to this Local

Union if it is reconstituted. After such one (1) year period such properties and assets shall become the property of the International Union, and the funds will be placed in the International Union Treasury to be used by the International Union for its general purposes.

**ARTICLE IV**  
*Jurisdiction*

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

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

**ARTICLE V**  
*Membership*

SECTION 1. Any person shall be eligible for membership in this Local Union upon compliance with the requirements of this constitution. No person shall simultaneously hold membership in this Local Union and another Local Union of the International Union. No person may transfer membership from another Local Union of the International Union to this Local Union without written approval of the President of the International Union, unless such a transfer is the result of a change in employment from one bargaining unit or another OPEIU Local Union to another such unit represented by this Local Union.

SECTION 2. Members shall hold membership in this Local Union through the bargaining unit where they are employed or were last employed, except for members employed by the International Union or one of its subordinate bodies, this Local Union or any Council or other federation of Local Unions, who shall hold membership in this Local Union as may be determined by the President of the International Union. Where a member works within the jurisdiction of this Local



Union and another Local Union of this International Union at the same time, such member shall hold membership in this Local Union if such member worked under the jurisdiction of this Local Union first; provided, however, that where such member is employed under the jurisdiction of another Local Union first, such member shall hold membership in that Local Union and shall pay a fee equal to the applicable dues to this Local Union and this Local Union shall pay a fee equal to the applicable per capita to the International Union.

SECTION 3. All officers and full-time paid representatives and organizers of the International Union shall be ex officio members of this Local Union with the privilege of participating in this Local Union's meetings but not voting; provided, however, such officers and organizers shall retain and may exercise full rights of participation in this Local Union if they hold active membership in this Local Union.

SECTION 4. MEMBERSHIP CLASSIFICATIONS. Membership classifications shall be active, non-active and associate. No member shall simultaneously hold membership in more than one classification. A person who is: suspended or expelled; loses their basis for membership due to an election; is no longer employed by the International Union or one of its subordinate bodies, a Local Union or any Council or other federation of Local Unions; has resigned their membership; or any other person who is not a member in accordance with one of the membership classifications provided for in this Article shall not be considered a member for any purpose, except as may be directed by the President of the International Union. Provided, however, in the event that a decision deprives a person of the basis upon which he/she holds membership, and that decision may be appealed to anybody other than the Convention of the International Union, that person shall maintain membership until the ruling on the appeal by the membership of this Local Union or the Executive Board of the International Union upholds the deprivation of the basis upon which membership is held.

SECTION 5. ACTIVE MEMBERSHIP. (a) An individual is eligible to be an active member in this Local Union if that individual is: employed within a collective bargaining unit represented by this Local Union; an employee or officer of the International Union or one of its subordinate bodies; an employee or officer of this Local Union or any Council or

other federation of Local Unions who has not retired from the position that made them eligible for active membership. Where a person is current with his or her dues, that person is an active member. The term active member and member in good standing may be used interchangeably. Continuous good standing and good standing means, compliance with the provisions of this Constitution concerning the payment of dues.

(b) A person who is employed in a collective bargaining unit covered under a collective bargaining agreement represented by this Local Union, the International Union or any federation of unions, will be eligible for active membership. Elected officers who sever the employment relationship which provided their eligibility for active membership will no longer be eligible for active membership two years after they sever such employment.

(c) Receipt by this Local Union of the current dues and the required initiation or reinstatement fee, or any installment established by this Local Union for payment of such fee, is required for an eligible individual to become an active member. Continued payment of dues, and if applicable, any remaining installments of the required initiation or reinstatement fee, is required to maintain active membership.

(d) An active member who is not actively working due to layoff, illness, disability, or a contractually provided leave of absence, and has applicable recall, reemployment or other employment rights which have not expired under the collective bargaining agreement, or who has been discharged or indefinitely suspended and has a grievance pending under the collective bargaining agreement may elect (1) to continue to pay dues and maintain active membership for the period for which said recall, reemployment or other employment rights are valid or said grievance is pending, (2) to apply for Associate membership provided for in this Article, if eligible, or (3) to apply for a withdrawal card.

(e) Active members shall enjoy all rights and privileges of membership in this Local Union and in the International Union including, without limitation, the right to vote at all meetings and in all elections or referenda, to be nominated for and hold any office, and to be elected a delegate to the International Union Convention, if otherwise qualified

under this Constitution and By-Laws and the Constitution of the International Union.

SECTION 6. NON-ACTIVE MEMBERSHIP. (a) An individual is eligible to be a non-active member if that individual is a former active member of this Local Union, including an individual who has retired or resigned from the position which made them eligible to be an active member, who desires to maintain membership in this Local Union. Receipt by this Local Union of whatever dues or fees it may establish for non-active members that are currently due is required for an eligible individual to become a non-active member. Continued payment of such dues and fees is required to maintain non-active membership. One half of any such dues or fees shall be paid to the International Union at the same time that per capita is due, but not in excess of the applicable per capita.

(b) Non-active members may attend and address meetings of this Local Union at the discretion of the Local Union President. Such person shall have no voice or vote in International Union or Local Union affairs, nor shall they be nominated for or hold an International Union or Local Union office or Executive Board position, or be elected a delegate to the International Union Convention.

SECTION 7. ASSOCIATE MEMBERSHIP. (a) Local Union may establish an associate membership classification which is consistent with any action concerning an associate membership classification taken by the Executive Board of the International Union.

(b) Associate members may attend and address Local Union meetings at the discretion of the Local Union President. Such person shall have no voice or vote in International Union or Local Union affairs, nor shall they be nominated for or hold an International Union or Local Union office or Executive Board position, or be elected a delegate to the International Union Convention.

(c) Associate members must pay the monthly dues as established by this Local Union.

SECTION 8. Persons wishing to appeal a decision made by an officer of this Local Union concerning the membership status of an

individual may do so by appealing to the Local Union Executive Board within twenty (20) days of the officer's decision. The appeal must be written and sent to the Local Union Executive Board. The Local Union Executive Board will review and decide the appeal at its next regularly scheduled meeting, but it may conduct a special meeting to take up the appeal before that time.

SECTION 9. Persons wishing to appeal the decision of the Executive Board concerning the membership status of an individual may do so by appealing to the Local Union membership within twenty (20) days of the Executive Board's decision. The appeal must be written and sent to the Local Union Executive Board. The Local Union membership will review the appeal at the next regularly scheduled membership meeting, but a special membership meeting may be held to take up the appeal if called for as provided in Article VI, Section 3.

SECTION 10. Any action or decision by this Local Union, its officers, Executive Board or committee concerning membership status can be appealed by either a person whose membership has been affected or a person who raised the issue of membership status to the International Union Executive Board after the matter has been addressed by the Local Union Executive Board and Local Union membership. Persons wishing to appeal from such a ruling of the Local Union membership to the International Union Executive Board must follow the OPEIU Appeal Procedure stated in the OPEIU Administrative Policies and Procedures. A copy of the OPEIU Appeal Procedure may be obtained by contacting the Secretary-Treasurer of the International Union.

## **ARTICLE VI**

### *Membership Meetings*

SECTION 1. Regular meetings of the membership of this Local Union shall be held on the second Monday of every month at a time and place designated by the Executive Board, unless such day shall fall on a legal holiday, in which event the meeting shall be held on either the 1<sup>st</sup> or 3<sup>rd</sup> Monday as approved by executive board at a previous monthly meeting.

SECTION 2. Ten (10) members shall constitute a quorum for any regular or special membership meeting. No membership meeting shall be called to order unless such quorum is present, with the exception of membership meetings which are called for the nomination and election of officers, for which there is no quorum required.

SECTION 3. A special meeting of this Local Union's membership may be called by the Executive Board if it deems necessary or upon a written request submitted to the President by not less than a majority of the members of the Local Union in good standing, but said special meeting of this Local Union's membership shall not take place on the day of adjournment of any regular membership meeting.

SECTION 4. The Recording Secretary shall send out notices of any special membership meeting, stating the purpose for such meeting, to all members at least five (5) days before it convenes. Such notice may be sent by e-mail to those members for whom this Local Union believes it has valid and active e-mail addresses. The Local Union shall mail written notice of a special membership meeting to those members for whom this Local Union does not have email addresses. No other business shall be transacted at such special membership meeting other than as stated in the notice sent by the Recording Secretary.

SECTION 5. No action of the membership shall be deemed valid or binding unless such action is taken by the membership at a regular or special membership meeting held pursuant to the provisions of this Constitution and Bylaws.

SECTION 6. Only members fulfilling the requirements of Articles V and XVI of this Constitution and Bylaws shall be eligible to attend membership meetings of this Local Union and to participate to the extent set forth in those Articles; except that guests who are not members of this Local Union invited by the Executive Board or by this Local Union may attend and participate to the extent of the purpose for which they are invited.

**ARTICLE VII**  
*Officers and Duties*

SECTION 1. (a) This Local Union shall have the following officers as the Executive Committee: President, Vice President, Secretary-Treasurer, Recording Secretary, three (3) Trustees.

(b) All officers and employees of this Local Union shall be bonded under a bond approved by the Secretary-Treasurer of the International Union. Such bond shall be no less than \$25,000 or 10% of the assets and receipts of this Local Union, whichever is greater. Local Union stewards who handle funds or other property of the Local Union are also subject to this bonding requirement. The Local Union's Secretary-Treasurer will contact the International Union Secretary-Treasurer to acquire the appropriate bond(s).

(c) Where necessary, every officer and employee of this Local Union, other than an employee performing exclusively clerical or custodial services, shall file with the Secretary of Labor, U.S. Department of Labor, a signed LM-30 report, conforming in all respects to the requirements of Section 202 of the Labor-Management Reporting and Disclosure Act of 1959 and all pertinent rules and regulations there under.

SECTION 2.

Section 1. President. It shall be the duty of the President to preside at all meetings; to preserve order during its deliberations; to sign all orders on the treasury when properly approved by this Union; to appoint all committees not otherwise ordered with the approval of the Executive Board; and all agreements between the President and the Company, shall first be approved by the membership or the Executive Board, and entered upon the written records of this Union; and shall be Chairman of all Negotiating Committees; and shall be a delegate of this Union to all labor organizations affiliated to by this Union; and to transact such other business as may of right pertain to his office; and which may be necessary for the proper functioning of the Local Union.

SECTION 3.

The Vice-President shall perform the duties of the President in the absence of that officer, and in case of resignation, death or removal for cause of the President, shall perform the duties of the President until such vacancy is filled as provided for in this Union's Constitution and By-Laws.

He/She shall also preside when called upon by the President, and at times

when the President may be temporarily unable to discharge his/her duties. He/She shall serve as a member of all negotiating committees. The Vice-President will be a delegate to all labor organizations affiliated to by this Union.

SECTION 4. Secretary-Treasurer. (a) The Secretary-Treasurer shall keep all financial accounts of this Local Union; maintain correct and proper accounts of all its members; collect all financial obligations due from members of this Local Union; make all disbursements for this Local Union as provided for in Article XIII of this Constitution and Bylaws; keep a correct record of all moneys received and expended by this Local Union; and prepare financial statements by calendar months to be submitted to the Secretary-Treasurer of the International Union monthly, and to the next regular membership meeting of this Local Union.

(b) 1. The Secretary-Treasurer shall deposit all funds of this Local Union in a bank, credit union or other financial institution recommended by the Trustees, with insurance provided by the Federal Deposit Insurance Corporation or the National Credit Union Administration, in amounts not to exceed the maximum insurable amounts provided by these agencies.

(b) 2. The Secretary-Treasurer shall submit all books and records to the Trustees for review and approval as provided for in Article VII, Section 6(a) of this Constitution and Bylaws and whenever called upon to do so. Such records shall include copies of at least the front of all checks containing the required signatures of the Local Union officers. Upon written request of the majority of Trustees, the Secretary-Treasurer shall provide the Trustees with copies of both the front and back of any check for review.

(b) 3. Upon the expiration of term of office, the Secretary-Treasurer shall turn over to the successor all properties and assets, including funds, books, and records of this Local Union. Before turning over such properties and assets to the successor, the Secretary-Treasurer must see to it that each successor is properly bonded. The Secretary-Treasurer shall turn over all properties and assets, including funds, books, and records, to the Secretary-Treasurer of the International Union or the duly authorized representative when properly called upon to do so.

(c) The Secretary-Treasurer shall transmit monthly to the Secretary-Treasurer of the International Union all financial obligations owing to the International Union not later than the fifteenth (15th) day of the following month after which dues are collected by this Local Union. The Secretary-Treasurer shall follow such accounting and reporting procedures as shall be formulated by the Secretary-Treasurer of the International Union. The Secretary-Treasurer shall be required to make monthly reports to the Secretary-Treasurer of the International Union of all dues-paying members on forms prescribed by the Secretary-Treasurer of the International Union. The Secretary-Treasurer shall be required to include in each monthly report the name, address and social security number of all newly initiated and reactivated members, members who have withdrawn, died, or have been suspended, including members automatically suspended upon becoming three (3) months delinquent in dues, or expelled, and the names of all persons to whom working permits were issued during the month.

(d) The Secretary-Treasurer or any duly authorized representative of this Local Union shall sign each collective bargaining agreement negotiated by representatives of this Local Union.



(e) A petty cash fund may be established by the Executive Board and shall be maintained by the Secretary-Treasurer to pay immediate necessary petty cash demands upon this Local Union. Replenishment of this fund shall be by check, at least once monthly, the amount being the total paid-out vouchers for prior disbursements.

(f) The Secretary-Treasurer shall be properly bonded by a bonding company and under a bond approved by the Secretary-Treasurer of the International Union.

(g) The Secretary-Treasurer shall, regularly, check the requirements of Section 201 (a) of the Labor-Management Reporting and Disclosure Act of 1959 to ascertain whether any changes have occurred which will cause the information required to be filed and to be reported to the Secretary of Labor, U.S. Department of Labor, at the time of filing annual financial reports as required in subsection h. of this Section and as required by Section 201(b) of the Labor-Management Reporting and Disclosure Act of 1959.

(h) The Secretary-Treasurer shall file annually with the Secretary of Labor, U.S. Department of Labor, a financial report containing the following information in such detail as may be necessary to accurately disclose this Local Union's financial conditions and operations for its preceding fiscal year:

1. assets and liabilities at the beginning and end of the fiscal year;
2. receipts of any kind and the sources thereof;
3. salary, allowances, and other direct or indirect disbursements (including reimbursed expenses) to each officer and also to each employee who, during the fiscal year, received more than Ten Thousand Dollars (\$10,000.00) in the aggregate from this Local Union and any other labor organization affiliated with this Local Union or with which it is affiliated, or which is affiliated with the International Union;
4. direct and indirect loans made to any officer, employee or member, which aggregated more than Two Hundred and Fifty Dollars (\$250.00) during the fiscal year to-

gether with a statement of the purpose, security, if any, and arrangements for repayment;

5. direct and indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and arrangements for repayment; and
6. other disbursements made by this Local Union including the purposes thereof; all in such categories as the Secretary of Labor, U.S. Department of Labor, may prescribe.

(i) The Secretary-Treasurer shall make available the information required to be contained in the above-described report to all of this Local Union's members.

(j) The Secretary-Treasurer shall preserve all records in accordance with the provisions of Section 206 of the Labor-Management Reporting and Disclosure Act of 1959 for at least five (5) years after the filing with the Secretary of Labor, U.S. Department of Labor, of the documents based on the information which the records contain. The Secretary-Treasurer shall turn over to the successor of the office all such records to be kept until they are at least five (5) years old. The Secretary-Treasurer shall turn over to his/her successor all of the Local Union's books and records in his/her possession.

(k) On January 1<sup>st</sup> and July 1<sup>st</sup> of each year, the Secretary-Treasurer shall provide to the International Union Secretary-Treasurer a current listing of the Local Union's active, non-active and associate members in good standing including names, home addresses, and if known to this Local Union, home telephone numbers and e-mail addresses.

SECTION 5. Recording Secretary. (a) The Recording Secretary shall keep the minutes of all meetings and proceedings of this Local Union and the Executive Board, and shall send out all meeting and other notices called for by this Constitution and Bylaws.

(b) The Recording Secretary shall keep copies of all collective bargaining agreements at the Local Union office (if one exists) so that they will be available for inspection by any member or employee whose rights are directly affected.

(c) The Recording Secretary shall file a copy of all collective bargaining agreements entered into by this Local Union with the President of the International Union.

SECTION 6. Trustees. (a) The Trustees shall review all the books and records of the Local Union's Secretary-Treasurer at least quarterly and at the close of each fiscal year and shall report the results of each such review in writing to the Local Union and to the Secretary-Treasurer of the International Union. As provided for in Article VII, Section 4(b) (2), such records shall include a review of copies of at least the front of all checks containing the required signatures of the Local Union officers. Upon written request of the majority of the Trustees, the Secretary-Treasurer shall provide the Trustees with copies of the front and back of any check for review. In conducting such reviews, the Trustees shall meet at the designated time with the Vice President of this Local Union who will act as Chairperson of the meeting.

(b) The Trustees shall report the results of each such review to the Local Union Executive Board and to the Secretary-Treasurer of the International Union. Following the submission of each Trustee's report to the Local Union Executive Board, each report shall be read at the next regular membership meeting and shall be posted on the bulletin board in the office of this Local Union for the ensuing two (2) weeks or in lieu of posting, the report can be published in the Local Union newsletter.

(c) As an alternative to the Trustees making such reports to the Secretary-Treasurer of the International Union, this Local Union may have an audit conducted annually by a certified public accountant in accordance with generally accepted auditing standards. Copies of each such audit shall be provided to the Local Union Executive Board, be available for review at the first regular membership meeting following its receipt, and must be sent to the Secretary-Treasurer of the International Union within fifteen (15) days of receipt.

## **Article VIII**

### *Executive Board*

SECTION 1. The Executive Board shall consist of the President, Vice President or Vice Presidents and Secretary-Treasurer, Recording Secretary, and 3 trustees. Seven (7) Executive Board members are to be elected by a plurality of the voting membership in good standing.

SECTION 2. Each member of the Executive Board shall have one (1) vote except the President of this Local Union. The President shall act as Chairperson of

the Executive Board and shall have a voice but no vote, except when the President's vote would affect the outcome, in which case the President can either vote and thereby change the result or can abstain.

SECTION 3. A majority of its members of the Executive Board shall constitute a quorum, and such quorum shall have power to transact all business of the Executive Board.

SECTION 4. Special meetings of the Executive Board may be called by the President, and must be called by the President upon the request of a majority of the members of the Executive Board. All members of the Executive Board shall be given reasonable notification by the Recording Secretary of any meeting of the Executive Board. Special meetings of the Executive Board may be conducted by telephone or video conference call or electronic means.

SECTION 5. The Executive Board shall conduct the affairs of this Local Union in the intervals between membership meetings. The Executive Board is empowered to authorize and perform all acts for the conduct of this Local Union's business between membership meetings.

SECTION 6. The Executive Board may engage legal counsel and determine the compensation for such services subject to approval of the membership.

SECTION 7. The Executive Board may appoint representatives or temporary organizers for a period of time to be determined by the Executive Board subject to approval of the membership but not to exceed the term of the Executive Board. The Executive Board shall determine the compensation for such services.

SECTION 10. The Executive Board or a committee consisting of an odd number of at least three members of the Executive Board appointed by the President of this Local Union shall act as a Trial Board of this Local Union.

SECTION 11. The Executive Board shall authorize employment of such clerical or field employees as it deems necessary for the proper conduct of this Local Union's business and shall determine the compensation for such employees subject to approval of the membership.

SECTION 12. The Executive Board shall determine compensation for all officials of this Local Union subject to the approval of the membership.

SECTION 13. The number of stewards for each employer with whom the Local Union has a collective bargaining agreement and their apportionment among the various departments of said employer shall be determined by the Executive Board.

SECTION 14. Any member of the Local Union's Executive Board as enumerated in Section 1 of this Article who fails to attend three (3) successive meetings, without being excused from such attendance by the Executive Board, shall be deemed to have forfeited such office, and the Executive Board, pursuant to Article XX, may appoint a successor for the balance of the unexpired term; provided, however, that if the office

of the President is thus declared vacant the Vice President shall perform the duties of the President for the balance of the unexpired term.

## STEWARDS

Section 1. The number of Stewards for each company and their apportionment among the various departments shall be as determined by the Executive Board.

Section 2(a). The President shall be Chief Steward and shall be responsible for holding an election for stewards in each company annually; except that the Executive Board may, in exceptional circumstances, and subject to appeal to the membership, declare any Steward's post vacant, and appoint a member to fill such pro tem.

Section 2(b). After this Union has been chartered for one (1) year no Steward shall be elected unless he or she meets the requirements provided within and has been a member in good standing for at least twelve (12) months and has attended at least one (1) meeting per quarter during the twelve (12) months prior to nomination.

Section 2(c). The Stewards of this Union shall be nominated from the floor at the regular meeting held in the month of December. Elections shall take place at the Union Hall at times determined by the Executive Board. The election will be on the day of the January meeting.

Section 3. Vacancies occurring among the Stewards shall be filled by election in the same manner as provided herein.

Section 4. Only in accordance with procedures set up in the collective bargaining agreement, and under instructions of the Executive Board, shall the Stewards or the Steward Committee, initially attempt to settle disputes, complaints and differences between the members in their group or groups, and the employer or his recognized representative.

Section 5. Any inability on the part of the Steward or the Stewards Committee to satisfactorily dispose of any dispute, complaint or difference, shall be referred to the Executive Board, and then to the membership for appropriate action, in the event the Executive Board is unable to arrive at a satisfactory settlement.

Section 6. A written record of all disputes, complaints and differences, including their disposition, shall be kept, with a copy supplied to the Secretary-Treasurer, who shall report briefly to the membership on these matters.

Section 7. In addition, the Secretary-Treasurer of this Union may, at his discretion, and providing such Stewards are properly bonded, assign to any Steward the additional duty of collecting dues, fines and assessments, initiation and reinstatement fees, to be turned over to the Secretary-Treasurer at such time or times each month as he may determine.

Section 8. Any compensation for any of the duties mentioned in this Article shall be in accordance with Article XIII of this Constitution and By-Laws;

except that no such member shall be exempt from paying dues.

## COMMITTEES

Section 1. In addition to other committees and boards established by this Constitution and By-Laws, this Union shall provide for such other standing committees, and, from time to time, such special committees as may be proper and necessary to conduct the business of this Union.

Section. 2. In establishing such other committees, the duties of the committee, the extent of its authority, and the permissible amount of expenditures that may be made by such committee, must be made a part of the minutes. In any event, such committees shall not be permitted to exercise functions belonging to other committees or boards; shall not make or authorize expenditures without the prior approval of the membership; and shall not exceed the authority granted to them by the membership. The President shall be the ex-officio member of all committees.

Section 3. The President shall appoint all committees unless otherwise ordered by the membership, or otherwise established by this Constitution and By-Laws. In case of the absence or inability of a committee to act, the President shall be empowered to appoint a substitute.

### **Article IX**

#### *Elections*

Section 1. The officers of this Union shall be nominated from the floor at the regular meeting held on the second Monday in the month of November of each year.

Section 2. Election of officers will be held in December of each election year and conducted by a mail in ballot subject to the following parameters:

1. An election committee and committee chairperson will be appointed by the Executive Board.
2. The Recording Secretary, or other person designated by the Executive Board in the Recording Secretary's absence, will provide the election committee with two (2) sets of the current mailing labels.

3. A balloting package containing the following items will be sent to each eligible member.
  - (a) Ballot
  - (b) Instructions
  - (c) Privacy envelope
  - (d) Stamped envelope with employees mailing label as return address and a P.O. Box as the mailing address.
4. The Secretary Treasurer, or other person designated by the Executive Board in the Secretary Treasurers absence, will provide the committee with the correct dues collected list.
5. The election committee will be responsible to:
  - (a) Send a balloting package to every eligible members last known address using the dues collected list.
  - (b) Retrieve the ballots from the P.O. Box on the determined date.
  - (c) Use dues collected list to check return address to insure there are no duplicated ballots.
  - (d) Insure each returned ballot envelope has only one privacy envelope enclosed and that privacy envelope only contains one ballot.
  - (e) Tally the results and report to the membership.
6. In the event someone does not receive a ballot a duplicate with duplicate stamped on the return envelope will be sent out.
7. Ballots will be mailed out and tallied at times determined by the Executive Board and will not be collected & counted until at least ten (10) working days after they were mailed out.

Section 3. Officers shall be installed at the first regular meeting held in the month of January of each election year.

Section 4. The Australian ballot shall be used, and the candidate receiving a plurality of all cast shall be declared elected.



Section 5. Before entering upon the duties of their respective offices, the newly elected officers shall subscribe to an installation obligation as devised and specified by the Executive Board of the International Union.

Section 6. Should any officer or steward absent himself without a reasonable or lawful excuse from three (3) consecutive meetings of the membership or the Executive Board, which he is supposed to attend, his office shall be declared vacant.

Section 7. If the President's Office is vacant, the Vice-President shall automatically succeed the President and serve the unexpired term of office and the Vice-President's office shall be declared vacant.

Section 8. In the event any vacancy is created by the resignation or removal of an official of the Union the Executive Board shall be empowered to appoint a successor to fill the balance of the unexpired term of Office in accordance with, as provided in this Constitution and By-Laws.

Section 9. The Recording Secretary of this Union shall be required to mail notices to the membership in good standing to their last known address of the nomination and election of officers; such notices to be mailed not later than fifteen (15) days preceding such nomination or election.

SECTION 10. No member shall simultaneously be a candidate for or hold more than one (1) of the offices specified in Section 1. a. of Article VII.

SECTION 11. The names of all candidates may be placed on the ballot by slate designation for each office. However, a candidate will have the right to run as an independent candidate.

SECTION 12. The candidate(s) receiving the greatest number of votes for the respective offices shall be declared elected.

SECTION 13. No votes for any member who is not a candidate listed on the ballot may be counted by the Election Board (e.g., no sticker or write-in candidates allowed.)

SECTION 14. There shall be no voting by proxy or mail ballot. Provided, however, that in circumstances where geographic location may cause difficulties in following the usual election procedures, upon submission to and approval by

the International Union President of a mail ballot procedure, mail balloting may be allowed.

SECTION 15. All officers and Executive Board members shall be installed at the next regular membership meeting of this Local Union to be held following an election and shall assume office immediately after such installation. Before entering upon the duties of their respective offices, the newly elected officers shall subscribe to the following installation obligation:

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

SECTION 16. The Recording Secretary of this Local Union shall provide a notice or notices of the nomination and election of officers to all members in good standing not less than fifteen (15) days prior to such nomination or election by mailing said notice(s) to their last known home address. A reasonable effort must be made to keep the membership mailing list of this Local Union current. The notice of nomination and the notice of election provided for in this Article may be combined into a single notice provided that all requirements for providing such notices are met.

**ARTICLE X**  
*Election Board*

SECTION 1. An Election Board will be appointed by executive board as per section 2 Article XI.

SECTION 2. The Election Board is charged with the duty of conducting the election of officers and Executive Board members of this Local Union. It shall make such regulations as shall assure the members a fair and honest election conducted in compliance with applicable law. Any candidate shall have the right to be or have an observer at the polls and at the counting of the ballots, provided that the identity of the observer and the candidate for whom the observer shall serve has been designated in writing to the Election Board. Only members in good standing of this Local Union shall be eligible to serve as observers.

SECTION 3. The Election Board shall have the duty of enforcing the members' right to vote and shall see that such right of franchise is not interfered with or hindered by anyone.

SECTION 4. The Election Board shall examine the membership status of all members before permitting them to vote, and shall compare said status with lists to be supplied by the Secretary-Treasurer.

SECTION 5. After an election has been held and a written report of the results has been rendered by the Election Board, all election records and ballots shall be turned over to the Secretary-Treasurer for safekeeping among the records of this Local Union for not less than one (1) year.

SECTION 6. (a) A recount of the ballots cast in some or all of the positions contested at an election may be requested by presentation to the Executive Board of a petition signed by ten percent (10) members of this Local Union in good standing specifying the officer

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

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

SECTION 7. (a) Any member seeking to file a protest concerning any facet of the nomination or election process may file a written protest stating all grounds on which the protest is based with the Election Board. All protests must be filed within ten (10) days of the ballot count. All protests regarding any recount of ballots must be filed within ten (10) days of the recount. Within ten (10) days of receipt of the protest, the Election Board must issue a written ruling on the issues raised in the protest.

(b) Any or all of the members who filed the original protest or any candidate adversely affected by the decision of the Election Board, may appeal the Election Board's decision to the Local Union Executive Board within ten (10) days of receipt of the decision by the Election Board. The

Executive Board may sustain, modify, or reverse the decision of the Election Board. The Executive Board shall render a decision on the appeal no later than at its next regular meeting, and that decision shall be fully explained in writing and sent to each appealing member, all involved candidates and the Election Board within seven (7) days after that meeting.

(c) Any or all of the members who filed the original protest or any candidate adversely affected by the Executive Board's decision may appeal the Executive Board's decision to the membership. Said appeal must be in writing and must be received by the Secretary-Treasurer of this Local Union within ten (10) days after receiving the decision of the Executive Board. The membership will consider the appeal at the first membership meeting of the Local Union that is held at least fifteen (15) days after the Executive Board's decision. By a secret ballot vote of the majority of the members present and voting, the membership may sustain, modify, or reverse the decision of the Executive Board.

SECTION 8. Any or all of the members who filed the original protest or any candidate adversely affected by the membership's decision may appeal the membership's decision to the International Union Executive Board using the OPEIU Appeal Procedure found in the OPEIU Administrative Policies and Procedures. Copies of those procedures may be obtained by contacting the office of the Secretary-Treasurer of the OPEIU. Said appeal must be received no later than thirty (30) days after the membership's decision and must otherwise conform with the OPEIU Appeal Procedure.

SECTION 9. The candidates that the Election Board declares elected shall be installed into office as provided for in Article IX, Section 15 and shall retain their offices so long as proceedings involving a recount petition, election protest and/or related appeals remain pending, unless the International Union Executive Board determines otherwise.

## **ARTICLE XI**

### *Election Offenses*

Any member found guilty by the Trial Board of tampering with ballots, illegal voting, committing fraud, violence, coercion, or other

conduct not included in the foregoing, which in any manner interferes with a member's right to participate in the election process, shall be subject to expulsion, suspension or fine by the Trial Board. All rulings of the Trial Board are subject to appeal as provided for in the International Union's Uniform Disciplinary Procedure and Appeal Procedure found in the OPEIU Administrative Policies and Procedures. Copies of those procedures may be obtained by contacting the office of the Secretary-Treasurer of the International Union.

## **ARTICLE XII**

### *Finances*

Section 1. The revenue of this Union shall be derived from initiation fees,

reinstatement fees, dues, assessments, fines and such other moneys as may be voted or accepted by a majority of the members present at a regular or special meeting.

Section 2. The initiation fee for candidates for membership in this Union shall be not less than \$2.00 nor more than \$100.00 provided, however;

- (a) That no initiation fee shall be required by this Union of any person involuntarily inducted into the Armed Services of the United States or Canada or entering such services during emergency periods as determined by the executive board of the International Union, if any such person applies for membership within a period of one (1) year after his discharge provided he has other than a dishonorable discharge and provided same is initial employment; and provided further
  
- (b) Any former member of a union affiliated with the American Federation of Labor and Congress of Industrial Organizations and the Canadian Labor Congress not under the jurisdiction of this International Union shall, if he so elects, upon application for membership and irrevocable surrender of an honorable withdrawal card or evidence of honorable termination of membership in those instances where unions do not issue withdrawal cards and upon the payment of one month's dues if accepted for membership in the Local Union, be inducted into this Local Union without the payment of any initiation fees. Any such evidence of such an applicant shall be surrendered to the Secretary-Treasurer of the Local Union, who shall forward same to the Secretary Treasurer of the International Union in lieu of initiation fees on such applicant. This section shall only apply to Unions affiliated with the American Federation of Labor, Congress of Industrial Organizations and the Canadian Labor Congress, which have a reciprocal plan of accepting withdrawal cards from locals of the Office and Professional Employees International Union in lieu of initiation fee.
  
- (c) That when in the judgement of the President of the International Union it shall be deemed by him to be in the best interest of the International Union to waive initiation fees in connection with any particular organizing campaign, the President of the

International Union shall be empowered to waive such initiation fees if this Union shall so request; and provide further

- (d) That the Executive Board may, in organizing campaigns and with the approval of the membership, reduce the initiation fee to not less than \$2.00.

Page 3 of 18

## Article VI - FINANCES (continued)

Section 3. Dues of this Union are due and payable on the first of each month and shall be not less than \$5.00. In the event of a per capita raise instituted by the International Union or any affiliated Council, the Executive Board shall be empowered to raise the dues to coincide with such per capita increases if approved at the next regular monthly meeting.

Section 4. No assessment of any kind can be made by this Union except as voted by secret ballot by a majority of the membership, or by an executive council or similar body which is representative of the membership, with authority under the Local Union laws superior to that Local Union executive board present at a meeting called for that purpose and of which all members have been notified; and provided that such assessment must be subject to the approval of the President of the International Union in advance of being levied. This Union shall not assess its membership more than \$1.00 per member per month for a maximum of four (4) months in any fiscal year, except that in emergency situations this Union may make additional assessments with the permission of the President of the International Union.

Section 5. The readmission fee for suspended members desiring to reinstate in this Union shall be \$4.00, of which \$3.00 shall be for reinstatement fee and \$1.00 shall be the current month's dues, except that the suspended members who have been working under union conditions established by this Union shall, in addition, be required to pay all back dues owed for the period of such employment. The Executive Board may, in exceptional

cases and with the approval of the membership, reduce that portion of the readmission fee which is reinstatement fee to not less than \$2.50 and cancel or reduce any back dues owed.

Section 6. The funds of this Union cannot be divided among the individual members. Expenditures of this Union shall be only for valid purposes of the Union, and in all cases shall be made by check signed by the Secretary-Treasurer and countersigned by the President or Vice President.

Section 7. A petty cash fund of not to exceed \$40.00 shall be maintained by the Secretary-Treasurer to pay necessary immediate petty cash demands upon this Union. Replenishment of this fund shall be by check-- the amount of each check being the total of paid-out vouchers for prior disbursements submitted to and meeting with the approval of the membership.

Section 8. The initiation fees, reinstatement fees and other obligations owed by the Union to the International Union shall constitute preferred claim and must be paid promptly by this Union each month prior to the payment of any other obligation of this Union.

Section 9. The fiscal year of this Union shall be the twelve-month period ending with 31<sup>st</sup> of December of each year.

SECTION 10. By 2025 this local union shall amend its constitution so that membership dues are based on the wages earned by bargaining unit members.

### **ARTICLE XIII** *Use of Funds*

SECTION 1. The funds of this Local Union cannot be divided in any way among individual members.

SECTION 2. Expenditures of this Local Union shall only be for valid purposes of the Local Union. The Local Union's general fund shall be used for the payment of expenses incurred by this Local Union on behalf of its membership, primarily



for organizing, defense, service and contract administration, and as a depository for its moneys.

SECTION 3. All expenditures shall be made by check or other disbursement of funds signed or authorized in writing by the Secretary-Treasurer and countersigned or authorized in writing by the President or whichever third officer who may be designated by this Local Union constitution to countersign a check or other disbursement of funds.

SECTION 4. The fiscal year of this Local Union shall be the twelve (12) month period ending with the last day of the month of Decembereach year.

SECTION 5. The per capita, initiation fees, reinstatement fees, Strike Benefit and Defense Fund, Convention Fund, Education Fund, Scholarship Funds, AFL-CIO State Federation per capita and other obligations owed by this Local Union to the International Union shall constitute a preferred claim and must be paid promptly by this Local Union each month prior to the payment of any other obligation of this Local Union.

Section 6. Any member instructed by the Union to perform services in its behalf and acting in accordance with such instructions, shall be reimbursed for all actual salary loss experienced, and may be compensated for actual expenses incurred.

Section 7. No compensation except as stated in Section 1 of this Article shall be paid to any officer or representative of this Union, except as may be authorized and determined by the membership prior to nominations or special elections of such office or representative, and inserted in this Article as an amendment of this Constitution and By-Laws.

#### **ARTICLE XIV** *Prohibited Activities*

SECTION 1. This Local Union may discipline its members or officers only as permitted by law, for violation of the International Union Constitution or this Local Union's Constitution and Bylaws, or for engaging in any activity or course of conduct which is deemed to be contrary or detrimental to the welfare or best interests of this Local Union. The OPEIU Uniform Disciplinary Procedure, which includes rights of appeal to insure full compliance with applicable law, shall be the

sole procedure for processing charges against officers or members of this Local Union. The OPEIU Uniform Disciplinary Procedure is available to any member upon request to the Secretary-Treasurer of the International Union.

SECTION 2. Any member may be penalized for committing any one or more of the following offenses:

- (a) Publicizing or giving information about this Local Union's affairs to persons not entitled to such information;
- (b) Working for an employer against whom this Local Union has declared a strike or whom this Local Union has declared to be unfair unless permission has been granted by proper officers of this Local Union;
- (c) Working for less than the rate of pay provided for by the applicable collective bargaining agreement to which this Local Union is a party;
- (d) Failure to appear before this Local Union's Executive Board or Trial Board when ordered to do so;
- (e) Obtaining membership through fraudulent means, or by misrepresentation;
- (f) Violation of the oath of membership, or oath of office if an officer;
- (g) Working in the interests of any organization or a dual union opposed to the interests of this Local Union;
- (h) Being present or entering a meeting of members or of the Executive Board while intoxicated, or disturbing the peace of any such meeting by creating or participating in disturbances, or of similar conduct in and about the offices or meeting place of this Local Union;
- (i) Causing or participating in a stoppage of work because of any alleged grievance or dispute without the authorization of this Local Union or its proper officers;
- (j) Any acts of misconduct which are detrimental to the best interests of this Local Union; or of conduct unbecoming a member of this Local Union; or of

violation of any of the provisions of the

Constitution and Bylaws of this Local Union or of the Constitution of the International Union.

SECTION 3. Any member who has been found guilty by the Trial Board of any of the above offenses or for violation of this Constitution or the International Union Constitution may be penalized in accordance with the OPEIU Uniform Disciplinary Procedure, which is available through the Secretary-Treasurer of the International Union.

SECTION 4. Any member who has been found guilty of any of the above offenses or for violation of this Constitution and Bylaws or the International Union Constitution, may appeal the decision of the Trial Board using the appeal procedure set forth in the OPEIU Uniform Disciplinary Procedure which can be found in the OPEIU Administrative Policies and Procedures. Copies of such Uniform Disciplinary Procedure are available upon request to the office of the Secretary-Treasurer of the International Union.

SECTION 5. In any case involving disciplinary action, there shall be no resort to a court of law until such relief within this Local Union under its Constitution and Bylaws, and within the International Union under its Constitution or other governing documents, has been exhausted.

SECTION 6. None of the foregoing provisions of this Article, including but not limited to the provisions of the OPEIU Uniform Disciplinary Procedure, is applicable to any matter involving delinquency or failure to pay dues.

## **ARTICLE XV**

### *Applicants*

SECTION 1. No applicant shall be barred from membership in this Local Union because of race, color, creed, religion, disability, age, marital status, military or veteran status, national origin, gender, sexual orientation, gender identity or gender expression.

SECTION 2. All applicants shall take the following oath:

*"I, \_\_\_\_\_, pledge my honor before these witnesses to faithfully comply with the Constitution and Bylaws*

*and all amendments thereto of Office and Professional Employees International Union, Local No. \_\_\_\_\_, and of the International Union Constitution.”*

## **ARTICLE XVI**

### *Procedure at Meetings*

**SECTION 1.** The President of this Local Union shall act as Chairperson at all regular or special meetings of the Membership and Executive Board. Except as otherwise provided in this Constitution and Bylaws, the latest edition of “Robert’s Rules of Order Newly Revised” shall apply at all meetings of this Local Union.

**SECTION 2.** Members requesting the floor from the Chairperson shall, when recognized, state their name and place of employment.

## **ARTICLE XVII**

### *Removal of Officials*

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

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

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

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

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

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

## **ARTICLE XVIII**

### *Withdrawal and Military Service Cards*

SECTION 1. This Local Union may issue withdrawal cards only to active members who, at the time of request for same, are in good standing with all obligations paid to the International Union and this Local Union, including the current month. Such cards shall be issued as follows:

a. A withdrawal card shall be issued by this Local Union to any active member requesting same who is leaving the jurisdiction of the International Union.

b. Any person bearing a withdrawal card shall not be entitled to participate in the operation of this Local Union. A person bearing a withdrawal card and who has complied with the conditions of the same shall upon resuming work within the jurisdiction of this Local Union deposit such card and thereafter shall be admitted to membership in this Local Union without the payment of any initiation or transfer fees.

SECTION 2. Members entering the armed services of the United States or Canada during emergency periods as determined by the Executive Board of the International Union and who are in good

standing with all obligations to the International Union and this Local Union, including the month in which they entered the armed services, shall be issued military service cards which shall continue their membership without the payment of dues or other fees for the period of the service required by such emergency periods and for an additional ninety (90) day period or until they again resume work within the jurisdiction of this Local Union, whichever occurs first, except that such persons shall only accrue rights to benefits to the extent determined by this Local Union.

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

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

SECTION 5. All withdrawal, military service and work permit cards shall be secured by this Local Union from the Secretary-Treasurer of the International Union.

## **ARTICLE XIX**

### *Strikes*

SECTION 1. This Local Union shall not call a strike against an employer or employers unless the active members of a bargaining unit

of this Local Union employed by such employer or employers conduct a secret-ballot vote to call a strike, which must be approved by a majority vote of those active members held within thirty (30) days prior to the scheduled day of the strike. Prior to taking a strike vote, the members shall be fully informed of and consider the most recent bargaining positions of the employer and this Local Union. Before or after the members vote to call a strike, the Executive Board of this Local Union must vote to grant strike sanction of such strike, and the approval of the President of the International Union shall be obtained before a strike may be commenced. Approval of the President of the International Union shall not be construed as approval, ratification, or participation by the International Union in any particular activity of the Local Union involving such strike and shall imply no more than that such strike is not contrary to the best interests of the International Union, its Local Unions, and its members.

If this Local Union is or becomes a member of a Council as organized under Article XVII of the International Union Constitution, the International President shall consider the opinion of the Council as to whether or not a strike called by this Local Union shall be sanctioned by the International Union.

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

## **ARTICLE XX**

### *Vacancies in Office*

In the event any vacancy is created by the death, disability, resignation, forfeiture of office or removal of an official of this Local Union, except the President as provided for in Article VII, Section 3(a), the Executive Board shall appoint a successor to fill the balance of the unexpired term no later than at its next regular meeting or if the regular meeting is not scheduled within ten (10) days, then a special meeting called and held within thirty (30) days of the death, disability, resignation, forfeiture of office or removal. Such appointee shall hold office until the next regular election for that office.

## **ARTICLE XXI**

### *Limitations on Committees*

SECTION 1. In addition to other committees and boards established by this Constitution and Bylaws, the membership of this Local Union shall provide for such other standing committees, and, from time to time such special committees, as may be proper and necessary to conduct the business of this Local Union.

SECTION 2. In establishing such other committees, the duties of the committee, the extent of its authority, and the permissible amount of expenditures that may be made by such a committee must be made a part of the minutes of the membership meeting establishing said committee. In any event, such committees shall not be permitted to exercise functions belonging to other committees or boards; shall not make or authorize expenditures without the prior approval of the membership; and shall not exceed the authority granted to them by the membership. The President shall be an ex officio member of all committees.

## **ARTICLE XXII**

### *Affiliations and Delegates*

SECTION 1. This Local Union shall be affiliated with the Educational Conference embracing its geographical jurisdiction as designated by the International Union Executive Board.

SECTION 2. This Local Union may be affiliated with central labor organizations, councils, departments or federations chartered by or affiliated with the AFL-CIO and/or the International Union.

SECTION 3. Delegates to the aforesaid central labor organizations, councils, departments or federations shall be selected in such manner as determined by vote of the membership at a regular meeting of this Local Union. This Local Union will be affiliated with the AFL-CIO State Federation in all the States where the members it represents are employed.

SECTION 4. Pursuant to Article XVII, Section 2(a) of the International Union Constitution, if a majority of the members of this



Local Union are employed within the jurisdiction of a Council established by the International Union Executive Board, this Local Union shall be affiliated with such Council. Pursuant to Article XVII, Section 2(b) of the International Union Constitution, if a minority of the members of this Local Union is employed within the jurisdiction of a Council established by the International Union Executive Board, this Local Union may choose to be affiliated with such Council.

SECTION 5. Each delegate to a Convention of the International Union must have been in continuous good standing in this Local Union for at least twelve (12) months prior to the convening of the Convention, unless this Local Union has been functioning (the period when this Local Union shall be deemed to be “functioning” shall be that commencing with the first month for which per capita payments are regularly made) for less than one (1) year, in which case such delegate must have been in good standing during the period that this Local Union has been so functioning. Each of this Local Union’s delegates to an OPEIU Convention shall be selected by a secret ballot vote conducted in compliance with the provisions of Articles IX and X to the fullest applicable extent, unless otherwise provided for in this Constitution and Bylaws.

SECTION 6. This Local Union’s delegates shall attend the meetings or sessions of the body or assembly to which they have been selected, faithfully represent this Local Union and protect its interests, and properly present and support its declared policies and instructions. Said delegates shall report to this Local Union the proceedings of the organization to which they were delegates and perform such other duties as pertain to their status as delegates.

SECTION 7. All delegates to the OPEIU Convention eligible to do so shall elect officers of the International Union.

### **ARTICLE XXIII**

#### *International Constitution*

The Constitution of the International Union shall be the paramount law governing the affairs of this Local Union, and all provisions of said International Union Constitution insofar as the same are or may be applicable to the affairs and activities of this Local Union are hereby, by

reference thereto, incorporated into and made a part of this Constitution and Bylaws, and any provision contained herein which is contrary to or in conflict with the provisions of the International Union Constitution shall be inoperative and of no effect except as the International Union President may otherwise specifically approve.

**ARTICLE XXIV**  
*General Provisions*

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

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

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

SECTION 4. This Local Union shall ascertain whether any employer(s) with which it has a collective bargaining agreement allows its stockholders, executives, or administrative personnel to contribute to an employer Political Action Committee fund through payroll deduction. Any employer which allows any such payroll deduction must be required to permit employees in the bargaining unit to utilize the same procedures for check-off of contributions to the J. B. Moss Voice of the Electorate Fund (VOTE).

This Local Union will vigorously pursue in all collective bargaining negotiations with Employers a provision in the collective bargaining

agreement permitting check-off of contributions to the J. B. Moss Voice of the Electorate Fund (VOTE).

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

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

## **ARTICLE XXV** *Amendments*

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

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

SECTION 3. The meeting notice for the succeeding meeting shall contain a statement informing the members of the nature of the proposed amendment and that a vote will be taken at said meeting. A vote of two-thirds (2/3) of the eligible members voting on the proposed amendment shall be required to constitute acceptance of the proposed amendment to this Constitution and Bylaws except as provided in Article XII, Section 4 herein.

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

SECTION 5. Pursuant to Article XIX, Section 15 of the International Union Constitution, it is the obligation of this Local Union to update this

## **STANDING RULES**

Section 1. Standing rules of this Union may be suspended by a majority vote, or they may be amended and rescinded by a two-thirds vote. If notice of the proposed action was given at the previous meeting and in the call for the present meeting, they may be amended or rescinded by a majority vote. If any of these Standing Rules are permanently amended or rescinded, such amendment or rescindment shall be filed with the President of the International Union.

Section 2. The following are the Standing Rules of this Union:

**Rule A.** The order of Business of regular meeting of this Union shall be as follows:

1. Opening
2. Roll Call of Officers
3. Minutes of Previous Meeting
4. Applications for Membership
5. Voting on Applications for Membership
6. Report of Secretary-Treasurer
7. Report of Membership Committee
8. Initiation of Candidates
9. Communications and Bills
10. Report of Executive Board

11. Reports of Officers and Committees
12. Reports of Delegates
13. Special Orders
14. Unfinished Business
15. New Business
16. Good and Welfare
17. Closing

**Rule B.** The regular meetings of this Union shall start at 5:30 p.m. and shall be held on the second Monday of each month; except that when a meeting falls on a legal holiday, the membership at its previous meeting shall set the time and date. Except as otherwise specified in this Rule, the meeting time and date may only be changed by a two-thirds vote of the membership present at any regular meeting; provided, however, that notice of such a change was presented at the prior regular meeting, and the change shall not take effect until the following regular meeting after action is taken. The full membership shall be notified of any change in meeting time, date and place.

**Rule C.** The regular meetings of this Union shall adjourn not later than 10:00 p.m., provided, however, a meeting may be continued by a two-thirds vote of the members present.

**Rule D.** A Welfare Fund will be in effect from January 1<sup>st</sup> to December 31<sup>st</sup> each year, with payments and source of income subject to change by a two-thirds vote of the membership.

The Welfare Committee will consist of the President, Treasurer, and one or two members appointed by the President and approved by the membership.

Benefits of Fifteen dollars (\$15.00) for the first five scheduled working days and Ten dollars (\$10.00) for the second five scheduled working days that a member is out of work will be paid. A member may collect not more than Twenty-five dollars (\$25.00) a year. To receive these benefits a member must be in good standing for not less than ninety days and must present a doctor's certificate to the Secretary Treasurer. It will be the Steward's duty to be sure these claims are valid. The source of income to sustain the Welfare Fund will be Twenty-five cents (.25) from each month's dues collected.

Death benefits to be paid as follows: Upon a member's Mother, Father, Brother, Sister, Wife, Husband or children being deceased, the member will be entitled to Ten dollars (\$10.00) or a floral spray. Upon a member being deceased, a check in the amount of Fifty dollars (\$50.00) will be paid to his or her beneficiary as listed on their insurance policy with the Company.

**Rule E.** A Strike Fund will be in effect from January 1<sup>st</sup> to December 31<sup>st</sup> each year, with payments and source of income subject to change by a two-thirds vote of the membership.

In the event of a strike the Executive Committee will be in charge and will assign the time and place of strike-duty. Strike-duty to mean: Picketing, Clerical or other tasks assigned. Required time of Strike-duty to consist of not less than two (2) hours and not more than four (4) hours, a day. Each member doing strike-duty will be issued a voucher to record their time of duty, this voucher to be presented to the Secretary-Treasurer for payment.

Strike-duty expenses will be paid at the rate of three dollars (\$3.00) per hour. These payments to be made until the Strike Fund is depleted.

Allowances paid to Officers, Trustees, Stewards and Welfare Committee members will stop immediately upon calling a strike.

No member, including Officers, Trustees, Stewards, etc. will receive any lost-time payments during a strike.

The source of income to sustain the strike fund will be one dollar (\$1.00) from each month's dues collected, the balance of initiation fees collected each month after the Office and Professional Employees International Union per capita is paid and other fund raising events designated. Moneys collected from the above source to be deposited in the Office and Professional Employees International Union Local 106 Strike Fund savings account.

Constitution and Bylaws in accordance with actions taken at each OPEIU Convention, to the extent applicable, no more than six (6) months after receipt of a listing of Constitutional changes from the International Union Secretary-Treasurer.

**INITIATION OF MEMBERS AND  
OATH OF OFFICE**

Initiatory Obligation

“I, \_\_\_\_\_, pledge my honor before these witnesses to faithfully comply with the Constitution, laws, and all amendments thereto of Office and Professional Employees International Union, Local No., and of the International Union.”

**OATH OF OFFICE**

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

Rev. April 2020





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