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UAW CONSTITUTION • 2018

CONSTITUTION

of the United Automobile, Aerospace and Agricultural Implement Workers of America, UAW

Adopted at the
37th Constitutional Convention
June 2018

CONSTITUTION
of the
INTERNATIONAL UNION

United Automobile,
Aerospace and
Agricultural Implement
Workers of America,
UAW

Adopted at the 37th
UAW Constitutional Convention
Detroit, Michigan
June, 2018

Greetings:

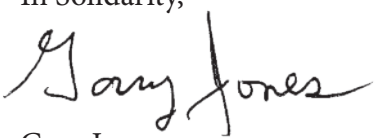
The Constitution of the UAW is the highest law of our union. It provides the foundation for the day-to-day operations of our great union, and equally important, it sets forth the rights, guarantees and responsibilities of all UAW members.

The UAW's Constitution expresses our union's values and vision of a democratic society that embraces economic and social justice for all people. It unites us in solidarity and strengthens our union.

We are proud of our Constitution and our power to stand together and adopt and abide by these guiding principles that determine our union's path and its future.

This document, adopted at the UAW's 37th Constitutional Convention, reminds us that we are called to participate meaningfully in making positive decisions affecting our communities and our nation. I urge you to carefully study our Constitution and apply its principles in your daily life, both as a member of a great democratic union and as a citizen in a democratic society.

In Solidarity,



Gary Jones
President
International Union, UAW

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CONSTITUTION
of the
International Union

United Automobile, Aerospace and
Agricultural Implement Workers of America, UAW

Note: Amendments adopted by the **2018** Constitutional Convention appear in **bold type**. Where a portion of a section has been deleted, the entire section, as amended, appears in **bold type**. The **2018** Convention provided that where the meaning of one article is changed, all related articles are automatically changed to carry out the intent of the change.

PREAMBLE

We hold these truths to be self-evident; expressive of the ideals and hopes of the workers who come under the jurisdiction of this INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW): "that all men and women are created equal, that they are endowed by their Creator with certain inalienable rights, that among these are life, liberty and the pursuit of happiness. That to secure these rights, governments are instituted among men and women, deriving their just powers from the consent of the governed." Within the orderly processes of such government lies the hope of the worker in advancing society toward the ultimate goal of social and economic justice.

The precepts of democracy require that workers through their union participate meaningfully in making decisions affecting their welfare and that of the communities in which they live.

Managerial decisions have far reaching impact upon the quality of life enjoyed by the workers, the family, and the community. Management must recognize that it has basic responsibilities to advance the welfare of the workers and the whole society and not alone to the stockholders. It is essential, therefore, that the concerns of workers and of society be taken into account when basic managerial decisions are made.

The structure of work established by management is designed to make of the workers an adjunct to the tool rather than its master. This, coupled with the authoritarian climate of the workplace, robs the worker of her/his dignity as an adult human being. This belies the democratic heritage we cherish as citizens in a society rooted in democratic values.

Essential to the UAW's purpose is to afford the opportunity for workers to master their work environment; to achieve not only improvement in their economic status but, of equal importance, to gain from their labors a greater measure of dignity, of self-fulfillment and self-worth.

Workers must also participate meaningfully in political and legislative action because government impacts importantly on their lives and on their communities. If government is to be the means by which people achieve a humanitarian and equitable society, it must be a responsible and accountable government.

Therefore, the UAW has the duty and responsibility to promote real and meaningful participatory democracy through its members and their families, so that free people and their institutions may be heard in the councils of government and so that officeholders are guided by principle alone.

To achieve these wholesome objectives:

- Management must accept union organization and collective bargaining as an essential and constructive force in our democratic society;

- The workers must be provided a meaningful voice in maintaining a safe and healthful workplace with decent working conditions, and must enjoy secured rights, together with a satisfactory standard of living and maximum job security;

- The workers must have a voice in their own destiny and the right to participate in making decisions that affect their lives before such decisions are made;

- The UAW must play an active role at all levels of government to protect the lives and rights of its members and their families. We must work constantly on the political and legislative problems facing the whole society;

- Union members must take seriously their responsibilities as citizens and work, through their union and individually, to realize the goals of participatory democracy and responsible and accountable government.

ARTICLE 1
Name

This Organization shall be known as the "International Union, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW)," hereinafter referred to as the International Union. This document shall be officially known as the Constitution and Bylaws of said International Union, and it shall also be the Constitution of every affiliated subordinate body.

ARTICLE 2
Objects

Section 1. To improve working conditions, create a uniform system of shorter hours, higher wages, health care and pensions; to maintain and protect the interests of workers under the jurisdiction of this International Union.

Section 2. To unite in one organization, regardless of religion, race, creed, color, sex, political affiliation or nationality, age, disability, marital status or sexual orientation, **gender identity or gender expression,** all employees under the jurisdiction of this International Union.

Section 3. To improve the sanitary and working conditions of employment within the workplace and in the accomplishment of these necessary reforms, we pledge ourselves to utilize the conference room and joint agreements; or if these fail to establish justice for the workers under the jurisdiction of this International Union, to advocate and support strike action.

Section 4. To educate our membership in the history of the Labor Movement and to develop and maintain an intelligent and dignified membership; to vote and work for the election of candidates and the passage of improved legislation in the interest of all labor. To enforce existing laws; to work for the repeal of those which are unjust to Labor; to work for legislation on a national scale, having as its object the establishment of real social and unemployment insurance, the expense of which to be borne by the employer and the Government.

Section 5. To engage in legislative, political, educational, civic, welfare and other activities which further, directly or indirectly, the joint interests of the membership of this organization in the

improvement of general economic and social conditions in the United States of America, Canada, the Commonwealth of Puerto Rico and generally in the nations of the world.

Section 6. (a) To work as an autonomous International Union affiliated with the Canadian Labour Congress (CLC), American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) together with other International Unions, for solidification of the entire Labor Movement; provided, however, that the International Executive Board may at any time alter the Union's relationship to such bodies in any way it deems appropriate. To provide assistance, financial and otherwise, to labor and other organizations in the United States, Canada and other parts of the world having purpose and objectives similar or related to those sought by this organization.

(b) The International Executive Board is authorized to take whatever action is required to enable the UAW to mobilize, assist and work with other organizations, alone or in combination, toward the objective of meeting the urgent problems which confront society and the Labor Movement in this 21ST Century period of rapid and accelerating technological and social change.

(c) The International Union shall seek to affiliate groups of employees, whether by agreement or merger. To do so, and better accomplish this objective, the International Executive Board is authorized to allow necessary deviations from specific provisions of this Constitution, provided however, that any such affiliations must be ratified not later than the next regular convention.

ARTICLE 3
Constitution

This Constitution as amended at the Detroit, Michigan Convention convened on **June 11, 2018** and as may hereafter be amended, shall be the supreme law of the International Union, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW), and can be amended only by a majority vote of the delegates at succeeding regular Constitutional or Special Conventions.

ARTICLE 4
International Union Headquarters

The headquarters of the International Union shall be Solidarity House, 8000 East Jefferson Avenue, in the City of Detroit, State of Michigan 48214.

ARTICLE 5
Jurisdiction

The International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW), shall take in and hold jurisdiction over all employees in workplaces engaged in the manufacture of parts (including tools, dies, etc.), and the assembly of these parts into farm, automobile, automotive propelled products, aerospace and agricultural implements, including employees engaged in office work, sales, distribution and maintenance thereof. Its jurisdiction shall also encompass service, technical, office and/or professional workplaces, whether public or private, and gaming establishments and others as the International Executive Board shall decide. The jurisdiction of this International Union shall be full and final.

ARTICLE 6
Membership

Section 1. The International Union shall be composed of workers eligible for membership in the International Union, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW).

Section 2. (a) Any person eligible to become a member of the International Union who is not affiliated with any organization whose principles and philosophy are contrary to those of this International Union as outlined in the Preamble of this Constitution, may apply for membership to the Local Union having jurisdiction over the workplace in which s/he is employed. The applicant must, at the time of application, be an actual worker in and around the workplace. All applicants for membership in any Local Union of the International Union shall fill out an official application provided by the International Union, answering all questions contained in such application, and sign a promise to abide by all laws, rules and

regulations and the Constitution of the International Union. All applications thus received shall be referred to the Local Union for consideration and shall be acted upon as soon as possible, but not later than sixty (60) days from the date the application is received by the Financial Secretary of the Local Union.

(b) Notwithstanding any other provisions in this Constitution, applicants working for unorganized employers, or in those units not yet under the jurisdiction of a UAW Local Union may become members of the International Union directly by signing an application for membership in a form approved by the International Executive Board and by the payment of the sum of one dollar ($1.00) (or such other amount determined by the International Executive Board), toward initiation fees and dues. Once a Local Union is chartered in, or awarded jurisdiction over the unit in which such member is working, s/he shall automatically become a member of that Local Union.

Section 3. Notwithstanding any other provisions of this Constitution, whenever an International Officer or International Representative is a member of a Local Union which is disbanded or goes out of existence, or whose charter is revoked, said Officer or International Representative may apply for membership in another Local Union in the same region. If accepted as a member by membership action of such Local Union, the International Officer or International Representative shall be considered to have remained in continuous good standing in the International Union during the period between the cessation of the existence of her/his original Local Union and her/his acceptance by the membership of the new Local Union.

Section 4. Upon acceptance of the application, membership shall date from the first day of the month for which dues are paid or dues check-off is authorized.

Section 5. Applications for membership rejected by the Local Union shall not be reconsidered until thirty (30) days have elapsed.

Section 6. Unless waived by the Local Union, or unit of an Amalgamated Local, any candidate failing to present her/himself for initiation within four (4) weeks after notification of her/his being accepted to membership without good and sufficient reason being given, shall forfeit all money paid by her/him.

Section 7. The original application signed by each member shall be retained electronically by the Local Union for its record. An official receipt shall be given to each new member for all monies paid. An electronic record of that official receipt shall be retained by the Local Union Information System (LUIS). This electronic record shall be made available to the International Union. A receipt shall be given to the member and the electronic record of receipt retained by the Local Union.

Section 8. No new member will be recorded at the International Office nor will initiation fee or per capita tax be accepted for new members until a monthly report is received from the Financial Secretary of the Local Union and the new member information has been entered into the Local Union Information System (LUIS).

Section 9. Any Local Union or International Union Trial Committee expelling any member for cause shall notify the International Secretary-Treasurer and the latter shall notify all Local Unions of this fact forthwith. A person who has been suspended or expelled by any Local Union or International Union Trial Committee shall not be eligible for membership in any other Local Union until all claims or charges against such person have been satisfactorily settled with the Local Union or International Union Trial Committee suspending or expelling and written notice to this effect furnished the Local Union to which such person seeks admission.

Section 10. No member shall be allowed to hold membership in more than one (1) Local Union of the International Union at the same time, except by permission of the International Executive Board. No member of the Union who is fully employed in one (1) workplace under the jurisdiction of the UAW shall accept work in any other workplace under the jurisdiction of the UAW. Any member violating this Section may be subjected to charges of conduct unbecoming a union member.

The above shall not apply in the case of members of a Local Union or unit of an Amalgamated Local Union who are conducting an authorized strike and have received written approval from the Local Union officers to obtain employment elsewhere.

Section 11. No application shall be accepted from the one designated as the head of a department, directing companypolicy or having the authority to hire and discharge workers. Members of the Union who are promoted to such positions shall be issued a withdrawal card immediately by the Local Union in conformity

with Article 17 of this Constitution. Members promoted to minor positions where they work with their fellow workers and do not have the power of discipline by hiring or discharging employees may retain their membership in the Local Union at the discretion of the Local Union.

Section 12. The names of all applicants for admission about whose applications there is the least doubt may be published in the "official publication." No applicants whose names have been published shall be received into membership until thirty (30) days after the date of such publication. However, applications for membership from an unorganized or newly organized workplace shall be held in confidence.

Section 13. Any member in good standing who shall have become totally incapacitated by accident or illness may, at the discretion of her/his Local Union, be granted a gratuitous membership, continuing during incapacity. Appropriate cards denoting such membership shall be available through the Local Union Information System (LUIS).

Section 14. All members of the Local Union are also members of this International Union and subject to the orders, rulings and decisions of this International Union and the properly constituted authorities of the same.

Section 15. The International Union and the Local Union to which the member belongs shall be her/his exclusive representative for the purpose of collective bargaining in respect to rates of pay, wages, hours of employment or other conditions of employment; and for the negotiation and execution of contracts with employers covering all such matters, including contracts requiring membership or the continuance of membership in the Union as a condition of employment or continued employment; and contracts requiring the employer to deduct, collect, or assist in collecting from her/his wages any dues, initiation fees, reinstatement fees, payable to the International Union or her/his Local Union.

Section 16. The International Union and the Local Union to which the member belongs, and each of them, are by her/him irrevocably designated, authorized and empowered exclusively to appear and act for the member and in her/his behalf before any board, court, committee or other tribunal in any matter affecting her/his status as an employee or as a member of her/his Local Union or the International Union; and exclusively to act as the

member's agent to represent and bind her/him in the presentation, prosecution, adjustment and settlement of all grievances, complaints or disputes of any kind or character arising out of the employer-employee relationship, as fully and to all intents and purposes as s/he might or could do if personally present.

Section 17. A member of a Local Union may resign or terminate membership only by written communication, signed by the member, to the Financial Secretary of the Local Union, and such resignation or termination of membership shall be effective upon receipt by the Financial Secretary of the Local Union; provided that if the employer of such person has been authorized by such person individually or by the Collective Bargaining Agreement between the employer and the Local Union to check off any amounts from the wages of such person, such resignation or termination of membership shall not relieve such person from the obligations arising from such check off obligation. (See Special Note p. 166.)

Section 18. A member who resigns or terminates her/his membership shall have no right or interest in any property of the Local Union or of the International Union, including any dues or other financial obligations paid by the member in advance of the effective date of such resignation or termination.

Section 19. Any member in good standing who is retired, shall be entitled to a "retired membership status" which, without being required to pay membership dues during the period of such retirement, shall entitle her/him to all of the privileges of membership except the right to vote in elections conducted pursuant to Article 19, Section 3; Article 45, Section 2; and Article 50, Sections 1 and 5. Appropriate cards denoting such membership status shall be prepared by the International Union and furnished to Local Unions upon request and at cost. The regular withdrawal-transfer provisions of this Constitution shall be applicable if such retired member returns to active employment.

Section 20. Non-members covered by an agency shop clause in a UAW contract shall receive all the material benefits to which members are entitled but shall not be allowed other membership participation in the affairs of the Union.

Membership in the Union shall be at all times available to such non-members on the same terms and conditions applicable to other members.

ARTICLE 7

Powers of Administration

Section 1. The International Union shall be governed by its membership in the following manner:

(a) The highest tribunal shall be the International Convention composed of delegates democratically elected by the membership of Local Unions.

(b) Between Conventions the highest authority shall be the International Executive Board. The Board shall hold regular quarterly meetings and such special meetings as are required.

(c) Between meetings of the International Executive Board the administrative authority of the International Union shall be vested in the International President. The International President shall be responsible to the International Executive Board for the administration of the Union between International Executive Board meetings, according to the Constitution, the actions of the International Convention and the decisions of the International Executive Board. On all matters of major importance s/he shall consult the other International Executive Officers. S/He shall report her/his actions to the International Executive Board for its approval or rejection.

(d) In the case of the incapacity of the International President, her/his powers and duties shall be assumed by an Officer of the International Union who shall be selected by the International Executive Board.

Section 2. To achieve the objectives and purposes of this organization as set forth in this Constitution, the funds of this organization are authorized to be managed, invested, expended or used under this Article and Constitution not only for the purposes and objectives expressly set forth in Article 2 and otherwise in this Constitution, but also for any additional purposes and objectives not inconsistent therewith as may be contained at any time in the resolutions and programs adopted and/or ratified by any International Convention or which the International Executive Board believes will further the general interest and welfare of the membership of this organization or any substantial part thereof.

ARTICLE 8
Conventions

Section 1. The **38th** Constitutional Convention shall be held during the month of **June,** 20**22**, provided that the date of holding such Convention may be advanced or delayed two (2) months upon a resolution to that effect adopted by the International Executive Board.

Section 2. The business of the International Convention shall proceed in the following order unless otherwise ordered by the Convention:

(1) Call to Order.
(2) Report on Credentials.
(3) Reading of Convention Rules.
(4) Appointing Committees.
(5) Communications and Bills.
(6) Resolutions, etc.
(7) Reports of Committees.
(8) Report of Officers and International Executive Board.
(9) Nomination and Election of Officers and International Trustee.
(10) Unfinished Business.
(11) New Business.
(12) Adjournment.

Section 3. Twenty-five (25) percent of all of the delegates seated at any International Convention shall constitute a quorum. No business shall come before or be considered by the Convention at any session unless a quorum is present. In the event the Chairperson of the Convention is unable to obtain a quorum on the last day of the Convention, all unfinished business of the Convention shall be referred to the International Executive Board.

Section 4. Special Conventions of the International Union shall be called by the International President: (1) When so instructed by a two-thirds (2/3) vote of the International Executive Board or in the event of the failure of the International President to do so, by such other Board Members as the Board may designate; (2) by a referendum vote of the membership initiated upon the written request of at least fifteen (15) Local Unions from five (5) different states or provinces having an aggregate membership of not less than twenty (20) percent of the total membership as reported to the preceding Convention. The Local Unions demanding a

Special Convention must state the reason or reasons why such Convention is desired, the place and date for the Convention and the dates for mailing out and returning the ballots. It shall be the duty of the International President, or the person designated by the International Executive Board, to send out the Call, to state such reason or reasons and the place and dates involved in transmitting the proposal to Local Unions for a referendum vote. The reasons for and against such Convention shall be published and forwarded to all Local Unions. Such Convention shall not have authority to consider any matter other than that which is specifically stated in the Call to the Convention. It shall be mandatory that all Local Unions hold a secret vote on the question of calling a Special Convention. All Local Unions shall vote their decision on the question involved, through Local Union procedure, by secret ballot. Local Union election boards shall tabulate the ballots and send the Local Union's vote to the International Secretary-Treasurer, who, within thirty (30) days after the setting of a deadline of a return date, shall publish the "yes" and "no" vote of each Local Union in the "official publication." If a majority of all the members voting in all Local Unions is in favor of a Special Convention, a Special Convention shall be mandatory. When the International Executive Board has directed the calling of a Special Convention pursuant to the provisions of (1) the first sentence of this Section, the delegates from each Local Union who had been elected to the preceding regular Constitutional Convention shall serve as delegates to the Special Convention. Each Local Union shall carry the same total vote as it carried at such previous regular Constitutional Convention. If the purpose, or one of the purposes, of a Special Convention is collective bargaining policies, the President (and Bargaining/Negotiating Committee Chairperson, if it is a different individual), if not delegates under this provision may, by Local Union membership action, be made special delegates at such Special Convention with the right to be present on the Convention floor with voice but without any vote. Under the same circumstances in units of Amalgamated Local Unions, with membership in excess of one thousand (1,000), the Unit Chairperson may, by unit membership action, be made such a special delegate. If there are vacancies in the voting delegation, they shall be filled in the following manner:

(a) By alternates where the same were elected to the preceding regular Constitutional Convention;

(b) If the number of delegates is insufficient after applying (a), by reapportioning the votes of the Local Union among the remaining delegates to the extent permitted by Section 7 of this Article;

(c) If the number of delegates is insufficient after applying (a) and (b) and the purpose or one of the purposes, of the Special Convention is collective bargaining policies, by including any special delegates which the Local Union or unit membership may have provided for in accordance with this paragraph, with the President of the Local Union to precede the Bargaining/Negotiating Committee Chairperson;

(d) If the number of delegates is insufficient after applying (a), (b) and (c), by electing additional delegates, these additional delegates to be nominated and elected by secret ballot at successive membership meetings; the required notices for such nomination and election being those set forth in Sections 22, 23 and 24 of this Article.

This foregoing procedure shall be disregarded in the event of any Special Convention directed to be called by referendum vote pursuant to (2) of the first sentence of this Section, in which event the vote of each Local Union and the election of delegates from each Local Union shall be the same as provided for in this Article for regular Constitutional Conventions; except that in applying Section 9 of this Article to determine the average monthly per capita taxes paid by a Local Union, a twenty-four (24) month period concluding with the sixth (6th) month prior to the month in which the Special Convention is to convene shall be used.

Section 5. Each Local Union shall have one (1) delegate for two hundred (200) members or less and one (1) additional delegate for the next three hundred (300) members or major fraction thereof, and one (1) additional delegate for each additional eight hundred (800) members or major fraction thereof, except Amalgamated Local Unions which elect as many delegates as they have units who average two hundred (200) dues-paying members or more, and that those units who have two hundred (200) members or more may elect their own delegates to the Convention and those with less than two hundred (200) shall be grouped together and vote as a miscellaneous group. In the event the miscellaneous group within an Amalgamated Local Union has less than two hundred (200), the International Secretary-Treasurer shall allocate such membership to some other unit of the Local Union in such a manner as will result in the maximum number of delegates.

Section 6. Each unit of an Amalgamated Local Union shall be allotted its share of the number of delegates in proportion to the

amount of per capita tax paid by the unit through the Amalgamated Local Union. Any fractions remaining from the units following such allocations shall be allotted to the Local Union's Joint Council, where such body exists. Delegates representing the total of all fractions shall be elected on the basis of one (1) for each eight hundred (800) or major fraction thereof. Any member of the Local Union who has qualified may be nominated and elected by the Joint Council, provided s/he has not accepted nomination in her/his unit. In order to be eligible for nomination as a delegate representing a unit of an Amalgamated Local Union, s/he must be a member of such unit.

Section 7. Each Local Union shall have one (1) vote for the first one hundred (100) members or less and one (1) additional vote for each additional one hundred (100) members or major fraction thereof, but no delegate shall have more than eight (8) votes. The votes shall be equally apportioned among the elected delegates of each Local Union, except that an Amalgamated Local Union may apportion its votes in such manner as the Local Union decides with no delegate having more than eight (8) votes. The total number of votes of the units of an Amalgamated Local Union shall not exceed the total votes which the Local Union is entitled to under Section 9 of this Article of the Constitution.

Section 8. Local Unions may elect alternate delegates if they so desire. The number of alternates may be less but not more than the number of regular delegates. Local Unions shall determine the manner and order in which an alternate will replace a regular delegate and shall so advise the Credentials Committee. Regular delegates may be replaced only if recalled by their Local Union in the manner they were elected or if unable to serve.

Section 9. The number of members in each Local Union, for the purpose of this Article, shall be determined by the average number of monthly per capita taxes paid by the Local Union to the International Union for the period from and including the sixth month preceding that in which the last quadrennial Convention was held to not less than six (6) months nor more than seven (7) months prior to the next Convention for which representation is to be determined. Per capita from Local Unions shall be accepted in the regular manner.

Local Unions or units of Amalgamated Local Unions which have engaged in authorized strikes or in lockouts shall have their representation to the International Convention determined by having subtracted from the base period the months of such authorized strikes or lockouts in which the membership of the Local

Union or unit of an Amalgamated Local Union did not work in the workplace forty (40) or more hours.

Section 10. Not less than ninety (90) days previous to the convening of the Regular Convention, the International Secretary-Treasurer shall issue the Call to the Convention and shall furnish all Local Unions with credentials and alternate credentials. Such credentials must be completed by the delegate(s) and alternate delegate(s) and verified by the Local Union President and Recording Secretary. Each credential and alternate credential shall be submitted to the International Secretary-Treasurer through the Local Union Information System (LUIS), or by such other means as specified by the International Secretary-Treasurer. In convening Special Conventions, not less than thirty (30) days shall be required to issue the Call.

Section 11. No member is eligible to serve as a delegate from her/his Local Union unless s/he has been in continuous good standing in this International Union for twelve (12) months immediately preceding the first day of the month in which the Convention is held and shall also have been a member of the Local Union electing her/him for three (3) months immediately preceding the first day of the month in which the Convention is held. For the purpose of this Section of the Constitution, members must pay their dues or secure out-of-work receipts in accordance with the provisions of this Constitution.

Section 12. Local Unions in order to be entitled to representation at the Convention shall have been affiliated with the International Union for at least three (3) months prior to the holding of the Convention. New Local Unions shall have paid at least two (2) months' full per capita tax prior to the month in which the Convention is to be held. If such newly chartered Local Union has been in existence since the preceding Convention, it shall be entitled to its full quota of delegates based upon the average number of months per capita tax paid to the International Union during the period of time since the preceding Convention. With respect to newly chartered Local Unions who received their charter subsequent to the last Convention, representation shall likewise be based upon the per capita tax paid to the International Union, averaged over the period of time from the preceding Convention. In the case of an Amalgamated Local Union where a workplace has been organized for over a year and secures a separate charter, it shall not be considered a new Local Union. Members representing Local Unions or unit organizations within Amalgamated Local Union

which have not been in existence for twelve (12) months prior to the Convention, shall be exempt from the provisions of Section 11 of this Article, provided they become members of their Local Union or unit organization not later than thirty (30) days after the issuance of or acceptance under the charter thereof.

Section 13. Each member of the International Retired Workers Advisory Council shall automatically be a delegate to the UAW Constitutional Convention with voice and one (1) vote, as provided in Article 55, Section 4(f) of this Constitution.

Section 14. International Officers and International Representatives of the International Union shall have a voice but no vote in the Convention of the International Union unless they are duly accredited delegates from Local Unions. Any member who is eligible may be elected to office whether or not s/he is a delegate to the International Convention.

Section 15. Copies of all resolutions and constitutional amendments to be considered by the Convention must be approved by the Local Union membership and sent to the International Secretary-Treasurer not later than six (6) weeks prior to the date set for the Convention. These will then be sorted and distributed by the International Secretary-Treasurer among the chairpersons of the various and proper committees. Protests of delegate elections must be received by the International Secretary-Treasurer by whichever of the following dates occurs first: (1) Not more than seven (7) days after the Local Union delegate election or (2) not less than twenty-one (21) days prior to the convening of the Convention. These protests shall be referred to the Credentials Committee and the Credentials Committee may waive failure to comply with the foregoing time limitation where the interests of justice would require.

Section 16. The International Executive Board shall select from the credentials of the delegates presented, a Constitution Committee, which shall assemble at least two (2) weeks prior to the meeting of the Convention at the place designated. It shall be the duty of said Committee to take up all recommendations concerning changes or additions to the Constitution submitted by the International Officers, International Executive Board and Local Unions to act thereon. This Committee shall have authority to originate amendments to the Constitution.

Section 17. (a) The International Executive Board shall select from the credentials of delegates a Credentials Committee, which

shall assemble at least ten (10) days prior to the meeting of the Convention. The Committee shall examine all credentials received at the International Office and investigate the standing of the delegates and the Local Unions they represent; they shall receive the original credentials of the delegates elected to attend the Convention, and be in a position to report at the opening of the Convention.

(b) All election protests regarding the election of any delegate to the Convention must be filed with the Credentials Committee not more than seven (7) days after the Local Union delegate election or not less than twenty-one (21) days prior to the convening of the Convention, whichever occurs first, absent a waiver of those limits by the Credentials Committee. The protest must be filed by a member of the Local in question, or may be raised by any member of the Credentials Committee itself. The protest may raise any subject related to the election of the Local's delegates, including the conduct of the campaign, or use of union or employer assets.

(c) All other election protests of elections held under Article 10 (International Officers and Regional Director), even though not touching the election of an identifiable delegate(s), must also be filed with the Credentials Committee, which has exclusive jurisdiction. Thus, any protest of the conduct of the campaign for these offices, or the alleged use of union or employer funds in the campaign, or of any other matter said to affect the election, must be filed with the Credentials Committee. Any such protest must be made in writing, as soon as possible, even though the Credentials Committee is already in session. Such a protest may be made by any UAW member, or the issue may be raised directly by any member of the Credentials Committee itself.

(d) If, prior to the holding of an election of delegates, a clear violation of the International Constitution or the Local Union's Bylaws occurs in the pre-election procedures, the International President shall have the authority to order a correction of the violation prior to the holding of the election. Such action by the International President is subject to appeal to the Credentials Committee.

(e) While the Credentials Committee sits, it has full authority to receive such election protests, evaluate them, and report its findings and recommendation to the full Convention. The Convention itself is the final authority, and so makes the final disposition of all election protests, whether presented by the Credentials Committee, or directly entertained, by permission of delegates under the

Convention Rules, on the floor.

(f) If the Credentials Committee should decide that an election in any Local Union has been improperly conducted and that delegates elected in such election should not be seated, the Credentials Committee may, jointly with the International President when s/he is satisfied that the necessary Constitutional interpretations have been reasonably applied, order the delegate election to be rerun in such Local Union prior to the opening of the Convention. This rerun of the initial election shall be supervised by a Sub-Committee of the Credentials Committee. All notices and other time limitations provided for in this Constitution shall be automatically waived for any such rerun election, provided that every effort shall be made to give the maximum notices permitted by the circumstances.

(g) If the Convention approves the Credentials Committee's report and recommendation on the initial election, the delegates elected in the rerun shall be seated if confirmed by the Credentials Committee and Convention. If the Convention should reverse the Credentials Committee and approve the initial election, the delegates elected in such initial election shall be seated and the International Union shall reimburse the Local Union for the cost of rerunning the election.

Section 18. The International Executive Board shall select from the credentials of delegates to each International Convention a Resolutions Committee of not less than seven (7) members, which shall assemble at least ten (10) days prior to the convening of the Convention. It shall be the duty of the said Committee to consider such resolutions as may be properly referred to it under this Constitution. This Committee shall have authority to originate resolutions to be presented at the Convention.

Section 19. The International Executive Board shall select from the credentials of delegates to each International Convention, the several other committees necessary to successfully promote and execute the efficient operation of the Convention. Such committees shall convene not later than two (2) days prior to the opening of the Convention.

Section 20. All Convention Committees shall have an odd number of, and not more than thirteen (13) members.

Section 21. Following the issuance of the Convention Call by the International Secretary-Treasurer, each Local Union shall issue

a Call for the nomination of its delegates to the Convention. In the absence of a democratically elected standing Election Committee (Article 38, Section 10), an Election Committee shall be nominated and elected by the Local Union at a regular or a specially called meeting for that purpose of which at least seven (7) days' notice shall be given. The Election Committee shall handle all the details insofar as they relate to the procedure of the election, and adopt such safeguards as are necessary to insure a fair election.

Section 22. The nomination of delegates to the Convention may occur at the meeting at which the Election Committee is elected or at a later date, but in either case at least seven (7) days' notice shall be given. After the deadline on accepting nominations has expired, no election of so-called "sticker" or "write-in" candidates shall be considered legal. A list of nominees shall be available to the membership. Candidates shall not serve on the Election Committee or as challengers or observers.

Section 23. Delegates to the International Convention shall be elected by secret ballot of the Local Union of which they are members and in no case shall be appointed.

Elections for Convention Delegates must take place no later than thirty (30) days prior to the convening of the Convention.

Section 24. At least seven (7) days shall elapse between the time of nomination of delegates and the date the election shall take place. All members shall be duly notified, at least fifteen (15) days in advance, of the time and place of said election and the hours the polls will be open. Polling places must be open a sufficient number of hours on one (1) or more days to allow all members of the Local Union an opportunity to cast their ballots. Each member shall personally cast her/his vote at the polls.

Section 25. Local Union action to instruct a delegate does not serve to commit or bind the delegate on any issue s/he may vote on at the Convention.

ARTICLE 9
Political Requirements of Union Officials

International Officers, International Board Members, International Representatives and Local Union Officers shall, from the date of taking office, be required to register and vote in elections

for civil officers in the area in which their homes are located; provided they are eligible under the laws of the area and that it is a physical possibility for them to do so. Violation of this Section shall subject the person charged to discipline, in pursuance of the procedure provided for in this Constitution.

ARTICLE 10
Officers and Elections

Section 1. The elective officers of the International Union shall be one (1) International President, one (1) International Secretary-Treasurer, three (3) International Vice Presidents, who shall be elected by the Convention, and such International Executive Board Members as provided in Section 21 of this Article. In the event of the death, removal, or resignation of any of the three (3) Vice Presidents at any time after July 1, 2014, the International Executive Board shall have the authority to reduce the number of Vice Presidents from three (3) to two (2). The duties of the Vice Presidents shall be to assist the International President.

Section 2. Within the geographical districts as determined by the International Constitution, the International Executive Board Members shall be nominated and elected in the regions as established by the International Executive Board and existing on the actual day any such election commences. Only the delegates from the Local Unions in such regions shall nominate and vote for their International Board Members. Any member in continuous good standing for one (1) year, and who has worked at least ninety (90) working days in a workplace(s) located within the region, whose Local Union is located within the region can be nominated and elected. It shall require a two-thirds (2/3) vote of the International Executive Board to change the composition of any region within a geographical district.

Section 3. The term of office of all elective officers shall be for the period up to the next Convention and the term of office shall begin immediately upon installation. The term of office of the Trustees shall be as provided for in Article 51.

Section 4. Nomination and election of all elective officers and Trustees shall take place in the regular order of business of the Convention and election shall be determined by a majority vote of the delegates voting. Candidates shall be elected to various offices by one (1) roll-call vote. In the election of the Vice Presidents

each delegate may vote for three (3) candidates. If there are **five (5)** or more nominees for the three (3) offices and less than three (3) candidates receive a majority vote, the candidate receiving the lowest number of votes shall be eliminated from the run-off election, and in each successive run-off election the candidate receiving the lowest number of votes shall be eliminated, unless such elimination would result in reducing the number of candidates in nomination to a figure equal to the remaining vacancy or vacancies.

Section 5. All elections of International Officers and International Executive Board Members shall be by roll-call vote. In any election for International President, International Secretary-Treasurer, International Executive Board Member, or International Trustee where there are three (3) or more candidates and, on the first ballot no such candidate receives a majority, there shall be a run-off between the two (2) candidates who received the highest number of votes on the first ballot.

Section 6. No member shall be nominated or elected as an elective officer of the International Union, as set forth in Section 1 of this Article, who has not been in continuous good standing for a period of one (1) year preceding the date of nomination.

Section 7. No member of any Local Union shall be eligible to hold any elective or appointive position in this International Union or any Local Union in this International Union if s/he is a member of or subservient to any political organization, such as the Communist, Fascist or Nazi Organization which owes its allegiance to any government other than the United States or Canada, directly or indirectly.

Section 8. No member of any Local Union shall be eligible to hold any elective or appointive position in the International Union, or any Local Union, if s/he is affirmatively engaged in the promotion, implementation, furtherance, or support of organized workplace rackets, such as numbers, bookmaking, etc.

Section 9. The acceptance of an elective or appointive office or position or of nomination to an elective office or position by any member who is ineligible under Sections 7 or 8 of this Article is an offense against the Union punishable by a penalty up to and including expulsion.

Section 10. When a charge is preferred that a member is violating Section 9 of this Article, it shall be made and the accused

member shall be tried according to the appropriate provisions of Articles 30 and 31. Resignation from an elective office or appointive position, or withdrawal of candidacy by any member charged with violation of Section 9 shall not require the dismissal of such charges.

Section 11. Upon conviction of a member by a Trial Committee of a Local Union or by an International Union Trial Committee of violation of Section 9 of this Article, any elective or appointive office or position then held by such member shall be automatically vacated regardless of any other penalty imposed.

Section 12. No member of any Local Union shall be eligible to hold or seek any elective or appointive position in the International Union, or in any Local Union, if s/he affirmatively engaged in: the promotion, implementation, furtherance or support of any other union or collective bargaining group with the purpose or intent of supplanting the International Union, or any subordinate body thereof, as the recognized collective bargaining agent; in efforts to decertify the International Union or any subordinate body thereof as the recognized collective bargaining agent; or aiding or abetting an employer or another Union to thwart organizing efforts by the UAW to become the bargaining agent. If, upon investigation by the International Union, it should appear by convincing evidence that any member is in violation of this Section, the International President, or the International Executive Board, may summarily suspend that member from any office or position, or the right to seek such office or position. Said suspended member shall be promptly notified and, within thirty (30) days of such notification, may appeal the suspension, in which case the member's appeal shall be processed in the same manner as appeals to the International Executive Board from decisions of subordinate bodies under Article 33 of this Constitution; provided that the suspension shall automatically be lifted unless the International Executive Board has rendered its decision within one hundred twenty (120) days of the day the appealing member commences an appeal.

If the suspended member fails to appeal from the suspension within the thirty (30) days allowed, or if the International Executive Board upon review upholds the suspension by a two-thirds (2/3) vote, the member shall be considered removed from any office or position s/he may have held, as well as from the privilege of seeking election or appointment to any office or position, and the member shall not thereafter be eligible to hold any office or position unless and until the removal has been lifted by a two-thirds (2/3) vote of the International Executive Board. Any member so suspended, who has

taken an appeal to the International Executive Board without having the suspension lifted, may appeal the suspension either to the Public Review Board or the Convention Appeals Committee as provided for in Article 33 of this Constitution. The procedure provided in this Section shall be in addition to, and exclusive of any other action which may be taken against such member.

Section 13. No member removed from office or position by reason of a conviction of any offense enumerated in Section 17 of Article 31 by a Local Union Trial Committee, shall be restored to office or position by reason of a reversal of such conviction by the body, which elected the Trial Committee, until after the lapse of sixty (60) days following such reversal, without a review having been ordered by the International Executive Board.

Section 14. Whenever any member removed from elective office or position by reason of having been convicted of an offense shall have taken an appeal under Article 33, and whenever a review of any such conviction shall have been ordered by the International Executive Board under Section 18 of Article 31, the vacancy in office or position may be filled according to the applicable provisions of Section 14 of Article 38 or Section 15 of this Article, but any successor in such office or position shall hold the office or position subject to the right of restoration of the removed officer upon reversal of her/his conviction, subject to Section 13 of this Article.

Section 15. No member shall be entitled as a matter of right to restoration to any appointive position by reason of acquittal or reversal of a conviction.

Section 16. Incoming elective officers of the International Union shall be obligated and installed immediately after being elected. The obligation shall be the same as that provided for Local Union officers.

Section 17. Unless the International Executive Board exercises the authority to reduce the number of Vice Presidents as described in Article 10, Section 1, in the event of the death, removal or resignation of the International President, International Secretary-Treasurer, or any of the International Vice Presidents, the officer shall be replaced by majority vote of all members of the International Executive Board by a member eligible to be a candidate in accordance with Section 6 of this Article.

In the event of the death, removal or resignation of an International Trustee, the International Executive Board shall

elect a replacement to serve until the next regular Constitutional Convention.

Section 18. In the event a vacancy occurs on the International Executive Board because of the death, removal, promotion of a member or other cause, the International Executive Board shall, within thirty (30) days, call a special regional convention for the region which the International Executive Board Member represented. Such vacancy shall be filled by a member elected by the delegates from the Local Unions in the region. In the event of such vacancy occurring within sixty (60) days before a regular Constitutional Convention, no election shall take place and the office shall remain vacant. In any such special regional convention, the delegates from each Local Union who had been elected to the preceding regular Constitutional Convention shall serve as delegates to the Special Convention. Each Local Union shall carry the same total vote as it carried at such previous regular Constitutional Convention.

If there are vacancies in the voting delegation, they shall be filled in the following manner:

(a) By alternates where the same were elected to the preceding Constitutional Convention;

(b) If the number of delegates is insufficient after applying (a), by reapportioning the votes of the Local Union among the remaining delegates to the extent permitted by Section 7 of Article 8;

(c) If the number of delegates is insufficient after applying (a) and (b), by electing additional delegates, these additional delegates to be nominated and elected by secret ballot at successive membership meetings; the required notices for such nomination and election being those set forth in Sections 22 and 24 of Article 8.

Section 19. The International Executive Board shall consist of the International Executive Board Members elected from the regions together with the International President, International Secretary-Treasurer and the International Vice Presidents.

Section 20. Voting strength of International Executive Board Members:

(a) Questions coming before the International Executive Board may be decided by unit vote of its members, but any member may demand a roll-call vote on any question.

(b) Each member of the International Executive Board shall have one (1) vote for each one thousand (1,000) members or major fraction thereof represented by the member in her/his region.

(c) Voting strength of each region shall be computed on the basis of average monthly per capita tax payments from each respective region through the period of twelve (12) months commencing thirteen (13) months preceding each quarterly meeting of the International Executive Board. The voting strength of Executive Board Members at special Executive Board Meetings shall be on the basis as at the preceding regular Executive Board Meeting.

(d) The International President, International Secretary-Treasurer and the International Vice Presidents, shall each carry the same number of votes, which shall be equal to the average of the votes cast by the remaining members of the International Executive Board.

(e) Members of the International Executive Board may cast their votes by proxy.

Section 21. The geographical districts and the number of International Executive Board Members for each district of the International Union in the United States and Canada shall be as listed below.

1. Michigan, Canada.....Regions 1, 1A, and 1D
2. Ohio and Indiana.....Region 2B
4. Illinois, Iowa, Nebraska, Wisconsin, Minnesota, North Dakota, South Dakota, Wyoming and Montana ....Region 4
5. Missouri, Arkansas, Louisiana, Kansas, Oklahoma, Texas, Colorado, New Mexico, Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Alaska and..... Hawaii.....Region 5
8. Tennessee, Virginia, West Virginia, North Carolina, South Carolina, Mississippi, Alabama, Georgia, Florida, the District of Columbia, Maryland, Delaware, Kentucky, the following counties of Pennsylvania: Franklin, Cumberland, Adams, York.....Region 8
9. New York, New Jersey, Rhode Island, Connecticut, Massachusetts, Vermont, New Hampshire, Maine and Pennsylvania, excluding the counties of Franklin, Cumberland, Adams and York.....Regions 9 and 9A

When an Executive Board Member vacancy occurs in any region, for any reason, and the International Executive Board determines that conditions and factors exist comparable to those which necessitated the decisions in 1984 to combine the regions in the Detroit Area and in 1990 to combine the regions in the Ohio district (that is, Ohio, West Virginia, and those parts of Pennsylvania west of and including the counties of McKean, Cameron, Cambria and Somerset), and further, determines that it is in the overall best interest of the Union, then the region will be combined with one (1) of the other contiguous regions. The remaining Executive Board Member will have jurisdiction over the combined regions.

ARTICLE 11
Salaries

Section 1. Provided the membership in the UAW's industrial sectors receive bargained for profit sharing payments, the International President, International Secretary-Treasurer, International Vice Presidents and International Executive Board Members shall receive a lump sum payment up to a maximum of 3% from the revenue created by profit sharing dues, which lump sum payment**s** shall be payable in the first payroll period**s** of August 201**8 and 2019, and a 4% lump sum payment in March 2019.** The salaries shall remain at the levels set forth in Section 3, subject to future bargaining as described in Section 13.

Section 2. Provided the membership in the UAW's industrial sectors receive bargained for profit sharing payments, International Representatives, shall receive a lump sum payment up to a maximum of 3% from the revenue created by profit sharing dues, which lump sum payment**s** shall be payable in the first payroll period**s** of August 201**8 and 2019, and a 4% lump sum payment in March 2019.** The salaries shall remain at the levels set forth in Section 8, subject to future bargaining as described in Section 13.

Section 3. The salaries of the International President, International Secretary-Treasurer, International Vice Presidents and International Executive Board Members in full for services rendered by each of said officers shall be the following sums:

International President **shall be paid 1.8 times the salary of International Representatives per annum.**

International Secretary-Treasurer **shall be paid 1.67 times the salary of International Representatives** per annum.

International Vice Presidents **shall be paid 1.62 times the salary of International Representative** per annum.

International Executive Board Members **shall be paid 1.49 times the salary of International Representative** per annum.

Salaries shall be payable in biweekly installments.

Section 4. The International President, International Secretary-Treasurer, International Vice Presidents and International Executive Board Members shall devote their full time to their duties and shall not serve as an officer of a Local Union, District Council or any other subordinate body, except UAW-CAP Councils, beyond ninety (90) days after being elected as an International Officer.

Section 5. An International Executive Board Member shall serve under the general direction of the International President, subject to the decisions of the International Executive Board.

Section 6. International Executive Board Members and International Representatives shall receive such expenses and allowances, including per diem allowances, as the International Executive Board shall from time to time by resolution determine to be necessary and appropriate to the discharge of their obligations to the Union.

Section 7. The International Executive Board shall from time to time by resolution determine the salary, expenses and allowances to be paid any member, including a temporary organizer, performing services for the International Union at its request; provided that such salary, expenses and allowances shall not exceed those prevailing for International Representatives except to the extent that such member's lost time would exceed the salary of an International Representative.

Section 8. The full salary for International Representatives shall shall be **one hundred eleven thousand four hundred seventy-six dollars and fifteen cents ($111,476.15)** per annum. The initial salary for a newly appointed International Representative shall be 90% of the classification rate for her/his assignment and shall be increased in annual increments, so that no later than achieving three years of seniority on staff s/he shall be receiving the full salary for her/his classification. The International Executive Board shall determine

the salaries of International Representatives acting as professional specialists, key personnel and major and minor department heads.

Salaries shall be payable in biweekly installments.

Section 9. The International President, International Secretary-Treasurer, International Vice Presidents and International Executive Board Members shall, on their first election, be entitled to traveling expenses for themselves and families and the moving of household goods from their home to their assigned location and also on return at the close of their official terms.

Section 10. International Officers, International Executive Board Members and International Representatives shall receive, in addition to their salaries, such fringe benefits as pensions, severance pay, medical-surgical health insurance, sickness and accident insurance, life insurance, vacations, Supplemental Unemployment Benefits, etc., in such amounts and under such conditions as the International Executive Board shall from time to time by resolution determine to be necessary and appropriate.

Section 11. No person in the International Union who holds a paid full-time job in the Union shall hold any other paid position in the Union at the same time.

Section 12. The International Executive Board shall from time to time by resolution establish salaries, expenses, allowances and fringe benefits for clerical, custodial, maintenance and similar employees of the International Union.

Section 13. Upon completion of contract negotiations with the Staff Council of UAW International Representatives, the International Executive Board, by resolution, shall make appropriate wage adjustments for members of that bargaining unit. Further, the International Executive Board shall make wage adjustments for other employees not represented by the Staff Council (for example, Officers, International Executive Board Members, technical and other employees) consistent with the changes made in the *UAW-Staff Council Agreement.*

ARTICLE 12
Duties of the International Executive Board

Section 1. The International Executive Board shall execute the instructions of the International Convention and shall be the highest authority of the International Union between Conventions, subject

to the provisions of this Constitution, and shall have the power to authorize strikes, issue charters, and punish all subordinate bodies for violation of this Constitution.

Section 2. In case of disputes or conditions within a subordinate body that might threaten its existence, the International Executive Board by majority vote, may reorganize the subordinate body by ordering a special election to be held within thirty (30) days after the members in good standing are notified by mail. Under no circumstances shall more than one (1) such special election be held within a year's period in any one (1) subordinate body. Under this provision, the elected officers of the subordinate body shall continue to hold office until the election and may run for re-election. The International Executive Board may have two (2) representatives to work with the elected Local Union Election Committee. The procedures of this Section shall be equally applicable to units of Amalgamated Local Unions.

Section 3. Where necessary to:

(a) prevent or correct corruption or financial malpractice;

(b) assure the performance of collective bargaining agreements or other duties as a bargaining representative;

(c) restore democratic procedures within any chartered subordinate body; or,

(d) otherwise assure carrying out the legitimate objectives of this International Union by such subordinate body,

the International Executive Board by a two-thirds (2/3) vote of the entire Executive Board may, after a hearing, reorganize or disband the chartered subordinate body, revoke the charter, suspend any officer or officers from office and/or take over supervision of the chartered subordinate body until its affairs have been properly adjusted. In such event, the Board shall designate one of its members as administrator who shall have full authority over and supervision of all functions of the Local Union and may suspend any or all officers and officials of the Local Union and take over their functions either as directed by the Board or in her/his own discretion where s/he believes it necessary to accomplish the purposes of the administratorship. The administrator may utilize such staff assistants as s/he deems advisable to assist in supervising the affairs of the Local Union.

In any case of suspension of officers, an election of new officers shall take place within sixty (60) days from date of order whereupon the subordinate body shall be returned its autonomy under this Constitution; unless circumstances which necessitate an extension of time, in which event the Executive Board during said administratorship may specifically extend this period for a total of no more than one hundred twenty (120) additional days. The conduct of all elections during an administratorship shall be the responsibility of the administrator.

The procedures of this Section shall be equally applicable to units of Amalgamated Local Unions insofar as appropriate.

Section 4. In case of vacancy, the Board shall cause such vacancy to be filled until the next Convention, in accordance with Article 10.

Section 5. It shall repeal any bylaws of any subordinate body which do not conform to this Constitution.

Section 6. It shall review and decide, between Conventions, all questions involving interpretation of this Constitution when any member or subordinate body wishes to appeal, or the Board on its own initiative wishes to consider the decision on any such question made (pursuant to Article 13, Section 8) by the International President.

Section 7. It shall pass upon all claims, grievances and appeals from the decisions of subordinate bodies of the International Union, in the manner provided by this Constitution.

Section 8. It shall transmit a report of the activities of the International Union and a summary and explanation of the actions of the International Executive Board relating to International finances to each Local Union of this International Union.

Section 9. If any elective officer is found guilty and removed from office through trial procedure, the vacancy shall be filled in accordance with this Constitution.

Section 10. Upon written request of three (3) members of the International Executive Board, the International Secretary-Treasurer, within forty-eight (48) hours of receipt of such a request shall poll the International Executive Board on the question of a Special Board Meeting. Upon a majority vote for such a meeting, the President shall convene the Board within five (5) days. In case the

International President fails to convene the Board within the time allotted, the International Secretary-Treasurer or a Board Member previously designated by the Board shall convene the Board.

Section 11. Two-thirds (2/3) of the number of members comprising the International Executive Board present in person shall constitute a quorum of the International Executive Board. Notwithstanding the foregoing, when the International President calls a special meeting of the International Executive Board because s/he believes action under Sections 2 and 3 of this Article, or Sections 9 and 10 of Article 36, to be essential with regard to a specific dispute in any area with the objective of protecting the interests of a subordinate body, or any part of the membership thereof, and less than the regular quorum answers such call, those members answering the call may act within the limited area described above provided they constitute a special quorum. Such special quorum shall in any event consist of not less than eight (8) members of said International Executive Board, present in person, which must include at least two (2) International Officers and at least four (4) Board Members. Any such Special Board Meeting operating on the basis of such a special quorum shall be empowered to conduct any hearing and by a seventy-five (75) percent vote of its members, take any action, make any decision, or impose any penalty concerning said specific dispute which the full International Executive Board could take pursuant to any of the above noted applicable provisions of this Constitution which shall be binding until the last day of the next succeeding regular meeting of the International Executive Board. All proceedings of such Special Board Meeting shall be reported to the next regular meeting of the International Executive Board, and any member or subordinate body feeling aggrieved by any such action, decision or penalty of such Special Board Meeting may file a protest with the International Executive Board and shall have the right to be heard in person by such International Executive Board upon request. Whether or not any protest is taken, the International Executive Board shall review the action, decision or penalty taken or imposed by the Special Board Meeting and shall, if satisfied as to its propriety, affirm such action, decision or penalty. Any member or subordinate body feeling aggrieved by such decision of the full International Executive Board shall have the normal right of appeal therefrom pursuant to Article 33, Section 3, even though the member or subordinate body did not avail her/himself to the right hereinabove to file a protest from the action, decision, or penalty of the Special Board Meeting to the full International Executive Board.

Section 12. Only a majority of the International Executive

Board can adjourn a Board Meeting.

Section 13. The International Executive Board shall set up such departments as provided for in this Constitution. It may, if voted by a two-thirds (2/3) vote; create additional departments for promoting the business of this International Union or the welfare of its membership. It may hire professional specialists not members of the International Union for such departments if they are not available within the membership.

Section 14. If and when a strike has been approved by the International Executive Board, it shall be the duty of the International Executive Board to render all financial assistance to the members on strike consistent with the resources and responsibilities of the International Union.

Section 15. Financial Officers (including Presidents) of the Local Unions of this International Union shall be bonded by such methods and agencies and in such amounts as the International Executive Board may determine, but in no case shall the bond be for less than the amount required by law.

Section 16. The International Executive Board shall have power to adjust disputes between employers and employees and to make contracts with employers in accordance with this Constitution. In addition, the International Executive Board shall have power to adjust jurisdictional disputes between Local Unions.

Section 17. Where the International Executive Board has established a satisfactory administrative arm for the handling of members' appeals relating to the processing of collective bargaining grievances, a decision by such administrative arm may be appealed to the International Executive Board by the procedures set forth in Article 33, Section 3.

Section 18. The International Executive Board may rescind, reverse or repeal any action of any of the International Officers or Representatives.

Section 19. Verbatim minutes shall be taken at all meetings of the International Executive Board (except when the Board, by a seven-eighths (7/8) vote of those present, decides that the best interests of the Union would be served by an informal discussion of the membership of the Board in session as a committee of the whole, in which event the Board shall confine itself to discussion

but shall take no formal action, and no minutes shall be taken). Such minutes shall be transcribed immediately and copies thereof shall be distributed to all elected officers of the International Union as soon as completed. Such copies shall be made available to any interested member in good standing for inspection at the offices of the International Secretary-Treasurer and of each International Executive Board Member. In addition, the Secretary-Treasurer shall prepare a summary of official International Executive Board action after each International Executive Board Meeting, which shall be sent to each Local Union.

Section 20. The International Executive Board shall create and operate a Political Action Committee to be known as UAW Voluntary Community Action Program Committee (UAW V-CAP). This Committee shall be authorized to make policy decisions concerning expenditures and contributions involving federal elections and to make expenditures and contributions from a fund established by voluntary contributions from UAW members, their families and friends. Once each year a summary report of income and disbursements in federal elections by category shall be made.

ARTICLE 13
Duties of International Officers

International President

Section 1. The International President shall preside at all sessions of the International Convention and all sessions of the International Executive Board. The International President shall perform such other duties as are necessary to protect and advance the interests of the International Union, and shall report her/his activities to all Local Unions and the general membership through the official publication. The International President shall report her/his activities to the quarterly meeting of the International Executive Board for approval or rejection and to the International Convention.

Section 2. Between sessions of the International Executive Board, the International President shall execute the instructions of the International Executive Board and have full authority to direct the working of this organization within the provisions of this Constitution and shall report her/his acts to the regular quarterly meeting of the International Executive Board.

Section 3. As set forth in this Constitution or voted by the

International Executive Board, the International President shall assign any elected officer to represent or direct the workings of this International Union.

Section 4. The International President shall have power to withdraw any field assignment made to any elected officer when s/he becomes convinced that the officer has been derelict in her/his duty or been guilty of a dishonest act. Such withdrawal of assignment shall not act to suspend the vote or pay of such an officer, which power lies only in the International Executive Board as provided in this Constitution. Any officer whose assignment is withdrawn may follow the procedure outlined in Article 12, Section 10, to convene the International Executive Board. If the International Executive Board reaffirms the original assignment, then the President shall not again suspend this assignment.

Section 5. The International President shall appoint such Representatives as s/he may deem necessary from time to time such appointments to be pending the approval of the International Executive Board. The International President may remove from the payroll any Representative derelict in the performance of any duty, guilty of any dishonest act, or to conserve the finances of this International Union, pending the approval of the International Executive Board at its next session.

Section 6. After submitting recommendations to the International Executive Board, the International President shall hire such legal, technical or professional help as is necessary to efficiently operate such departments of this International Union, except in the department of the International Secretary-Treasurer.

Section 7. The International President shall fill by appointment all vacancies occurring in the International Office Staff, except in the department of the International Secretary-Treasurer as otherwise provided for in this Constitution.

Section 8. The International President shall decide disputes or questions in controversy, including all questions involving interpretation of this Constitution, except such cases as follow the procedure and conditions as outlined in this Constitution; all her/his decisions being subject to appeal, first to the International Executive Board and then to the Convention. Notice in writing of appeal of any decision of the International President must be filed with the International Secretary-Treasurer and the International President within thirty (30) days from date of decision.

Section 9. International President shall have authority to call special meetings of Councils or Local Unions whenever s/he deems such meetings necessary to protect the interests of its membership, after proper notification or consultation with officers of subordinate bodies involved. The International President shall have the authority to delegate such duties to any International Officer or Representative s/he may name, provided such delegation of authority is written, signed by the International President and bears the seal of the International Union.

Section 10. The International President shall convene regular and special sessions of the International Executive Board whenever necessary.

Section 11. The International President shall be empowered to grant Local Unions or units dispensations relating to initiation fees, per capita tax and/or International Union Strike and Defense Fund dues paid to the International Union with the approval of the International Executive Board, when in the International President's judgment such dispensations will add to the growth of or conserve the interests of this International Union.

Section 12. The International President shall devote all her/his time to the affairs of this International Union, executing the instructions of the International Executive Board and exercising general supervision over all departments of this International Union.

Section 13. During the International President's term of office s/he shall establish her/his residence in the metropolitan area of the city where the headquarters of this International Union is established.

International Secretary-Treasurer

Section 14. The International Secretary-Treasurer shall attend all sessions of the International Convention and of the International Executive Board. The International Secretary-Treasurer shall cause to be recorded the proceedings of the International Convention and meetings of the International Executive Board. The International Secretary-Treasurer shall have charge of and preserve all books, documents and effects of the International Office, except such records as properly belong to the Office of the International President. The International Secretary-Treasurer shall receipt all monies paid to the International Union, and pay all bills and current expenses, unless otherwise ordered by the International Executive Board. All expenditures shall be paid by the electronic transfer of

funds or checks countersigned by the International President when the latter is satisfied of their correctness. The International Secretary-Treasurer shall keep copies of all important correspondence sent out and received by her/his office. S/He shall submit expenses of each officer and employee, together with a detailed statement of receipts and disbursements of all money belonging to the International Union, to the International Executive Board and the International Trustees.

Section 15. The International Secretary-Treasurer shall be the custodian of the funds of this International Union. S/He shall deposit sufficient funds of the International Union in some responsible bank or banks to meet current obligations of the International Union and shall invest the remainder of the funds under procedures and standards determined from time to time by resolution of the International Executive Board.

Section 16. The seal of the International Union shall bear the following words: "International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW)." The seal of this International Union shall bear the design representing the Automobile, Aerospace and Agricultural Implement divisions of this International Union. The International Executive Board shall be authorized to adopt a seal appropriate with the above provisions. The seal of the International Union shall be held by the International Secretary-Treasurer in trust for the use of the membership in their organization affairs; and s/he shall prosecute any and all proceedings proper to prevent the wrongful use of or imitation of the seal or of the name "International Union, United Automobile, Aerospace and Agricultural Implement Workers of America (UAW)." The International Secretary-Treasurer shall also take such measures as may be necessary to register or copyright the seal, and the International name, the label, insignia and any other property of the International Union that s/he may consider necessary to copyright or register.

Section 17. The International Secretary-Treasurer shall give a bond, amount of which shall be determined by the International Executive Board and paid for by the International Union to insure faithful discharge of her/his duties.

Section 18. The International Secretary-Treasurer shall perform such other duties as are herein provided for in this Constitution or may be assigned to the International Secretary-Treasurer by the International Executive Board.

Section 19. When a Local Union has failed to report and pay the per capita tax as provided for herein, the International Secretary-Treasurer shall notify the Local Union President and Board of Trustees of that fact.

Section 20. The International Secretary-Treasurer shall keep a complete record of the membership of the International Union. Such membership record will be maintained in the Local Union Information System (LUIS). Each local union will be provided with access to the Local Union Information System (LUIS) for the purpose of maintaining its membership records, and for utilizing its membership information for all purposes allowed by this Constitution.

Section 21. The International Secretary-Treasurer shall, with the consent of the International Executive Board, employ such assistants as may be necessary to conduct the affairs of her/ his office.

Section 22. The International Secretary-Treasurer shall issue a standard "Work Permit" card which shall be furnished to Local Unions at cost. Such work permit shall be cancelled or renewed thirty (30) days following the date contained thereon. The charge for each work permit or renewal by the Local Union shall be not less than the amount of the monthly dues set by the Local Union, one-half (1/2) of which shall be paid to the International Union. It shall be left to the discretion of the Local Union to determine the duration of the period for which work permits are issued. In no case, however, shall work permits be issued to any worker for a period of more than three (3) consecutive months.

International Executive Board Members

Section 23. An International Executive Board Member shall have direct supervision over all organizational activities within the region from which s/he is elected. In case a geographical district has more than one Regional Board Member, the Board Member's activity shall be confined within a definite area within her/his region, which area shall be clearly defined by the International Executive Board.

Section 24. The International Executive Board member's field of activity shall be limited to workplaces within her/his region unless directed to other activities at the direction of the International Executive Board or the International President.

Section 25. The International Executive Board Member shall examine all contracts negotiated within her/his region before they are

signed and submit them to the International Executive Board with her/his recommendation, negotiate disputes with the bargaining committees wherever possible, act to obtain favorable legislation for labor and work for the general welfare of the membership.

Section 26. Where district councils are established within her/his region, the International Executive Board Member shall attend their meetings when possible and work in cooperation with such councils. The International Executive Board Member shall submit quarterly reports of organizational activity within her/his region to the International President and also to the International Executive Board fifteen (15) days prior to the convening of the quarterly meeting of the International Executive Board for its approval.

ARTICLE 14
International Representatives

Section 1. International Representatives' or temporary organizers' commissions must be approved and signed by the International President and shall be countersigned by the International Secretary-Treasurer and be subject to the approval of the International Executive Board.

Section 2. International Representatives or temporary organizers shall work under the jurisdiction of the International President subject to the approval of the International Executive Board and under the direct supervision of the International Executive Board Member of the region to which s/he is assigned, unless otherwise commissioned.

Section 3. No person can be appointed an International Representative unless s/he is a member in continuous good standing of the International Union for a period of one (1) year. Temporary or part-time organizers must be UAW members but need not necessarily have been in continuous good standing for one (1) year.

Section 4. Appointed International Representatives or temporary organizers may be removed by the International President subject to the approval of the International Executive Board.

Section 5. An International Representative or temporary organizer shall not, while holding such position, be eligible as a candidate for, or hold any elective office or position in a Local Union, but an elected official may be appointed to act as an International

Representative or temporary organizer on a part-time basis for parts of the day, or for full days not to exceed one hundred and eighty (180) in any calendar year. An International Representative or temporary organizer shall be eligible as a candidate for an elective office in the International Union.

ARTICLE 15
Fiscal Year

The Fiscal Year of the International Union shall begin the first day of January of each year and end on the 31st day of December of the same year.

ARTICLE 16
Initiation Fees and Dues

Section 1. (a) Each new member will pay an initiation fee, no part of which shall be considered as a Local Union fine, of not less than ten dollars ($10.00) and not more than fifty dollars ($50.00) for membership in a Local Union of the International Union. From the initiation fee paid by each member: (i) Five dollars ($5.00) shall be set aside in the Local Union's new member orientation fund, to be expended with the approval of the Regional Director; and (ii) one dollar ($1.00) will be forwarded to the International Secretary-Treasurer.

(b) A Local Union may increase its initiation fee, within the limitations set forth in paragraph (a) of this Section, in accordance with the procedures of Article 47, Section 1.

(c) Men and women returning from service in the Armed Forces of the United States shall be exempt from payment of an initiation fee upon presentation of military discharge papers to the Local Union Financial Secretary within one (1) year of the date of their discharge.

Section 2. In order to remain a member in good standing, each member will pay a minimum monthly dues amount to the Financial Secretary of the Local Union as set forth below.

(a) **Should the net worth of the International Union Strike and Defense fund reach $850 million, then the minimum monthly dues shall be as follows: (i) for members who work in either the private sector or public sector with a legal right to strike, who have**

worked a minimum of forty (40) hours in a month, the minimum monthly dues will be an amount equivalent to 2 hours of straight time pay for members paid on an hourly basis, or 1.15% of gross straight time monthly wages for members paid on a salaried basis and for members employed in a non-traditional sector working part-time and paid on an hourly basis; (ii) for members who work in the public sector and are legally prohibited from striking, who have worked a minimum of forty (40) hours in a month, the minimum monthly dues will be an amount equivalent to 1.4 hours of straight time pay for members working full time paid on an hourly basis, or .805% of gross straight time monthly wages for members paid on a salaried basis and for members employed part-time and paid on an hourly basis. Until the time that the net worth of the International Union Strike and Defense Fund reaches $850 million, monthly dues shall be as set forth in subsection (b) below.

(b) **Should the net worth of the International Union Strike and Defense Fund decrease to $650 million, then the minimum monthly dues shall be as follows until the Strike and Defense Fund reaches $850 million: (i) for members who work in either the private sector or public sector with a legal right to strike, who have worked a minimum of forty (40) hours in a month, the minimum monthly dues will be an amount equivalent to 2.5 hours of straight time pay for members paid on an hourly basis or 1.44% of gross straight time monthly wages for members paid on a salaried basis and for members employed in a non-traditional sector and paid on an hourly basis; (ii) for members who work in the public sector and are legally prohibited from striking, who have worked a minimum of forty (40) hours in a month, the minimum monthly dues will be an amount equivalent to 1.9 hours of straight time pay for members working full time paid on an hourly basis, or 1.095% of gross straight time monthly wages for members paid on a salaried basis and for members employed part-time and paid on an hourly basis.**

(c) For those members paid by the hour, day, week or month, the dues computation referenced in subsections (a) and (b) above shall be based on the amount earned per straight time hour in the last payroll period worked before the dues are payable, including cost-of-living allowance and any other amounts normally considered as part of regular pay, but excluding shift premium. For those whose earnings vary, straight time earnings for the purpose of dues computation shall be based on the average earned per hour in the last month the member worked, including incentive earnings,

cost-of-living allowance, clock hour add-ons and any other amounts normally considered as part of the regular pay, but excluding shift premium, overtime premium, Saturday, Sunday and holiday premiums.

(d) For those members **employed in a non-traditional sector** paid on a part-time basis**,** or those members paid on a salary basis**,** where the number of hours of work in a week vary and/or regularly have no relationship to a normal workweek, the dues computation shall be based on their straight-time gross monthly wages in accordance with subsections (a) and (b) above.

(e) The minimum dues required for certain negotiated payments and bonuses such as contract signing bonuses and profit sharing payments will be calculated **using the percentages set forth in subsections (a) and (b) above.**

(f) Nothing in this Article shall prevent any Local Union or unit of an Amalgamated Local Union from establishing, in accordance with the provisions of Article 47, dues in a greater amount than provided for in this Article; and any Local Union or unit, which at the time when minimum monthly membership dues are increased pursuant to the provisions of this Article, has dues in a greater amount than the minimum monthly membership dues pre-existing, the change shall automatically increase its dues by the amount of the change without the necessity of any additional Local Union or unit membership action and such Local Union dues shall continue until the Local Union's or unit's membership, pursuant to the provisions of Article 47, changes the Local Union's or unit's dues structure.

All dues established by this Article shall be uniformly required of all its members by each Local Union or unit of an Amalgamated Local Union except as specific exoneration or special arrangement may be granted pursuant to Section 11 of Article 13, or Section **17** of this Article.

(g) **Upon receipt of notification from the International Union that the net worth of the International Union Strike and Defense Fund has increased to $850 million or decreased to $650 million, the Local Union shall immediately notify the employer(s) of the change in dues set forth in subsections (a) and (b) above.**

Section 3. (a) Where required by the necessities of collective bargaining, a Local Union, or an Intra-Corporation Council and its

affiliates, may, with International Executive Board authorization, double their monthly dues in each of not more than four (4) months preceding the terminal date of the old contract, or following the ratification of a new agreement.

(b) Each Local Union which is authorized to double its monthly dues shall be required to place half of such dues in trust for each month collected, until it has been determined by the International Executive Board whether such additional dues shall be applied to future dues, or refunded to each member.

Section 4. The International Union shall provide an official membership card or other suitable identification of membership to all Local Unions.

Section 5. (a) If dues income **is** collected under Section 2**(a)** of this Article, **it** will be **distributed so that** the Local Union **shall receive 38%**, the International Union General Fund **shall receive 32%** and the International Union Strike and Defense Fund **shall receive 30%**.

(b) If dues income is collected under Section 2(b) of this Article, it will be allocated between the Local Union, the International Union General Fund and the International Union Strike and Defense Fund as follows:

(i) For the first two hours (or 1.15%) of dues income collected from members under Section 2**(b)(i)** of this Article or the first 1.4 hours (or 0.805%) of dues income collected from members under Section 2(b)**(ii)** of this Article: **(1)** the Local Union shall receive 38%; **(2)** the International Union General Fund shall receive 32%; and **(3)** the International Union Strike and Defense Fund shall receive 30%.

(ii) The remaining one half (0.5) hours of dues income (or **0**.29%) shall be allocated entirely to the International Union Strike and Defense Fund

Section 6. Each Local Union must remit to the International Secretary-Treasurer a monthly per-capita tax equal to the portion of each member's dues income allocated to the International Union General Fund and International Union Strike and Defense Fund as specified in Section 5(a) **or Sections 5(b)(i)(2) and (3) and 5(b)(ii)** of this Article.

Section 7. (a) All per capita taxes and all other monies collected for the International Union shall be transmitted to the International Secretary-Treasurer by the twentieth of each month following collection. All such per capita taxes and other monies are strictly the property of the International Union and in no case shall any part thereof be used by Local Unions, except upon permission of the International Executive Board.

(b) A Local Union failing to pay full per capita tax due the International Union within a two (2) month period, shall stand automatically suspended until the Local Union has been reinstated through payment of deficiency incurred, unless exonerated from payment of same as provided for in this Constitution.

Section 8. A Local Union failing to pay all of its financial obligations due the International Union shall not be entitled to a voice or vote at the International Convention.

Section 9. From the dues income allocated to the Local Union in accordance with Section 5(a)(i) of this Article, the Local Union shall set aside five cents (.05) of each month's dues payment as a Citizenship and Legislative Fund to be used for the purpose of strengthening democracy by encouraging members, and citizens generally, to register and vote in community, state, and national elections and to carry on organizational and educational programs directed toward the achievement of an even higher understanding of citizenship responsibility and the need for active participation in the affairs of a free and democratic society. Local Unions are obligated to carry out such programs in conjunction with city, county, and state (CAP) councils. Three cents (.03) of each month's dues payment must be set aside by the Local Union as a special fund to be used only for educational or recreation-leisure time activities as outlined in Article 27 of this Constitution, provided that two cents (.02) shall be apportioned to education and one cent (.01) apportioned to recreation-leisure time activities. One cent (.01) of each month's dues payment must be set aside by the Local Union as a Retired Members Fund to be used only to promote and support programs benefiting retired members. Local Unions are obligated to carry out this policy in conjunction with community groups, where community groups exist, for the purpose of promoting and supporting programs benefiting retired members and other retired workers.

Section 10. From the portion of dues income allocated to the International Union General Fund in accordance with Section 5(a) **or Section 5(b)(i)(2)** of this Article, the International Union shall

set aside:

(a) Five cents (.05) which shall be expended only for communication programs as described in Article 29, Section 1.

(b) One cent (.01) to the Civil and Human Rights Fund to be expended only for the support and promotion of the programs and activities of the International Union in support of fair employment practices and in opposition to all discriminatory practices in employment.

(c) Three cents (.03) as the International Union Education Fund to be expended only for the programs and activities of the International Union Education Department.

(d) One cent (.01) as the International Union Recreation Fund which fund shall be apportioned to each region on a per capita basis.

(e) Five cents (.05) as the Special Citizenship Fund to be used for the purpose of strengthening democracy by encouraging members and citizens generally to register and vote in community, state and national elections and to carry on organizational and educational programs directed toward the achievement of an ever higher understanding of citizenship responsibility and the need for active participation in the affairs of a free and democratic society.

(f) One cent (.01) for the International Union Retired Workers Fund, which one cent (.01) shall be used only to promote and support programs benefiting retired members including such programs of the International Union relating to retired members as may be adopted from time to time, and to finance the operation of the International Union Retired Workers Department.

Section 11. (a) From the portion of dues income allocated to the International Union Strike and Defense Fund in accordance with Sections 5(a) **or Sections** 5(b)**(i)(3) and 5(b)(ii)** of this Article, where a 2/3 vote by the International Executive Board supports the purpose, the International Union shall set aside all amounts received to be drawn upon exclusively for the purposes of (1) aiding Local Unions engaged in authorized strikes and in cases of lock-outs, and (2) assisting by donations or loans other International Unions and non-affiliated Local Unions similarly engaged, and (3) meeting financial obligations or expenditures which this International Union or its affiliated Local Unions incur as a result of authorized strikes or in cases of lockouts, and (4) providing direct material support

to members seeking a fair contract who are legally prohibited from striking, and (5) defend the rights of members to collectively bargain.

(b) The International Executive Board shall have the authority to make additional, limited withdrawals from the International Union Strike and Defense Fund, provided that (a) such additional withdrawals shall not exceed sixty million dollars ($60 million) between any two consecutive Constitutional Conventions, and (b) such withdrawals shall be permitted only to support specific purposes or projects such as major organizing drives or other initiatives intended to increase UAW membership, strengthen the UAW's ability to bargain effectively and/or promote the interests of the membership and working people generally.

(c) The interest and earnings on investments received by the International Union Strike and Defense Fund shall be allocated to the International Union General Fund or to such other purpose as the International Executive Board shall determine to be in the best interests of the UAW.

(d) No later than June 30, 2002, $75 million shall be transferred from the net resources of the Strike Assistance Fund to a newly established Emergency Operations Fund. The assets of the Emergency Operations Fund, including accrued interest and earnings on investments, shall be available to finance operations of the International Union in the event Operating Fund resources are insufficient to sustain operations due to the effects of a protracted or expensive strike, a series of strikes, or other events posing a serious threat to the economic viability of the International Union.

Section 12. At least once each month the International Secretary-Treasurer shall advise all Local Unions of the exact International Union Strike and Defense Fund balance.

Section 13. For any month in which the net worth of the International Union Strike and Defense Fund is in excess of $500 million, the International Union Strike and Defense Fund will allocate the portion of dues income received in accordance with Section 5(a) **or Section 5(b)(i)(3)** of this Article as follows:

(a) 95% of the dues income received by the International Union Strike and Defense Fund pursuant to Section 5(a) **or Section 5(b)(i)(3)** of this Article will be rebated back to the Local Unions and the International Union General Fund, with 53% of such amount rebated to Local Unions and 47% of such amount rebated to the

International Union General Fund. The rebates referenced in this subsection will be issued on a monthly basis.

(b) 5% of the dues received by the International Union Strike and Defense Fund pursuant to Section 5(a)(iii) of this Article will remain in the International Union Strike and Defense Fund to be used for the purpose of paying strike assistance benefits paid to striking members. In any month in which the actual strike assistance benefits paid to striking members is less than the 5% of dues received by the International Union Strike and Defense Fund, the difference will be rebated back to Local Unions and the International Union General Fund in the same proportion described in Subsection 13(a) above. The rebates referenced in this section will be issued once a year as a 13th "rebate" check.

Section 14. For any month in which the International Union Strike and Defense Fund's net worth falls below $500 million, the rebates referenced in Section 13 of this Article will stop until the International Union Strike and Defense Fund net worth reaches $550 million. Once the International Strike and Defense Fund net worth is in excess of $550 million, the rebates referenced in Section 13 will resume.

Section 15. Local Unions must be in compliance with Article 16, Section 7 of the International Constitution to receive rebates.

Section 16. The International Executive Board shall be empowered, at its discretion, to arrange loans from Local Unions and other sources to supplement the International Union Strike and Defense Fund where conditions dictate and in this connection, may use any or all of the International Union's real or personal property to secure any such loan or loans. At least once each month the International Secretary-Treasurer shall advise all Local Unions of the exact International Union Strike and Defense Fund balance. The International Executive Board shall establish a program for strike relief which shall provide aid and assistance to members actively participating in an authorized strike or involved in a lockout and, as between such members, shall primarily base such aid and assistance upon the right of each member to participate in accordance with the member's family obligations.

Section 17. The International Executive Board on request of a Local Union or unit of an Amalgamated Local Union shall have the power to make special arrangements with respect to the dues schedules established in this Article, where unusual circumstances

justify such arrangements.

Section 18. Notwithstanding any other provision of this Constitution, the International Union and each Local Union shall each hold title to its respective share of the dues income and initiation fees immediately upon receipt of those monies by the Financial Secretary of the Local Union.

Section 19. Upon acceptance of the application, membership shall date from the first day of the month for which dues are paid or dues check-off is authorized.

Section 20. (a) Any member shall have the right to object to the expenditure of a portion of her/his dues money for activities or causes primarily political in nature. The approximate proportion of dues spent for such political purposes shall be determined by a committee of the International Executive Board, which shall be appointed by the President, subject to the approval of said Board. The member may perfect her/his objection by individually notifying the International Secretary-Treasurer of the objection in writing; provided, however, that such objection shall be timely only during the first thirty (30) days of Union membership and during the thirty (30) days following each anniversary of Union membership. An objection may be continued from year-to-year by individual notifications given during each annual thirty (30) day period. A valid objection and renewal must:

i. Be in writing;
ii. Be received within the 30 day window period;
iii. Include the last four digits of objector's social security number, a payroll number, a clock number, or other unique identifying number which is on file with the local union;
iv. Include objector's local union number;
v. Include objector's address; and,
vi. Include objector's signature.

(b) If an objecting member is dissatisfied with the approximate proportional allocation made by the committee of the International Executive Board or the disposition of her/his objection by the International Secretary-Treasurer, s/he may appeal directly to the full International Executive Board and the decision of the International Executive Board shall be appealable to the Public Review Board or the Convention Appeals Committee at the option of said member.

Section 21. Any member who has not paid her/his dues during the calendar month in which they are due shall automatically become delinquent except as otherwise provided in this Article. In order to regain good standing membership, s/he must fully reinstate her/himself in accordance with Section **22** of this Article.

Section 22. The reinstatement fee established by a Local Union shall be not less than the regular initiation fee charged by the Local Union, plus the dues for each month of delinquency in dues up to either the date of automatic suspension or the date of reinstatement, as the Local Union in its discretion may determine, plus the current month's dues. Such reinstatement fee shall be uniformly applied to all delinquent members of the Local Union. Individuals suspended as a result of their failure to pay dues while employed in a workplace under the jurisdiction of another Local Union shall be dealt with in conformity with Article 17, Section 3.

Section 23. Local Unions may notify members of their delinquency. However, failure of the Local Union to notify the member of delinquency shall not exonerate such a member from automatic suspension except as provided in Section **32** of this Article.

Section 24. When a member has been suspended for non-payment of dues and the Financial Secretary or other officers of the Local Union accept such payment thereafter, acceptance of her/his dues shall not operate to exonerate or reinstate the member or to waive the provisions of the Constitution relative to forfeiture and reinstatement of members.

Section 25. The provisions of Section 21 of this Article shall not apply to a member who has entered the military service of the United Nations who shall be entitled to an honorable military service membership and whose membership in continuous good standing in the Local Union shall not be broken by such service, provided s/he reports to the Local Union at the time of entering such service or thereafter furnishes the necessary proof of military service. S/He shall become subject to the provisions of this Section at the end of such military service.

Section 26. Any member who has not worked forty (40) hours by reason of not having been scheduled to work forty (40) hours, or received benefits in lieu of work equivalent to forty (40) hours' pay within any calendar month, shall be entitled to exemption of payment of regular monthly dues. Benefits in lieu of work shall include the following: Supplemental Unemployment Benefits (or

any equivalent type layoff benefit), vacation pay, holiday pay, jury duty pay, bereavement pay, and paid absence allowance, but shall not include the following: pension benefits, sick and accident benefits, and Workers' Compensation. Effective January 1, 1982, if a member receives Supplemental Unemployment Benefits (or any equivalent type layoff benefit) equal to or greater than fifty (50) percent of her/his gross pay for a forty (40) hour week, less statutory deductions, within any calendar month, then the member's dues shall be one (1) hour straight time pay per month. A member who has been laid off, is on leave of absence, or is discharged from regular employment who is covered by check-off provisions under which management notifies the Local Union of members who are on leave of absence, laid off, rehired, or discharged, shall automatically be considered as entitled to "out-of-work" credits, unless s/he has received benefits in lieu of work equivalent to forty (40) hours' pay as provided in the second paragraph of this Section. Any member in order to be entitled to "out-of-work" credits shall report her/his layoff, leave of absence, or discharge, in person or otherwise, to the Financial Secretary of her/his Local Union within one month of the date such action became effective. Any discharged member or any member who is covered by check-off as set forth above shall report immediately to the Financial Secretary of her/his Local Union any other employment s/he may obtain during the period of the layoff leave of absence, or discharge. Any member not covered by check-off shall report to the Financial Secretary of her/his Local Union the termination of the layoff, leave of absence, discharge, or any other employment s/he may obtain during the period of the layoff, leave of absence, or discharge. Any member who is entitled to "out-of-work" credits pursuant to this Section and Section 2 of Article 17 shall be exempted from dues payment for the period of her/his entitlement.

Section 27. Any member who is entitled to "out-of-work" credits under Section 26 of this Article and who does not secure an honorable withdrawal transfer card, shall be presumed to continue to be entitled to "out-of-work" credits and thus remains in continuous good standing without the necessity of paying dues for the first six (6) months of such layoff or leave unless the member has had employment during this period which would necessitate her/his paying dues under the first paragraph of Section 26 of this Article or taking an honorable withdrawal transfer card under Article 17, Section 2. Unless any such member shall, during the last ten (10) day of such six (6) month period, certify in writing to the Local Union Financial Secretary, in person or by registered or certified letter, that s/he continues to be eligible for good standing membership without payment of dues pursuant to Section 26 of this Article and Article 17, Section 2, the member shall automatically be noted on the Local

Union's records as having been issued an honorable withdrawal transfer card at the conclusion of said six (6) month period. If a member does certify as provided herein during the last ten (10) days of the six (6) month period, s/he shall continue to be eligible for "out-of-work" credits for each additional month if during the last ten (10) days of such month s/he similarly certifies. Such a member shall automatically be noted on the Local Union's records as having been issued an honorable withdrawal transfer card on the first day of such a month in which the member fails to certify as provided herein.

Section 28. Any member becoming out of work because of illness or injury shall be exempt from the above section. Such member shall be automatically exonerated from the payment of dues and shall be issued "out-of-work" credits provided good and sufficient proof is submitted to substantiate illness or injury. The above shall not apply to those employees who receive salaries equivalent to forty (40) hours' pay within any calendar month.

Section 29. Any member who has paid dues by check-off for any month for which the member is exempted from payment of dues under Sections 26, 27 and 28 of this Article shall be entitled to a refund of such dues if s/he claims the same in person or in writing from the Financial Secretary of the Local Union within two (2) months following the month for which the refund is due. Any member who has paid dues in advance other than by check-off for any month for which the member is exempted from payment of dues under Sections 26, 27 and 28 of this Article shall, when s/he returns to work, be given credit on future dues for any such month.

Section 30. The Local Union shall use an electronic receipt book or receipting register and form of official receipt furnished by the International Union. A receipt shall be given to the member by the Local Union. This record will be made available to the International Union.

Section 31. Local Unions covered by check-off agreements or having a check-off arrangement will be exempt from the provisions of the preceding Section, providing the company clearly shows on the check stub or pay envelope of each Union employee the amount of the deduction and the reason therefore.

Section 32. The failure of a company to check off and pay to a Local Union the dues of a member as required by a contract will not make the member delinquent if the member has signed a Dues Check-Off Authorization Card. Where a member has signed a Dues

Check-Off Authorization Card authorizing the deduction of dues for a given month, the member shall be considered as having paid dues for that month even though the company fails to deduct the same. Upon the failure of the company to deduct dues, the Financial Secretary of the Local Union must notify the member to pay her/his dues. The member shall have thirty (30) days in which to pay her/his dues after being notified. Failure on the part of the Financial Secretary to so notify a member of her/his pending delinquency will not affect the member's standing and s/he shall be considered in good standing in the Local Union.

ARTICLE 17
Honorable Withdrawal Transfer Cards

Section 1. The International Secretary-Treasurer shall make honorable withdrawal transfer cards available to all Local Unions.

Section 2. Any member laid off from her/his workplace but regularly employed on jobs outside the jurisdiction of the International Union shall take an honorable withdrawal transfer card, or in order to maintain her/himself in good standing in her/his Local Union, shall pay dues in accordance with Article 16 and Article 47.

Any member who has voluntarily separated from the jurisdiction of the UAW shall be issued a withdrawal card immediately by her/his Local Union. The above shall not apply to those members who are employed by or officially represent the UAW.

Section 3. Any member in good standing at the time of leaving the jurisdiction of her/his Local Union shall establish her/his membership in another UAW Local Union by either of the following:

(a) By obtaining an honorable withdrawal transfer card and depositing same immediately in such other UAW Local Union. Failure to deposit the honorable withdrawal transfer card within one (1) calendar month and to pay dues which have accrued since coming within the jurisdiction of such other UAW Local Union will result in termination of the honorable withdrawal transfer card.

(b) By payment of an initiation fee and dues to such other UAW Local Union, in which case such member's good standing will start as of the date of such payment.

This shall not apply to members holding a Local Union constitutional office who involuntarily left the jurisdiction of their

Local Union. However, while holding such office such member shall not be eligible to hold any constitutional office in, or be a delegate to the International Convention from any Local Union other than one which s/he involuntarily left.

Section 4. When a member in good standing is transferred to another workplace as the result of transfer of operations or pursuant to a collective bargaining agreement, which plant is under the jurisdiction of another Local Union, her/his continuous good standing shall not be broken and shall be considered continuous good standing in the new Local Union.

Section 5. Any member who is laid off and subsequently transfers to another UAW Local Union and returns to her/his original Local Union within the period of one year from the date of such layoff, shall be considered to have been in continuous good standing for the purpose of meeting the good standing membership requirements of the International Constitution or Local Union Bylaws as it relates to election eligibility; provided, however, that such member maintains her/his continuous good standing in accordance with the provisions of this Constitution while holding membership in such UAW Local Union.

Section 6. A member shall be entitled to an honorable withdrawal transfer card provided s/he shall have her/his dues paid up to and including the current month, or out-of-work receipts, and there are no charges or debts owed to the Local Union.

Section 7. A member who is transferred to another Local Union and who has paid her/his current dues or dues in advance shall not be required to pay duplicate dues. The Local Union to which the advance dues payments have been made shall forward them to the Local Union to which the member is transferred or refund them to the member.

Section 8. When a holder of an honorable withdrawal transfer card loses the same, s/he can only receive a duplicate thereof by applying to the Local Union Financial Secretary who issued same. The Financial Secretary of the Local Union, after sufficient time has elapsed for an investigation to be made, will issue a duplicate honorable withdrawal transfer card upon receipt of the payment of one dollar ($1.00) from the applicant.

Section 9. Honorable withdrawal transfer cards may be terminated by the Local Union issuing them or by International

officers for good and sufficient reasons.

Section 10. A person who has deposited her/his honorable withdrawal transfer card and thus resumed membership in the Union, shall thereupon be subject to charges and trial for acts or conduct detrimental to the interests of the Union or its members committed while s/he was out of the Union on honorable withdrawal transfer card. The provisions of Article 31 shall be applicable in such cases.

Section 11. Whenever the International Union has a reciprocal arrangement with any other union whereby each agrees to honor the other's transfers, any member transferring from such other union to the International Union upon showing evidence of good standing membership in such other union by depositing said evidence immediately upon coming within the jurisdiction of the UAW Local Union, but in no case later than the end of the first month in which forty (40) hours are worked, shall be admitted into the International Union without payment of an initiation fee or any other type of entry fee. Failure to deposit such evidence within one (1) month and to pay dues which have accrued since coming within the jurisdiction of the International Union will result in the termination of transfer rights and the payment of an initiation fee.

Section 12. Any Local Union Officer, Bargaining/Negotiations Committee Member or Workplace Steward offered a position with management shall secure permission from her/his Local Union before accepting such position in order to be entitled to an honorable withdrawal transfer card. Members violating this Section shall be subject to expulsion from the Union.

Section 13. Any International Officer, Regional Director, International Representative or any other full-time employee of the International Union offered a personnel or labor relations position with management, shall secure permission from the International Executive Board before accepting such a position in order to be entitled to an honorable withdrawal transfer card. Members violating this Section shall be subject to expulsion from the Union.

ARTICLE 18
Unemployment and Welfare

Section 1. The various regions where unemployment is a major problem shall make provisions for handling the welfare and

unemployment grievances of members laid off from the workplaces either on a local, district or regional basis.

Section 2. The International Executive Board, upon recommendation of the Regional Board Member, may appropriate funds to assist Local Unions or districts where their finances are insufficient to defray necessary expenses of Local Unions or their district, provided the itemized expenses involved shall be submitted to the International Executive Board.

ARTICLE 19
Contracts and Negotiations

Section 1. It shall be the established policy of the International Union to recognize the spirit, the intent and the terms of all contractual relations developed and existing between Local Unions and employers, concluded out of conferences between the Local Unions and the employers, as binding upon them. Each Local Union shall be required to carry out the provisions of its contracts. No officer, member, representative or agent of the International Union or of any Local Union or of any subordinate body of the International Union shall have the power or authority to counsel, cause, initiate, participate in or ratify any action which constitutes a breach of any contract entered into by a Local Union or by the International Union or a subordinate body thereof. Whenever a Local Union or a unit of an Amalgamated Local Union becomes a party to an agreement on wages, hours or working conditions, it shall cause such agreement to be reduced to writing and properly signed by the authorized representatives of all the parties to the agreement.

Section 2. When a grievance exists between a Local Union and management and negotiations are in progress and an International Union Officer or representative is participating by request of the Local Union involved, a committee selected by the Local Union shall participate in all conferences and negotiations. Copies of all contracts shall be filed with the International Secretary-Treasurer.

Section 3. No Local Union Officer, International Officer or International Representative shall have the authority to negotiate the terms of a contract or any supplement thereof with any employer without first obtaining the approval of the Local Union. After negotiations have been concluded with the employer, the proposed contract or supplement shall be submitted to the vote of the Local Union membership, or unit membership in the case of an

Amalgamated Local Union, at a meeting called especially for such purpose, or through such other procedure, approved by the Regional Director, to encourage greater participation of members in voting on the proposed contract or supplement. Should the proposed contract or supplement be approved by a majority vote of the Local Union or unit members so participating, it shall be referred to the Regional Director for her/his recommendation to the International Executive Board for its approval or rejection. In case the Regional Board Member recommends approval, the contract becomes operative until the final action is taken by the International Executive Board.

Upon application to and approval of the International Executive Board, a ratification procedure may be adopted wherein apprenticeble skilled trades and related worker, production workers, office workers, engineers, and technicians would vote separately on contractual matters common to all and, in the same vote on those matters which relate exclusively to their group.

Before contract or supplemental demands affecting skilled workers are submitted to the employer, they shall be submitted to the Skilled Trades Department in order to effectuate an industry-wide standardization of agreements on wages, hours, apprenticeship programs, journeyman standards and working conditions.

Section 4. National agreements and supplements thereof shall be ratified by the Local Unions involved.

Section 5. The general meeting of the Local Union members of an establishment under the jurisdiction of an Amalgamated Local Union shall be the highest authority for handling problems within the establishment, in conformity with the bylaws of the Local Union and this International Constitution.

Section 6. The International Executive Board shall protect all Local Unions who have succeeded in establishing higher wages and favorable conditions and have superior agreements,

so that no infringement by Local Unions with inferior agreements in workplaces doing similar work may be committed against the Local Union with advanced agreements.

Section 7. Each Local Union or unit of an Amalgamated Local Union shall be required to maintain a complete and up-to-date schedule of job classifications and wage rates; a copy of which must be attached to each contract submitted to the International Union.

ARTICLE 20

National and Corporation Bargaining Councils

Section 1. In cases where there are a number of Local Unions involved in negotiations and bargaining with a major corporation or an association of corporations, the International Executive Board shall set up an Intra-Corporation Council. Such an Intra-Corporation Council shall be an administrative arm of the International Union and not a subordinate body. Such Local Unions so involved shall be members and shall participate through duly elected delegates. When the large corporation or national association has widely scattered branches, the Intra-Corporation Council shall set up Sub-Corporation Councils.

Section 2. The International Executive Board shall determine the geographical districts or occupational or other groupings in which Sub-Corporation Councils shall be established. The Intra-Corporation Council shall be composed of delegates from the Sub-Corporation Council.

Section 3. Directors to work with such Councils shall be appointed by the President subject to the approval of the International Executive Board.

Section 4. Voting at National Intra-Corporation Council meetings shall be based on per capita tax paid to the International Union by the various Local Unions participating.

Section 5. The purpose of the Intra-Corporation Council shall be to coordinate the demands of the separate members and to formulate policies in dealing with their common employer. The Intra-Corporation Council shall be convened not later than thirty (30) days prior to the opening of negotiations for a new national corporation agreement to formulate new contract demands. The Council shall deal only with matters pertaining to problems arising in their immediate corporations. It shall be understood that such Intra-Corporation Council is not a legislative body of the International Union and shall not deal with policies of the International Union other than those concerning their own immediate corporation problems.

ARTICLE 21
National and Regional Wage-Hour Conferences

Section 1. Upon the written request of a representative number of Local Unions to the Competitive Shop Department and upon the approval of the International Executive Board, National and Regional Wage-Hour Conferences may be called for the purpose of facilitating a discussion of problems related to wages, hours, production standards and other conditions of work within a competitive or allied group, and to assist in the establishment of uniform contractual provisions within the industry.

Section 2. Activities of both National and Regional Wage-Hour Conferences shall be coordinated through the offices of the Competitive Shop Department in cooperation with the Research Department of the International Union.

ARTICLE 22
National and Regional Wage-Hour Councils

National Wage-Hour Councils

National Wage-Hour Councils shall be established by the International Executive Board only in those cases where National Wage-Hour Conferences would prove inadequate in meeting the problem of organizing the unorganized competitive workplaces and coordinating the work of establishing uniform standards within a competitive group. Such National Wage-Hour Councils shall be administrative arms of the International Union and not subordinate bodies. In the event such Wage-Hour Councils are established they shall be governed by the following provisions:

Section 1. The National Wage-Hour Councils shall consist of duly elected representatives from the Regional Wage-Hour Councils and workplaces where there are no Regional Wage-Hour Councils of a single industry. In the absence of a Regional Wage-Hour Council of a single industry, representation to a National Wage-Hour Council from any one Local Union (including Amalgamated Local Unions) shall not exceed two (2) delegates.

Section 2. It shall be the duty of the National Wage-Hour Council to assist and cooperate with the Competitive Shop Department and the International President in the organization of unorganized workplaces.

Section 3. It shall be the duty of the National Wage-Hour Council to work in conjunction with the Competitive Shop Department and in cooperation with the Research Department of the International Union to standardize wages, hours and general working conditions of the organized workplaces in their industry, and to strive to get a single agreement covering their industry, nationally.

Section 4. In case competitive workplaces in a given industry start negotiations on a national agreement, they shall make use of the National Bargaining Council provisions.

Regional Wage-Hour Councils

Regional Wage-Hour Councils shall be established by the International Executive Board only in those cases where wage-hour conferences would prove inadequate in meeting the problems of organizing the unorganized competitive workplaces, and coordinating the work of establishing uniform standards within a competitive group. Such Regional Wage-Hour Councils shall be administrative arms of the International Union and not subordinate bodies. In the event such Wage-Hour Councils are established, they shall be governed by the following provisions:

Section 5. A Regional Wage-Hour Council shall consist of duly elected representatives from workplaces or departments in workplaces doing similar work who can conveniently get together.

Section 6. It shall be the duty of the Regional Wage-Hour Council to gather and send to the Research Department of the International Union and the National Wage-Hour Council of which they are a part, all data on wages, hours and other working conditions of the workplaces of their industry in their region.

Section 7. It shall be the duty of the Regional Wage-Hour Council to assist in the organization of unorganized workplaces of their industry under the direction of the Regional Director.

Section 8. It shall be the duty of the Regional Wage-Hour Council to work toward standardization of improved wages, hours and general working conditions of the organized workplaces of their industry in their region, and to strive to get a single agreement covering their industry in their region.

Section 9. It shall be the duty of the Regional Wage-Hour Council to send regular reports to the National Wage-Hour Council

in their industry and to the Competitive Shop Department of the International Union.

Section 10. It shall be the duty of the Regional Wage-Hour Council to send delegates to, and assist in the formation of, a National Wage-Hour Council for their industry.

Section 11. It shall be understood that such Wage-Hour Councils are not legislative bodies of the International Union and shall not deal with policies of the International Union other than those concerning competitive workplace problems.

Section 12. Regional Wage-Hour Councils may be formed by the Regional Director, acting at the request of Local Unions in the Region, to discuss special problems affecting the small independent workplaces and the parts supplier industry. Local Unions or units of Amalgamated Local Unions to be included in the Council, and any financing of the Council, shall be by agreement between the Regional Director and participating Local Unions. Where such a Council has been formed and has been in operation for a period of one year, affiliation with the Council may be made mandatory upon approval of the International Executive Board. Any Local Union or unit of an Amalgamated Local Union may appeal its inclusion or exclusion to the International Executive Board under Article 33.

ARTICLE 23
Community Action Program Councils

Section 1. The objective and purpose of the UAW Community Action Program Councils are to develop, promote and implement policies and programs designed to improve and enrich the quality of American life. The UAW Community Action Program (hereinafter referred to as CAP) shall engage in community, civic, welfare, educational, environmental, cultural, citizenship-legislative, consumer protection, community services and other activities to improve the economic and social conditions of UAW members and their families and to promote the general welfare and democratic way of life for all people.

UAW CAP Councils may cooperate and work with community groups in the common effort to make a better life for all people, where the programs and objectives of such groups have the same basic objectives as the UAW.

Section 2. The UAW International Executive Board is authorized to implement and develop programs and policies designed to achieve the purposes and objectives of the UAW Community Action Program, through its Councils.

Section 3. To assist in the development of these programs and policies, the International Executive Board is authorized to establish a National UAW Community Action Program Advisory Council, which shall meet at least once each year or as necessary and as determined by the International President or the International Executive Board.

(a) It shall be the duty of such Council to advise and counsel the International Executive Board on programs and policies, including the per capita tax requirements of each Local Union to the CAP Councils.

(b) Representation to the UAW National CAP Advisory Council shall be determined by the International President, subject to the approval of the International Executive Board.

Section 4. It shall be mandatory that each Local Union affiliate with the appropriate State CAP Council and any city, county or area CAP Council established under this structure in accordance with the requirements of Article 37, Sections 1 and 2 of this Constitution.

Section 5. Upon approval of the International President, Regional Directors are authorized to establish, in states under their jurisdiction, or in concert with other Directors within states under their jurisdiction, appropriate state, city, county and area CAP Councils, or a combination of same, where sufficient membership exists for the establishment of such Councils.

Section 6. All state, city, county and area councils established under the UAW Community Action Program shall be subordinate bodies of the International Union.

Section 7. Membership in UAW CAP Councils shall be confined to UAW Local Unions, UAW Retired Workers Chapters and UAW Family Auxiliaries.

Section 8. Each CAP Council established shall be required to adopt bylaws governing said Council which shall require the approval of the International Executive Board. All bylaws established for CAP Councils must include a budget, which shall

require the approval of the Regional Director(s) and the UAW CAP Department. All expenditures of CAP Councils are required to be made in accordance with the financial guidelines for CAP Councils, as established by the International Executive Board and the National CAP Advisory Council.

Section 9. All Local Unions (except those in the State of Michigan) affiliated with the various state, city, county and area CAP Councils shall be required to develop in their bylaws a requirement which will advise the membership at the time of their election for executive officers, as set forth under Article 38, Section 1 of this Constitution, of those officers or all of same under Article 38, Section 1 of this Constitution, who as a result of their election to their respective offices may also serve as a delegate to the state, city, county or area council established in their area.

Section 10. All CAP Councils shall develop in their bylaws appropriate procedures for the election of officers of the Council, representation to the Council and other provisions for the effective operation of the CAP Council, which is required to meet the standards for such Councils as developed by the International Executive Board.

Section 11. The International President shall be the Chairperson of the UAW Community Action Program Department and will chair the National UAW CAP Advisory Council.

Section 12. A CAP Council may make changes in its structure and/or operations subject to the approval of the International Executive Board when it is necessary in order to comply with election, labor or tax laws, whether state or federal.

Section 13. All CAP Council Bylaws shall be approved by the Regional Director(s) and the UAW CAP Department. Where a separate segregated fund or committee is established, pursuant to Section 14 of this Article, its bylaws shall be approved in like manner.

Section 14. The International Union, through the CAP Council structure, may establish separate segregated funds or committees through which Local Unions, their membership and their families collectively make contributions and expenditures to influence the nomination and election of individuals to state, local and/or party office, or to influence any ballot issue. These funds or committees shall be required to adopt bylaws setting forth their structure and operations.

ARTICLE 24

Competitive Shop Department

Section 1. The International Executive Board shall create a Competitive Shop Department for the International Union.

Section 2. The International President shall appoint a director for the Competitive Shop Department, subject to the approval of the International Executive Board, who is best qualified by experience and who now is and has been a member of the Union for at least two (2) years. The International Executive Board may remove the director of the Competitive Shop Department.

Section 3. It shall be the duty of the Competitive Shop Department to aid in organizing and calling National and Regional Wage-Hour Conferences. National and Regional Wage-Hour Conferences may be called by the director of the Competitive Shop Department after consultation with the Regional Director concerned, subject to the approval of the International Executive Board.

Section 4. It shall be the duty of the Competitive Shop Department to direct the organization of unorganized competitive shops by making recommendations for assignment of organizers to the Regional Directors, the International President and the International Executive Board.

Section 5. Organizers working on such assignments shall make reports on the progress of organization to the Competitive Shop Department as well as to their Regional Directors.

Section 6. It shall be the duty of the Competitive Shop Department to check all agreements referred to it by the International Executive Board, and to make recommendations to the various Local Unions for the standardization of wage-hour provisions throughout given competitive industries.

ARTICLE 25

Research Department

Section 1. The International Executive Board shall create a Research Department for the International Union.

Section 2. The President of the International Union shall appoint a director for the Research Department who shall be selected from the International Union, if possible, and who is competent and

qualified by previous experience and training to do such work; but such appointment shall not be considered final until it is approved by the International Executive Board at their next meeting. It shall be mandatory that the International Research Department shall be kept informed of changes in rates, working standards and so forth by all Local Unions.

Section 3. It shall gather and keep on file information on wages, hours and other conditions of employment and any general information about the automotive, aerospace and agricultural implement industries.

Section 4. It shall gather and keep on file any other information which the International Executive Board, Regional Directors, Local Unions, Wage-Hour Councils or any other subdivision of the International Union may require from time to time.

Section 5. It shall send to all International Executive Board Members, International Representatives, Local Unions and Wage-Hour Councils a periodic bulletin on problems of general interest to the members of the Union.

Section 6. It shall submit to the International Executive Board Meetings, a regular report on general conditions in the automotive, aerospace and agricultural implement industries which are of importance to the International Union.

Section 7. It shall submit a complete and thorough report to the Conventions of the International Union on the automotive,
aerospace and agricultural implement industries and the International Union.

Section 8. It shall supply Wage-Hour Councils with financial reports of employer(s) in their industry and such other material as they may request.

ARTICLE 26
Civil and Human Rights Department

Section 1. There is hereby created a department to be known as the Civil and Human Rights Department of the International Union.

Section 2. The International President shall appoint a committee composed of International Executive Board Members to handle the

functions of this department. S/He shall also appoint a director who shall be a member of the Union and approved by the International Executive Board. S/He shall also appoint a staff which shall be qualified by previous experience and training in the field of inter-racial, inter-faith and inter-cultural relations, to assist in the implementation of the policies of the International Union dealing with discrimination based on race, sex, religion, national origin, age, **disability, sexual orientation, gender identity or gender expression.**

Section 3. One cent (.01) per month per dues-paying member of the per capita forwarded to the International Union by Local Unions shall be used as the Civil and Human Rights Fund of the International Union as provided in this Constitution.

Section 4. The Department shall be charged with the duty of implementing the policies of the International Union dealing with discrimination, as these policies are set forth in the International Constitution and as they may be evidenced by action of the International Executive Board and of International Conventions, and to give all possible assistance and guidance to Local Unions in the furtherance of their duties as set forth in this Article, and to carry out such further duties as may be assigned to it from time to time by the International President or the International Executive Board.

Section 5. It shall be mandatory that each Local Union set up a Civil and Human Rights Committee. The specific duties of this Committee shall be to promote fair employment practices and endeavor to eliminate discrimination affecting the welfare of the individual members of the Local Union, the International Union, the labor movement and the nation.

ARTICLE 27
Education Department

Section 1. Education shall be a mandatory part of the business of the International Union and of each Local Union, particularly education in labor history, labor problems, the objectives of the International Union and the problems of the International Union, its members and their families.

Section 2. The International President shall appoint an Education Director over the Education Department, and such appointment shall be subject to approval of the International Executive Board.

Section 3. Four cents (.04) per month per dues-paying member of the per capita forwarded to the International Union by Local Unions shall be used as the Educational and Recreational-Leisure Time Activities Fund of the International Union, as provided in this Constitution.

Section 4. Three cents (.03) of such per capita tax shall be used for educational purposes and one cent (.01) shall be used for recreation-leisure time activities.

Section 5. It shall be mandatory that each Local Union set up an Education Committee. The duties of this Committee shall be to promote all branches of education affecting the welfare of the individual members, the Local Union, the International Union, and the labor movement. It shall be the duty of the Regional Director to see that this provision of the Constitution is carried out.

Section 6. There shall be established educational areas throughout the International Union to which educational representatives shall be assigned. These educational representatives shall be appointed by the President to work under the direction of the International Education Director, and such appointments shall be approved by the Regional Director(s) in whose area(s) they shall serve.

ARTICLE 28
Family Education Center Department

Section 1. The International Executive Board shall create a Family Education Center Department.

Section 2. The International President shall appoint a director to supervise the activities of the Family Education Center Department and such appointment shall be subject to the approval of the International Executive Board. The President shall also appoint and assign a qualified staff to service the Department.

Section 3. The Family Education Center Department shall formulate and implement programs at Family Education Centers for the education and training of UAW members and their families through participation in the Family Education Scholarship Program in order to bring about a better understanding of the UAW's programs, policies, aims and objectives and to broaden and enlighten participants with a view toward the improvement of the quality of life. The function of the Department shall be to develop

a cadre of future leadership, with supportive family involvement for all levels of the UAW.

Section 4. It shall be the function of the Family Education Center Department to formulate and implement programs at Family Education Centers for the training of Local Union leadership and to develop among potential leaders and their families a clearer understanding of the Union and the complex problems facing our society.

Section 5. All subordinate bodies of the International Union shall cooperate with the Department and assist in the promotion of the Department's programs and activities.

Section 6. The Department shall develop a comprehensive program to encourage and promote the continuation, on the local level, of family interest and family participation in activities related to the UAW and the community, following participation in a Family Education Center Program. The Family Education Center Department shall be charged with the duty of providing an ongoing program to draw the family closer together around common interests and into continuing Union and community programs to build a stronger labor movement and a better society.

ARTICLE 29
Communications

Section 1. The International Union shall engage in communication programs (through print, electronic media or otherwise) designed to educate the membership and to acquaint the membership with the activities of this International Union. Special publications or other communications for all, or a particular segment, of the membership shall be disseminated from time to time as the International Executive Board may direct. The title of any official print publication shall be "Solidarity."

Section 2. "Solidarity" shall be under the supervision of the International Executive Board who shall select a Publication Committee consisting of the International President and two other members of the International Executive Board. The Publication Committee shall be directly responsible to the International Executive Board in carrying out the task of publishing "Solidarity." The editors of "Solidarity" shall be appointed by the International President subject to the approval of the International Executive Board.

Section 3. The International Secretary-Treasurer shall allocate out of each per-capita tax, five cents (.05) for a special fund for the communication programs described in Article 29, Section 1.

Section 4. Beginning July 2014, members will have electronic access to "Solidarity." The only issue sent through the United States mail to members shall be the July-August publication. Members may submit a request to receive "Solidarity" via email or United States mail on the uaw.org website.

Section 5. To non-members, the rate shall be five dollars ($5.00) per annum with postage additional for foreign subscribers.

Section 6. Local publications shall conform with the policies of the International Union and all Local Union Editors and/or Editorial Committees shall be responsible to the Officers and Executive Board of the Local Union who shall have authority to effectuate such conformity. Where a unit of an Amalgamated Local Union has a publication, such initial responsibility shall be to the unit officers, but the Amalgamated Local Union Officers and Executive Board shall still have the ultimate authority of effectuating such conformity.

ARTICLE 30
Charges and Trials of International Officers

Section 1. Charges against International Officers or International Executive Board Members may be filed in either of these manners:

(a) Upon written affidavit signed by five (5) or more Board Members and filed with the International Secretary-Treasurer.

(b) Upon written affidavit signed by a Local Union member and endorsed by the member's own Local Union and by at least ten (10) additional Local Unions in the International Union, or in the case of charges against an International Executive Board Member, upon written affidavit signed by the Local Union member and endorsed by the member's own Local Union and a majority of the Local Unions within the region from which the International Executive Board Member is elected.

Section 2. In case the charges to be filed are against the International Secretary-Treasurer, they shall be filed with the International President who shall in that case alone perform the duties with reference to the trial procedure.

Section 3. Upon receipt of the charges the International Secretary-Treasurer shall immediately send a copy of the charges by receipted registered or certified mail to the accused and copies to all International Executive Board Members, notifying the accused that s/he has fifteen (15) days to prepare a defense and notifying the International Executive Board Members of a Special International Executive Board Meeting to be called ten (10) days following filing of the charges.

Section 4. Pending the trial, the International Officer or International Executive Board Member accused shall continue to function in her/his elected capacity unless a Special International Executive Board Meeting is convened and votes by a two-thirds (2/3) vote for suspension as otherwise provided in this Constitution.

Section 5. The first order of business at the Special International Executive Board Meeting shall be the setting up of an International Union Trial Committee. This Committee shall be chosen from among present members in good standing who were seated delegates at the preceding International Union Convention, but excluding any such who, at the time of selection of the Trial Committee panel, are officers or employees of the International Union or are members of the International Executive Board. The name of each member qualified as aforesaid for service on the Trial Committee shall be written on a slip of paper on which shall also appear the number and location of the Local Union from which s/he was a delegate, the said slips being all of uniform size and appearance. The said slips of paper shall be deposited in a box by the Secretary-Treasurer in the presence of the International Executive Board and the box shall be sealed and thoroughly shaken. The International Secretary-Treasurer shall then open the container and the member of the International Executive Board selected for that purpose and blindfolded shall draw the names of fifty (50) delegates, one by one. After these names are drawn they shall be read by the International Secretary-Treasurer in the presence of the International Executive Board and each name in succession shall be set opposite a number from one (1) to fifty (50).

Section 6. During the drawing of the names, the accused or her/his personal representative shall have the right to be present, as may the accuser or a representative of the accuser.

Section 7. Immediately following the drawing of the panel, the Trial Committee shall be chosen. The accused and the accuser shall each have the right to strike ten (10) names from the panel. Either may waive the right in whole or in part, striking in such case, less

than ten (10) names, but the right of either party to strike ten (10) names shall not be affected by any such waiver by the other. The parties shall proceed alternately in striking names from the panel, beginning with the accused.

Section 8. After these challenges have been made, the first twelve (12) persons whose names remain on the list shall be notified to report to the International Office within five (5) days to proceed with the trial. Local Unions shall also be notified when any of their members' names are drawn for service on the International Trial Committee.

Section 9. Such an order shall be mandatory upon any member of the Union receiving this notice. Should s/he fail to appear, unless her/his absence is excused by a signed affidavit of illness or Local Union emergency, attested to by the Executive Board of the member's Local Union, such a member may be subject to charges in her/his Local Union, and to expulsion.

Section 10. Upon a member's appearance at the International Office, each member of the Trial Committee thus notified shall produce affidavit attesting her/his membership in good standing in her/his Local Union, signed by the Financial Secretary of the Local Union.

Section 11. In case one (1) or more members of the Trial Committee thus notified shall fail to appear for the above reasons or fail to produce such certificate of membership in good standing, the next member of the panel, numbering down from one (1) to fifty (50) shall be notified to report.

Section 12. The International Trial Committee shall go into session immediately upon arrival of the full panel and shall hear the charges brought by the accuser and all the witnesses named for substantiation, and shall hear the defense of the accused and all her/his witnesses for substantiation. The Trial Committee shall decide its own rules of procedure relating to the conduct of the trial and may elect its own Chairperson and Secretary, providing that verbatim minutes of all evidence shall be reported by a court stenographer. The accused and the accuser shall have a right to be represented by counsel.

Section 13. The Trial Committee, upon completion of the hearing on the evidence and arguments, shall go into closed session to determine the verdict and penalty. A two-thirds (2/3) vote shall

be required to find the accused guilty. In case the accused is found guilty, the Trial Committee may, by a majority vote, reprimand the accused or it may, by two-thirds (2/3) vote, suspend or remove the accused from office, or suspend or expel her/him from membership in the International Union.

Section 14. In case a Trial Committee finds the accused innocent they may determine the honest or malicious intent of the accuser. If they find the accuser guilty of obvious malice in filing the charges, they may assess a penalty against her/him in accordance with Section 13 of this Article.

Section 15. Charges against an International Officer or International Executive Board Member, concerning her/his own Local Union, shall not be filed according to Local Union trial procedures, but in accordance with the above provisions.

ARTICLE 31
Trials of Members

Section 1. A charge by a member or members in good standing that a member or members have violated this Constitution or engaged in conduct unbecoming a member of the Union must be specifically set forth in writing and signed by the member or members making the charges. The charges must state the exact nature of the alleged offense or offenses and, if possible, the period of time during which the offense or offenses allegedly took place. Two (2) or more members may be jointly charged with having participated in the same act or acts charged as an offense or with having acted jointly in commission of such an offense and may be jointly tried.

Section 2. Charges must be submitted to the Recording Secretary of the Local Union or of the Unit Workplace Organization, as the case may be, within sixty (60) days of the time the complainant first became aware, or reasonably should have been aware, of the alleged offense; provided, that if the charges are against the Recording Secretary, they shall be submitted to the President of the Local Union or the chief executive officer of the Unit Workplace Organization, as the case may be, and provided further, that charges preferred against one for acts or conduct detrimental to the interest of the Union or its members, committed while s/he was out of the Union on withdrawal card, shall be submitted within sixty (60) days from the time of the deposit of her/his withdrawal card.

Section 3. Upon charges being submitted, it is mandatory that a trial be held unless the charges are withdrawn by the accuser or considered by the Union to be improper under this Article.

Prior to the notification to a member that charges have been filed against her/him, the Local Union Executive Board or, in the case of an Amalgamated Local Union, the Unit Workplace Organization of which s/he is a member, shall review the charges and consider them improper if:

(a) The charges do not state the exact nature of the alleged offense as required by Section 1 of this Article;

(b) The charges are untimely under Section 2 of this Article;

(c) The act complained of does not sustain a charge of a violation of the Constitution or conduct unbecoming a member of the Union;

(d) The charges involve a question which should be decided by the membership at a membership meeting and not by the trial procedure.

(e) In all cases, an otherwise proper charge(s) must be supported by substantial direct evidence, as well as the evidence of at least one (1) corroborating witness, which, if not rebutted, would establish all elements of the charge(s).

Both the accused and the accuser shall be notified in writing of the Executive Board's or Unit Workplace Organization's determination and either the accused or the accuser may appeal from such determination, **first to the International Executive Board** pursuant to Article 33, Section 3(d)**, and then, if necessary, to the Public Review Board pursuant to Article 33, Section 3(f).** Such an appeal must be limited to the question of whether the charges are proper or improper under items (a), (b), (c), (d) or (e) of this Section.

If a trial is ordered by the Local Union Executive Board If a trial is ordered by the Local Union Executive Board **or Unit Workplace Organization and there is no appeal, no party may subsequently challenge the propriety of the charge under this Section.**

If a trial is ordered by the Local Union Executive Board or Unit Workplace Organization and **there is an appeal concerning the propriety of the charge,** no such trial shall be held until the

accused and the accuser have exhausted their rights to appeal under Article 33, Sections 3(d) and 3(f), and the final body hearing the appeal has issued a decision affirming that the trial should proceed.

Section 4. A member against whom proper charges have been filed shall be notified of such charges by receipted registered or certified mail within seven (7) days after the charges have been reviewed, as provided in Section 3 of this Article, by the Local Union Executive Board or, in the case of an Amalgamated Local Union, by the Unit Workplace Organization of which s/he is a member.

Section 5. A member preferring charges, and a member against whom charges are preferred, shall be permitted representation by counsel of the member's own choice; such counsel, however, shall be required to abide by the Trial Procedure as established by the Trial Committee and as outlined in this Constitution.

Section 6. A member against whom charges have been filed may be suspended from any elective or appointive office or position s/he may hold in her/his Local Union or Unit, as the case may be, pending trial, by a two-thirds (2/3) vote at such Local Union or Unit membership meeting.

Section 7. The accused member shall be tried by a Trial Committee selected by drawing names from the members attending the first Local Union or Amalgamated Local Union unit meeting which is held at least five (5) days after the notification to the member charged. The presiding officer at the meeting shall cause uniform cards bearing the names of each member in attendance at that meeting (with the exception of the presiding officer, the presiding officer's designee to draw the cards, the charging member, the charged member, and any representatives designated by either of them as counsel), to be placed in a container. A list of the names of members appearing on those cards shall be kept in the order in which they are drawn.

(a) In Local Unions or units of Amalgamated Local Unions with a membership of five hundred (500) or more, a total of nineteen (19) names shall be so drawn. The names shall be read off in the order in which drawn. It shall be an obligation of the membership for any member whose name has been drawn to serve on the Trial Committee; provided that any such member who feels that s/he cannot serve for good and sufficient reasons may state those reasons to the meeting and withdraw. If any of the nineteen (19) named

members shall so withdraw, additional names shall be drawn so that the list shall again total nineteen (19). The charging member and charged member, or their designated counsel, shall each have the right to strike as many as five (5) names without stating any grounds or reasons, it being intended that each side be limited to five (5) challenges even though more than one (1) charged or charging party is involved. The Trial Committee shall consist of the seven (7) members whose names were first drawn, and neither withdrawn nor stricken, and the next two (2) members in order of drawing who have not been withdrawn nor stricken shall serve as alternates.

(b) In Local Unions authorized under Article 37, Section 4, to hold annual general membership meetings with monthly meetings of a workplace council, Trial Committees may be selected at the monthly meetings of the plant or workplace council.

(c) In Local Unions or units of Amalgamated Local Unions with a membership of more than two hundred (200) but less than five hundred (500), the same procedure shall be followed except that the total names drawn shall be twelve (12). The Trial Committee shall consist of five (5) members and one (1) alternate, and the parties shall be limited to three (3) challenges.

(d) In Local Unions or units of Amalgamated Local Unions with a membership of two hundred (200) or less, the same procedure shall be followed except that the total names drawn shall be eight (8). The Trial Committee shall consist of three (3) members and one (1) alternate, and the parties shall be limited to two (2) challenges.

(e) If the size of a unit of an Amalgamated Local Union is such as to make application of Subsection (d) above impractical, the delegate body, or the membership of the Amalgamated Local Union if no delegate body exists shall be substituted for the unit membership as the body from which the Trial Committee is to be selected.

Section 8. Within seven (7) days after the Trial Committee has been selected, the accused member shall be notified of the time and place of the trial which shall be held not less than fifteen (15) days nor more than thirty (30) days from the date of the member's receipt of such notification. The Trial Committee shall submit its findings to the Local Union not later than sixty (60) days from the time such committee was selected.

All of the time periods provided herein may be extended by the

International President where, in her/his judgment, justice will be served by such an extension.

Section 9. Any Officer, Executive Board Member or Joint Council delegate, where such council exists, if charged with a violation of the Amalgamated Local Union Bylaws or International Constitution or if charged with being derelict in performing her/his duties as a Local Union officer or failure to carry out the union obligation which s/he accepted, shall be tried by a Trial Committee selected either from the delegate body of such Amalgamated Local Union, where such delegate body exists, or from a general membership meeting where no delegate body exists. Any disciplinary action taken by said Trial Committee against such Officer, Executive Board Member, or Joint Council delegate shall be limited to her/his membership in the Joint Council or governing body of the Amalgamated Local Union.

Section 10. The Trial Committee, upon completion of the hearing on the evidence and arguments, shall go into closed session to determine the verdict and penalty. A two-thirds (2/3) vote shall be required to find the accused guilty. In case the accused is found guilty, the Trial Committee may:

(a) By a majority vote, reprimand the accused; or

(b) It may, by a two-thirds (2/3) vote, suspend or remove the accused from office or suspend or expel her/him from membership in the International Union.

The Trial Committee may not apply more than one (1) of the above two (2) penalties against the accused.

Section 11. The Trial Committee shall thereupon report its verdict and judgment to the body from which it was selected at the membership meeting of that body next following the determination of the verdict and judgment of the Trial Committee, after giving the accused written notification of its verdict and judgment and of said membership meeting. In case of a verdict of acquittal, such verdict and judgment shall become final upon being reported at said membership meeting and no further action may be taken, except as provided in Section 17 of this Article. In case of a verdict of guilty, such verdict and judgment shall become effective upon approval by a majority vote taken by secret ballot at the membership meeting. In case of a verdict of guilty, the membership meeting may, by a majority vote taken by secret ballot, modify the verdict or order a new trial. The vote shall first be upon the verdict of guilty. If such verdict is not

approved by such majority vote, the accused shall stand acquitted. If the verdict of guilty is approved by such majority vote, the vote shall then be upon the penalty recommended by the Trial Committee. This vote shall be conducted by first voting by secret ballot upon the penalty recommended by the Trial Committee. If a majority vote supports the recommended penalty, it shall be considered approved. If a majority vote rejects the recommended penalty, the membership shall then decide upon an appropriate penalty by majority vote by secret ballot. The Recording Secretary shall notify the accused member in writing of the verdict and judgment resulting from that meeting.

Section 12. A member, who is under suspension from membership, including a temporary suspension, shall be required to pay all dues during the period of suspension. Suspended members shall not be entitled to "Out-of-Work" credits. In the case of a workplace in which Union membership is a condition of employment, suspension from membership, including temporary suspension, shall not require removal from the job; provided that in cases of extreme emergency, removal from the job may be required by two-thirds (2/3) vote of the Local Union or unit membership suspending the member or approving the member's suspension. In the case of a workplace in which Union membership is a condition of employment, expulsion from membership shall require removal from the job. Application of this Section shall in all cases, however, be limited by applicable state or federal laws, and no provision of this Section shall be applied in any situation where the application would violate any controlling state or federal law.

Section 13. In case the Trial Committee finds the accused obviously innocent, it may determine the honest or malicious intent of the accuser. Should the Trial Committee tentatively conclude that the accuser was guilty of obvious malice, it shall so notify her/him in writing and afford the accuser an opportunity for a hearing. If, as a result of such hearing, it finds the accuser guilty of obvious malice in filing the charges, it may assess a penalty against the accuser in accordance with Section 10 of this Article. The procedures of Sections 10 and 11 of this Article shall be followed.

Section 14. In the event the charged party is acquitted on her/his trial, the Trial Committee may determine whether the accuser should be reprimanded because the charge was frivolous or insubstantial. Should the Trial Committee tentatively conclude that the charge was frivolous or insubstantial, it shall so notify the accuser in writing and afford the accuser an opportunity for a hearing. If,

as a result of such hearing, it finds that the charge was frivolous or insubstantial, it shall submit to the membership of the body from which it was selected, a recommendation that the accuser who filed the frivolous or insubstantial charges, be assessed a penalty in accordance with Section 10 of this Article. Such verdict and penalty in relation to the accuser shall become effective only upon approval of that membership. The procedures of Sections 10 and 11 of this Article shall be followed.

Section 15. Any higher body to which an appeal from the decision of the Trial Committee is made shall have the authority not only to accept or reject the verdict, but may modify such a verdict or order a new trial.

Section 16. Where a member against whom charges have been filed has been duly suspended in compliance with the provisions of Section 6 of this Article and has been found guilty by the Trial Committee, s/he shall have the right to attend the meeting of the Unit Workplace Organization or of the Local Union, as the case may be, in which any verdict and judgment is presented for approval, and shall be afforded full opportunity to present to the meeting her/his position on all matters bearing upon the trial, verdict and judgment.

Section 17. In any case in which a member shall have been tried upon charges alleging one or more of the following offenses:

(a) Illegally seeking or holding office or position in violation of Section 9 of Article 10;

(b) Misappropriation or embezzlement of Union funds;

(c) Fraud in a Local Union election as defined in Article 49;

(d) Any other offense concerning which the International Executive Board has the present authority to act under the emergency provisions of Article 31, Section 20; an acquittal by the Trial Committee or by the Local Union, if appealed, shall be reviewed directly by the International Executive Board pursuant to the procedures of Article 33, Section 3. Such appeal must be taken within thirty (30) days by any member of the Local Union or the Regional Director.

In case of a conviction, the penalty may be reviewed by the International Executive Board upon an appeal taken within thirty (30) days by any member of the Local Union or the Regional Director

on the ground that the penalty imposed is grossly disproportionate to the gravity of the offense.

Section 18. Upon appeal from an acquittal, the International Executive Board shall review the record of the trial and subsequent proceedings in the Local Union and such other matters relevant to the charges and the appeal as it feels necessary in order to assure justice. The Board shall be empowered, if it finds that the verdict was against the great weight of the evidence, to set it aside and to order a new trial by an International Union Trial Committee in accordance with Sections 22 and 23 of this Article.

Upon appeal from a penalty, the International Executive Board may refer the penalty to an International Union Trial committee selected in accordance with Sections 22 and 23 of this Article. The International Union Trial Committee may in any such case prescribe any penalty provided by this Constitution but without reviewing the verdict of guilt.

Any decision by the International Executive Board pursuant to this Section shall be appealable through the normal procedures of Article 33, Section 3, but the action of any subsequent appellant body regardless of any other provisions of this Constitution shall be confined within the area of relief permitted by this Section.

Section 19. Any member expelled or suspended from membership for more than two (2) years may be reinstated to full membership or to membership without right to hold office or appointive position at any time after two (2) years following the final action which affected the member's expulsion or suspension. Such reinstatement may be ordered only by a majority vote of the body which initiated the action resulting in the member's expulsion or suspension; provided that if that body is subordinate to the International Executive Board, the reinstatement shall be effective only if and when it is approved by a majority vote of the International Executive Board. If the body initially passing on the petition for reinstatement denies that petition in whole or in part, it shall be subject to the normal appeal procedure provided in Article 33 of this Constitution; provided that if the initial expulsion or suspension was approved by either a Convention of the International Union or the Public Review Board, any appeal from the decision of the International Executive Board in connection with the petition for reinstatement may be appealed only to whichever of the two (2) bodies (the Convention or the Public Review Board) passed on the initial expulsion or suspension.

Section 20. In cases of extreme emergency and when it appears to the International Executive Board that irreparable injury may result to the International Union or to a subordinate body from offenses punishable under this Constitution recently committed or being committed by any member or members unless the Board shall intervene; and, without regard to the existence of a present emergency, in any case in which it shall appear to the Board that two (2) or more members have engaged at any time since the original adoption of this Section at the Twelfth Constitutional Convention in a conspiracy to commit an offense against the Union; the Board may, if two-thirds (2/3) of its members concur, prefer charges against such member or members for the violation of this Constitution or for conduct unbecoming a member of the Union, which charges shall be specifically set forth in writing and signed by the Secretary-Treasurer of the International Union. At the same session at which any such charges are voted, the Board shall select one (1) of its members who shall serve as the representative for the Board in the trial of the charges.

Section 21. If it shall be charged by the International Executive Board that two (2) or more members have participated in the same act or acts charged as an offense or having acted jointly in the commission of an offense, or have engaged in a conspiracy to commit an offense punishable under this Constitution, any such members may be jointly tried.

Section 22. Charges preferred against a member or members by the International Executive Board shall be tried by an International Union Trial Committee chosen in the manner provided for the selection of such a committee in Article 30, Sections 5 through 12 inclusive, except that the accused and the representative for the International Executive Board shall each be entitled to strike only five (5) names from the panel. In cases where two (2) or more members are charged jointly, the panel drawn by the Secretary-Treasurer shall consist of a number of names equal of fifty (50), plus ten (10) times the number by which the number of accused exceeds one (1); so that if there are two (2) accused, sixty (60) names shall be drawn; if three (3) are accused seventy (70) names shall be drawn, and so on. Each of the accused shall be entitled to strike five (5) names and the representative for the International Executive Board shall be entitled to strike a number equal to five (5) times the number of accused. The accused shall proceed in striking names from the panel in the alphabetical order of their names and in the manner provided in Article 30, Section 7.

Section 23. Upon completion of the trial, the International Union Trial Committee shall go into closed session to determine the verdict and penalty. A two-thirds (2/3) vote shall be required to find the accused guilty. In the event the accused is found guilty, the International Union Trial Committee may impose the penalties provided by Section 10 of this Article. In the event the International Union Trial Committee finds the accused guilty, the accused may appeal the decision to the Convention Appeals Committee or the Public Review Board in the same way as provided in Article 33 for an appeal from a decision of the International Executive Board. In the event the International Union Trial Committee finds the accused not guilty the decision shall be final.

Section 24. Whenever it is charged that a member is affirmatively engaged in the promotion, implementation, furtherance or support of any other union or collective bargaining group with the purpose or intent of supplanting the International Union, or any subordinate body thereof, as the recognized collective bargaining agent, or if the member is affirmatively engaged in efforts to decertify the International Union or any subordinate body thereof as the recognized collective bargaining agent, such charge will be filed with the International Executive Board and a copy shall be sent to such member. The member shall be subject to suspension or expulsion by the International Executive Board after hearing on such charges, with the Board designating a special committee to conduct a hearing and make recommendations in a manner similar to that provided for the operation of International Executive Board Appeals Committees under Article 33 of this Constitution.

The special committee shall make recommendations to the International Executive Board which recommendations shall be processed by the International Executive Board in the same manner that it processes recommendations of said Appeals Committees; provided that if the special committee recommends that the charged member be suspended or expelled, it shall have the authority to temporarily suspend the charged member until the International Executive Board has taken action on the recommendations. The International Executive Board, if it finds the member guilty of the offense charged by a two-thirds (2/3) vote, may suspend or expel the member. Any member suspended or expelled under this Section shall have the right to appeal such suspension or expulsion either to the Public Review Board or the Convention Appeals Committee as provided in Article 33 of this Constitution. The procedure provided for in this Section shall be in addition to and exclusive of, any other action which may be taken against such member.

ARTICLE 32

Public Review Board

Section 1. For the purpose of ensuring a continuation of high moral and ethical standards in the administrative and operative practices of the International Union and its subordinate bodies, and to further strengthen the democratic processes and appeal procedures within the Union as they affect the rights and privileges of individual members or subordinate bodies, there shall be established a Public Review Board consisting of impartial persons of good public repute not working under the jurisdiction of the UAW or employed by the International Union or any of its subordinate bodies.

Section 2. The Public Review Board shall consist of four (4) members, including the Chairperson. In the event of death, retirement or resignation of any of the four (4) members, the International Executive Board shall have the authority to reduce the number of members from four (4) to three (3). Their terms shall be for the period between International Constitutional Conventions. At each regular International Constitutional Convention, the International President shall, subject to the approval of the International Executive Board, propose the names of the Chairperson and members of the Public Review Board for ratification by said International Constitutional Convention. Should any vacancy on the Public Review Board occur between International Constitutional Conventions, the vacancy shall be filled by appointment by the International President, subject to the approval of the International Executive Board, from a list of names submitted by the remaining members of the Public Review Board.

Section 3. (a) The Public Review Board shall have the authority and duty to make final and binding decisions on all cases appealed to it in accordance with Article 33 of the International Constitution, and to deal with matters related to alleged violation of any UAW Ethical Practices Codes that may be adopted by the International Union.

(b) The Public Review Board shall have the authority and duty to make final and binding decisions on all cases appealed to it in accordance with Article 16, Section 20 of the International Constitution.

Section 4. Any complaint filed under Section 5(a) or (b) of this Article alleging violation of any UAW Ethical Practices Codes that may be adopted by the International Union, must be filed within

sixty (60) days of the time the charging member first becomes aware or reasonably should have become aware of the alleged violation.

Section 5. To facilitate the orderly handling of complaints related to alleged violations of any UAW Ethical Practices Codes, the following procedures shall apply:

(a) If a complaint is against the operation of a subordinate body or any officer or representative thereof, the complaint must be initiated by a member of that subordinate body who shall be obligated to first attempt to seek redress and correction of the matter complained of through appeal to the membership of the Local Union. Failing to get redress from the Local Union, the member shall submit her/his complaint to the International Executive Board through the International President who shall forward a copy of the complaint directly to the Chairperson of the Public Review Board. The International Executive Board shall have the initial responsibility for investigating the complaint. The Chairperson of the Public Review Board will be kept advised of the case by the International Executive Board. Upon completion of the International Executive Board's investigation and action, the Chairperson of the Public Review Board and the complaining member will be informed as to the disposition made of the case by the International Executive Board. In the event the complaining member is dissatisfied with the decision and action of the International Executive Board, s/he may, within thirty (30) days, appeal such decision to the Public Review Board.

In the absence of such an appeal, the Public Review Board may act on the matter if it concludes that there is substance to the original complaint and that the action of the International Executive Board does not satisfactorily meet the problem.

(b) If a complaint is against the operation of the International Union or any officer or representative thereof, the complaint must be made by a member of a Local Union and approved by membership action of that Local Union. The complaint and a certification of the approval shall be submitted to the International President who shall forward a copy of the complaint directly to the Chairperson of the Public Review Board. The complaint shall be processed by the International Executive Board and the Public Review Board in the same manner as a complaint under (a) above.

(c) However, if any member files a complaint under either subsection (a) or (b) above but does not seek approval, redress

or action from the member's Local Union, s/he shall set forth the reasons for such failure to seek or obtain such approval, redress or action from the Local Union at the time s/he files the complaint with either the International Executive Board or the Public Review Board. When, in the judgment of the International Executive Board and/or the Public Review Board, there are valid and substantial reasons for the request to bypass the Local step, the matter may be processed without compliance with the Local step.

(d) Any matter within the coverage of this Section may be submitted to the Public Review Board by majority action of the International Executive Board. When a complaint is properly before the Public Review Board, the Public Review Board shall assume jurisdiction over the matter complained of and process the matter in accordance with the provisions of subsequent Sections of this Article.

Section 6. The Public Review Board shall formulate such rules of procedure and establish such practices as are necessary to facilitate its proper functioning. In order to minimize the time requirements and to expedite the disposition of cases, the Chairperson shall be authorized to create panels of not less than three (3) members of the Public Review Board to act for and in behalf of the Public Review Board. When, as a result of preliminary investigation, the Public Review Board or the panel thereof, concludes that the complaint fails to state allegations sufficiently serious and substantial to justify a hearing, or when it appears that there is no reasonable possibility that any substantial evidence in support of the allegations can be produced, the Board or the panel in its discretion may dismiss such matter without any hearing. The Public Review Board or the panel thereof, shall advise the complaining member, the International Union, and any subordinate body or bodies concerned of its decision or findings.

Section 7. In case the Public Review Board or the panel thereof finds that the accused is obviously innocent of any violation of the Ethical Codes, the Board or the panel thereof, may make judgment with respect to the lack of good faith of the accuser, and if the facts indicate that the accuser acted in bad faith or with malicious intent and in a willful effort to divide and disrupt the Union, the Public Review Board may assess a non-monetary penalty against the accuser; provided, however, that such penalty shall be limited to suspension from membership for a period of not less than three (3) months.

Section 8. The Public Review Board shall prepare and submit to the membership an Annual Report of its activities, in which report it shall draw the attention of the membership to any situation or action which it has investigated upon complaint and found to be improper, and shall comment upon the steps that have been taken by the Union to correct such a situation. The Public Review Board shall further include a summary of all appeals it has handled during the year. Copies of the Public Review Board's Annual Report shall be mailed to all Local Unions and notice of this fact shall be published in the next edition of "Solidarity." Copies shall be available to members upon request and during convention years copies shall be distributed to all delegates. The Annual Report shall be made available to the public press and all other media of public communication. The Public Review Board may, in its discretion, submit an Interim Report. Such an Interim Report shall also be made available to all members and the public in the same manner as the Annual Report.

Section 9. The International Executive Board is instructed and authorized to provide for an annual operating budget to ensure the proper functioning of the Public Review Board. The International Secretary-Treasurer is instructed and authorized to deposit quarterly, in a depository designated by the Public Review Board, to the account of the Public Review Board the necessary funds required by the budget submitted by them. The Public Review Board shall submit its proposed budget to the International Executive Board for review and approval at least three months prior to the expiration of its fiscal year. Such a budget shall cover all necessary expenses, including office, staff, travel and operating expenses, and shall provide for reasonable compensation to the members of the Public Review Board. The Public Review Board shall establish an office separate and apart from any Union building. The staff and office personnel essential to the proper functioning of the Public Review Board shall be selected by the members thereof and shall be compensated out of its operating budget. The Chairperson of the Public Review Board shall be required to have its books and financial records audited annually; such audits and the summary of the financial transactions shall be submitted to the International Secretary-Treasurer, who in turn shall make such information available to the delegates at each Constitutional Convention.

ARTICLE 33
Appeals

Section 1. WHAT MAY BE APPEALED. Any subordinate body or member thereof shall have the right under this Article to appeal

any action, decision, or penalty by any of the following, unless otherwise provided:

(a) The International Union, its International Executive Board or any of its Officers, Regional Directors or International Representatives;

(b) Any administrative arm of the International Union, including its National Departments and Bargaining Councils;

(c) A Local Union, or any of its units, committees, officers, committeepersons or stewards; or

(d) Any other subordinate body of the International Union. A failure or refusal to act by any of the foregoing, where it allegedly results in an injury, may also be appealed.

Section 2. LEVELS OF APPEAL. This Section specifies the levels of appeal for various types of cases.

(a) The normal route of appeal is: FIRST, to the membership or delegate body immediately responsible for the official, officer, action or decision under challenge; SECOND, to the International Executive Board, unless the appeal begins there; and THIRD, to the Convention Appeals Committee or Public Review Board, as may be appropriate. This normal route of appeal shall be followed in all cases, except where this Constitution makes specific provision for an alternate route of appeal. For purposes of illustration, in the following common cases the normal route of appeal is as follows:

In any challenge to the handling or disposition of a grievance: Where the challenge is against a Local Union committeeperson, steward, Bargaining Committee, officer or other Local Union official the levels of appeal are first to the unit of an Amalgamated Local Union, then to the Union; then to the International Executive Board and then to the Convention Appeals Committee, or where appropriate the Public Review Board. Where the challenge is against an International Representative, Regional Director, International Officer or National Department the levels of appeal are first to the International Executive Board, and then to the Convention Appeals Committee, or where appropriate to the Public Review Board.

For any decision of a Local Union, or unit of an Amalgamated Local Union, on a Trial Committee's recommendation the levels of appeal are first to the International Executive Board and then to

the Convention Appeals Committee or the Public Review Board. For disputes or questions in controversy, including all questions involving interpretation of this Constitution by the International President under Article 13, Section 8 the levels of appeal are to the International Executive Board and then to the next Constitutional Convention. For any decision of the International President under Article 48, Section 5 the levels of appeal are to the International Executive Board and then to the Convention Appeals Committee or the Public Review Board.

(b) In the types of cases listed below, the appeal shall be limited as specified:

For any action or decision by a national or corporate bargaining council or sub-council, or by a national or regional wage-hour council or sub-council, the route of appeal shall be directly to the International Executive Board. There shall be no further appeal from the decision of the International Executive Board. For any action or decision pertaining to the following matters: sports and other recreational activities; rulings of the Chair on procedural questions arising during Local Union membership and other meetings; the appointment and/or removal of appointed officials on Local Union committees; and the sending of authorized members from a Local Union to any convention, conference, or other meeting, whether sponsored by the UAW or some other organization, except for the UAW's Constitutional Convention; unless Article 46, Section 1, or some other substantive provision of this Constitution is implicated, the appeal shall be to the membership of the Local Union, or in the case of an Amalgamated Local Union, first to the membership of the appellant's unit, if necessary, and then to the delegate body or general membership of the Amalgamated Local Union. There shall be no further appeal from the decision of the membership of the Local Union or Amalgamated Local Union.

For any action or decision pertaining to the seating of members at any conference or other meeting sponsored by the UAW, if there is a Credentials Committee for the conference or meeting, the appeal shall be first to the Credentials Committee and then to the general delegate body of the conference or meeting. If there is no Credentials Committee for the conference or meeting, the route of appeal shall be directly to the Director of the National Department or Region responsible for the conference or meeting. There shall be no further appeal from the decision of the general delegate body or the Director of the National Department or Region, as the case may be. For any action or decision pertaining to the appointment or removal

of special-purpose representatives, such as Benefit Representatives or Health and Safety Committeepersons by a National Department under the provisions of a collective bargaining agreement, the appeal shall be directly to the International Executive Board. There shall be no further appeal from the decision of the International Executive Board.

For any appeal of a Local Union decision pertaining to Skilled Trades Lines of Demarcation, the appeal shall be to the International Executive Board and there shall be no further appeal from that decision.

For an interpretation of a collective bargaining agreement by a National Department or Regional Director, where the interpretation is so obviously correct that no purpose will be served by an appeal, and where it is consistent with other provisions of this Constitution and International Union policy, the appeal shall be directly to the International President. There shall be no further appeal from that decision.

For any action or decision of the UAW National Skilled Trades Department pertaining to a journeyperson card, the appeal shall be to the International President and there shall be no further appeal from that decision.

Section 3. PROCEDURES AT EACH LEVEL OF APPEAL. This Section specifies the procedures at each level of appeal. In addition, any appeal is subject to the general requirements of Section 4 of this Article. Where this Constitution makes specific provision for alternate procedures, those procedures shall control.

(a) *LOCAL UNION.* An appeal to the Local Union may be made at a meeting of the membership body, or may be made in writing addressed to the Recording Secretary. When no regularly scheduled meeting of the membership body is held within forty-five (45) days of receipt of the appeal, the Local Union Executive Board may consider and rule on the appeal.

(b) *AMALGAMATED LOCAL UNION.* In an Amalgamated Local Union an appeal must be made first at a meeting of the membership body of the appellant's unit or in writing addressed to the Recording Secretary or Chairperson of the appellant's unit. When no regularly scheduled meeting of the membership body of the unit is held within forty-five (45) days of the receipt of the appeal, the unit Committee or unit Executive Board may consider and rule

on the appeal. An appeal from the unit is made to the Amalgamated Local Union's delegate body, where such exists, or to the general membership meeting when no delegate body exists. This appeal shall be taken by submitting a written appeal to the Amalgamated Local Union's Recording Secretary. When no membership or delegate body meeting is held within forty-five (45) days of receipt of this appeal, the Local Union Executive Board may consider and rule on the appeal.

The Amalgamated Local Union shall review the appeal, with the aid of an investigating committee or otherwise, and shall determine the appeal; but if a unit Trial Committee is involved in the proceedings, it shall not select its own Trial Committee to retry the case.

(c) *OTHER SUBORDINATE BODIES.* An appeal to other subordinate bodies, in matters within their areas of responsibility under this Constitution, may be made at a meeting of the membership or delegate body or may be made in writing to the Recording Secretary. When no regularly scheduled meeting of the membership or delegate body is held within forty-five (45) days of receipt of the appeal, the Executive Board of the subordinate body may consider and rule on the appeal.

(d) *INTERNATIONAL EXECUTIVE BOARD.* An appeal to the International Executive Board shall be made in writing, signed by the member(s) and addressed to the International Executive Board in care of the International President. The appeal shall set forth the action or decision being appealed, shall be as specific and detailed as possible, and shall include all information available in support of the appeal.

Appellate Cases. The International Executive Board has appellate jurisdiction to consider and decide all appeals submitted to it from any decision or action of a Local Union, Amalgamated Local Union or other subordinate body; except in the relevant types of cases set forth in Section 2(b) of this Article, the International Executive Board shall entertain an appellate case only when it has been ruled upon by the appropriate membership or delegate body. In this sort of appeal, the appellant should also send a copy of her/his appeal to that body's Recording Secretary. Upon receipt of an appeal, the International President shall secure from the Local Union, Amalgamated Local Union or other subordinate body, a complete statement of the matters at issue, including copies of all charges and records, minutes, transcripts of testimony and other material relating to the appeal.

Original Matters. The International Executive Board has original jurisdiction to consider and decide all appeals submitted to it from any decision or action of an International Officer, Regional Director, International Representative or any administrative arm of the National Department of the International Union, except in the relevant types of cases set forth in Section 2(b) of this Article.

Disposition By An Appeals Committee. The International Executive Board shall appoint a two (2) member Appeals Committee to consider the appeal and make recommendations. This Appeals Committee shall be composed of members of the International Executive Board, but shall not include the Regional Director of the region from which the appeal originates. The appeal and any information secured by the International President shall be forwarded to the Appeals Committee. After a review of the appeal and record, the Appeals Committee may hold a hearing before either the full Committee or in its discretion one of its members unless the Appeals Committee concludes that no useful purpose would be served by a hearing, in which event the Appeals Committee in its discretion may make recommendations on the appeal without a hearing. The Appeals Committee shall make a recommendation which, together with the full record, shall be submitted to a Nine (9) Member Committee of the International Executive Board, of which five (5) members, or their designee(s), shall constitute a quorum. The Nine (9) Member Committee shall consider the record, together with the Appeals Committee's recommendations, and shall make a decision on the appeal.

Disposition By The International President. The International President may, in his discretion, decide an appeal rather than submitting it to an Appeals Committee. In such a case, the International President may designate a representative to conduct any investigation or hearing deemed necessary, in accordance with the procedures of this Subsection. The International President shall base her/his decision on the files and records of the case, and such briefs as may be submitted. In any appeal involving the handling or disposition of a grievance against an employer, the decision of the International President shall be submitted to the Nine (9) Member Committee of the International Executive Board.

Review By The Full International Executive Board. Both where the appeal has been decided by the Nine (9) Member Committee of the International Executive Board and where it has been decided by the International President, copies of the decision shall be sent to all members of the International Executive Board. The decision shall become the decision of the full International Executive Board unless,

within ten (10) days, one or more members of the International Executive Board raises an objection to the decision, in which case the appeal shall be referred for decision to the International Executive Board at its next regular meeting. The International President shall promptly notify all parties concerned of the decision of the International Executive Board. The International Executive Board shall use its best efforts to render its decision within sixty (60) days of receipt of the appeal by the International President.

(e) *CONVENTION APPEALS COMMITTEE.* An appeal to the Convention Appeals Committee shall be made in writing, signed by the member(s) and addressed to the Convention Appeals Committee in care of the International President.

Jurisdiction And Procedure. The Convention Appeals Committee has jurisdiction to consider and decide all appeals submitted to it from any decision or action of the International Executive Board or an International Trial Committee, except in the types of cases set forth in Section 2(b) of this Article **and in Article 31**. The Convention Appeals Committee shall meet at least semi-annually, at the International Union Headquarters, to act on all appeals that have been submitted to it at least thirty (30) days prior to the date established for its meeting. The administrative procedures for the Convention Appeals Committee in handling appeals shall be established by the International Executive Board, subject to review by subsequent Constitutional Conventions. All decisions of the Convention Appeals Committee shall be final and binding.

Selection Of Convention Appeals Committee. The Convention Appeals Committee shall consist of a member and a first and second alternate from each region to be selected by lot from the delegates from each region, when they elect their Regional Director. To provide continuity, members of the Convention Appeals Committee shall be selected from one-half of the regions at each Convention. Such members selected shall serve for two (2) Convention terms. In the event a vacancy occurs on the Convention Appeals Committee, it shall be filled by the ranking alternate from that region. All remaining vacancies shall be filled by lot at the next regular Constitutional Convention.

(f) *PUBLIC REVIEW BOARD.* An appeal to the Public Review Board shall be made in writing, signed by the appellant, and addressed to the Public Review Board in care of the International President.

Jurisdiction. In addition to the jurisdiction conferred elsewhere in this Constitution, the Public Review Board has jurisdiction to consider and decide appeals from any decision or action of the International Executive Board or an International Trial Committee:

Where the case arises under Article 10, Section 12; Article 12, Sections 2 and 3; Article 16, Section 7; Article 30; Article 31; Article 36, Sections 9 and 10; Article 38, Sections 11 and 12; or Article 48 Sections 5 and 6;

Where the International Executive Board, pursuant to Article 12, Section 17, has reviewed the action or decision of its administrative arm, or where the International Executive Board has decided an appeal which concerns action or inaction relative to the processing of a grievance against an employer, subject however, to the limitation of Section 4(i) of this Article; and

In any other case in which the International Executive Board has passed upon an appeal from the action of a Local Union, Amalgamated Local Union, or other subordinate body, except in the relevant types of cases set forth in Section 2(a) and (b) of this Article.

Determining Jurisdiction. In cases that involve the processing of grievances, the Public Review Board shall first determine whether the specific allegation upon which appellant claims the Public Review Board's jurisdiction to be based is or is not true. If the jurisdictional allegation is found to be false, it shall dismiss the appeal. If the appeal is thus dismissed, the appellant may, within thirty (30) days of notification of the dismissal, appeal the case to the Convention Appeals Committee, provided that in such an appeal, the appellant may not again raise any issue which the Public Review Board resolved in dismissing for lack of jurisdiction.

Limitation. In no event shall the Public Review Board, under this or any other article, have jurisdiction to review in any way an official collective bargaining policy of the International Union.

Procedures. If the appellant elects to appeal to the Public Review Board, the appeal shall be considered by the full Board, or a panel thereof. Where the Public Review Board has jurisdiction, the full Board or panel shall decide and dispose of all matters raised by the appeal. The Public Review Board, pursuant to Article 32, Section 6, shall establish its own rules of procedure including those governing the extent and scope of hearings. When notified that an appeal to the Public Review Board has been filed, the International President

shall forward to the Chairperson of the Public Review Board all documents and records in the case. After studying said documents and records, the Public Review Board, or a panel thereof, shall hold a hearing, unless it concludes that the appeal is unsubstantial or that no useful purpose would be served by a hearing; in which event the appeal may be decided or dismissed without a hearing.

The Public Review Board or panel thereof shall upon due consideration issue its decision, which shall be final and binding on all parties.

Section 4. GENERAL REQUIREMENTS. The following rules, unless otherwise indicated, shall govern all levels of the foregoing appeal procedure:

(a) FORM AND CONTENTS OF APPEAL. Any appeal should set forth the action or decision being appealed, shall be made in writing, except as otherwise provided for in this Constitution, and should include all information available in support of the appeal. The appeal should be as specific and detailed as possible and must include an original physical signature, signed by the member(s). Electronic submissions and electronic signatures shall not be permitted.

(b) *CALCULATION OF TIME.* The time limits of Section 4(c) of this Article begin to run from the time the appellant first becomes aware, or reasonably should have become aware, of the alleged action or decision appealed. In the case of an appeal from a decision of the International Executive Board, the time limit shall begin to run when the appellant first receives notice of the decision. For purposes of this Article, "day" means a calendar day. If mailed, an appeal will be considered filed on the date it is postmarked.

(c) *TIME LIMITS FOR APPEAL.* To be considered, an appeal must comply with these time limits, if no other time limit is specifically set forth in this Constitution: Appeal to Local Union sixty (60) days; Amalgamated Local Union Appeal to unit, sixty (60) days, appeal from unit to Amalgamated Local Union itself, thirty (30) days; appeal to other subordinate body sixty (60) days; appeal to International Executive Board appellate or original cases, thirty (30) days; appeal to Convention Appeals Committee thirty (30) days; appeal to Public Review Board thirty (30) days.

(d) *EXTENSIONS OF TIME.* In the case of an appeal to a Local Union, Amalgamated Local Union, or other subordinate body, or in the case of an appeal to the International Executive Board or

Convention Appeals Committee, the International President may waive the time for filing the appeal if warranted by the circumstances.

(e) *COMPLIANCE PENDING APPEAL.* The decision of the lower tribunal, in all cases, must be complied with before an appeal can be accepted by the next tribunal in authority and shall remain in effect until reversed or modified. The International President may, upon written application of an appellant, waive in whole or in part requirements of such compliance where unusual circumstances warrant it.

(f) *COUNSEL.* Any party to an appeal before the International Executive Board, Convention Appeals Committee or Public Review Board, shall be permitted representation by counsel or other representative of her/his choice. Unless otherwise specified in this Constitution, counsel are not permitted before a Local Union, Amalgamated Local Union, or other subordinate body, except as provided in Article 31, Section 5. The party retaining counsel, or other representative, shall bear any cost of such representation.

(g) *BRIEFS.* Any party to an appeal may submit a brief or other written statement of position.

(h) *HEARINGS.* Hearings, when held, shall be such as, in the discretion of the tribunal, and shall bring to light all the facts and issues involved. The appellant and appellee (or their representatives) shall be required to appear, with such witnesses as they may choose, and shall answer fully and truthfully all questions put to them. The parties shall be afforded full opportunity to present their respective positions on all matters bearing on the action, decision or penalty under review. A hearing held by the International Executive Board, through its Appeals Committee or the International President, shall be held as close to the locality from which the appeal originates as possible in order to minimize the expense and inconvenience to the parties. A hearing before a panel or committee of a reviewing tribunal is deemed a hearing before the full reviewing tribunal.

(i) *GRIEVANCE AND RELATED APPEALS.* In any appeal to the Public Review Board, under Section 3(f) of this Article, concerning the handling of a grievance or other issue involving a collective bargaining agreement, the Public Review Board shall not have jurisdiction unless the appellant has alleged before the International Executive Board that the matter was improperly handled because of fraud, discrimination or collusion with management, or that the disposition or handling of the matter was

devoid of any rational basis.

Section 5. OBLIGATION TO EXHAUST INTERNAL UNION REMEDIES. It shall be the duty of any individual or body, if aggrieved by any action, decision or penalty imposed, to exhaust fully the individual or body's remedy and all appeals under this Constitution and the rules of this Union before going to a civil court or governmental agency for redress.

ARTICLE 34
District Councils

Section 1. When a majority of Local Unions of this International Union representing a majority of the membership within their geographical district request the establishment of a District Council, such Local Union representatives shall be assembled by the Regional Directors of that area for the formation of such a Council.

Section 2. When such a District Council is established, it shall be mandatory for all Local Unions of this International Union to affiliate with the Council of their geographical district and obtain a charter from the International Union.

Section 3. The purpose of the District Council shall be to recommend to the Regional Director and the International Union, constructive measures for the welfare of Local Unions and their members. It shall discuss comparative wages, rates, agreements, methods of approach, organizational problems, national, state and provincial legislative programs and such other problems as may be of general interest to the Local Union membership.

Section 4. The District Council shall be composed of delegates elected from the Local Unions in accordance with appropriate procedures established in the bylaws of each member's Local Union. The term of the delegates elected by a Local Union shall be three (3) years. To avoid unnecessary expense in District Councils, Local Unions may empower as many delegates as they desire to carry and vote the entire vote of the Local Union.

Section 5. Activities of the District Councils shall be financed by the payment of a per capita tax by each Local Union affiliated with the District Council, which shall require the approval of the International Executive Board.

Section 6. The per capita tax may be used to assist in organizational work, prepare educational literature, lobby for legislative programs and programs of benefit to its affiliated Local Unions.

Section 7. When a subordinate body has failed to report and pay the per capita tax to the District Council, the District Council Secretary-Treasurer shall report this fact to the International Secretary-Treasurer; the International Secretary-Treasurer shall notify the subordinate body President and Board of Trustees. Such subordinate body shall stand suspended until such deficiency is made good.

Section 8. The District Council shall draft its bylaws in conformity with this Constitution and subject to the approval of the International Executive Board.

Section 9. To dissolve a District Council the Regional Director(s), on the request of three (3) Local Unions within the geographical district, shall call a special meeting of the Council to be held within thirty (30) days of such request, with proper notice of the purpose of the meeting to vote upon the dissolution of the Council. At this meeting the District Council may be dissolved by a vote of a majority of the Local Unions representing a majority of the membership within the geographical district.

ARTICLE 35
Amalgamated Local Unions

Section 1. Any two (2) or more units which are not a part of an Amalgamated Local Union may petition the International Executive Board for the formation of an Amalgamated Local Union. Such petitions must be approved by the membership of the units desiring an Amalgamated Local Union in a specially called membership meeting for that purpose. Upon receipt of such petitions the International Executive Board shall investigate the feasibility of an Amalgamated Local Union and if their decision is that an Amalgamated Local Union be set up, the Regional Director shall without delay set up an Amalgamated Local Union comprising the units as determined by the International Executive Board.

Section 2. Any two (2) or more units of an Amalgamated Local Union may petition the International Executive Board to set up a Joint Council in their Local Union. The International Executive Board shall without undue delay investigate the practicality of a

Joint Council for that Local Union and if they determine that a Joint Council shall be set up, the Local Union shall without delay set up a Joint Council based on the principles in Section 3 of this Article. Members of such a Joint Council, whether directly elected thereto or holding membership thereon by virtue of being elected to some other office or position, shall be elected by secret ballot with the same notice procedures as set forth in Section 2 of Article 38.

Section 3. The membership of the Local Union shall be guaranteed:

(a) Proportional representation from each unit, based on the dues dollar each unit pays to the Local Union. In no case shall any unit be entitled to less than two (2) representatives to the Joint Council.

(b) The right to appeal from any decision of the Joint Council by referendum vote of the membership.

(c) That each unit will have unit autonomy on matters pertaining strictly to that unit.

(d) That a percentage of every dues dollar which a unit pays to the Local Union may be set aside as a fund for the use of that unit for whatever purpose they so desire.

Section 4. Additional organized units may be added to Amalgamated Local Unions only upon approval of the International Executive Board and subject to the majority vote of the membership of the unit and the Joint Council or membership of the Amalgamated Local Union. Unorganized units may be added to an Amalgamated Local Union upon the approval of the Regional Director.

ARTICLE 36
Local Union Charters and Subordinate Bodies

Section 1. A Local Union may be formed by fifteen (15) or more persons working within the jurisdiction of the International Union by applying to the International Secretary-Treasurer for a charter.

Section 2. The International Secretary-Treasurer shall furnish the applicants for a charter with an application blank, and when the same has been properly filled out and returned with fifteen dollars ($15.00) charter fee, upon approval of the International Executive

Board, a charter shall be granted and initial supplies furnished.

Section 3. The charter fee for Local Unions shall be fifteen dollars ($15.00), which shall entitle the Local Union to a charter, one (1) membership receipt book, one (1) International bookkeeping set, one (1) Recording Secretary's minute book, fifteen (15) Constitutions, one (1) roll call book and one (1) gavel.

Section 4. The charter and supplies shall remain the property of the International Union, to be used by the Local Union only as long as said Local Union and its members comply with the laws of the International Union.

Section 5. Any member who shall counterfeit, imitate or falsify the International Union dues receipts, insignia, label or buttons, or knowingly use such imitations or counterfeits, shall be expelled from this Union as the circumstances may warrant after trial has been accorded the accused.

Section 6. The charters to be issued to Local Unions shall be in the following form:

CHARTER

To All Whom These Presents Shall Come:

Know Ye, that the International Union, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW), established for the purpose of effecting through organization of the Automobile, Aerospace, Agricultural Implement, and other industries and composed of Local Unions and Members in different sections of the United States and Canada, doth, upon proper application and under conditions herein provided hereby grant unto

.....

.....

.....

and to their successors, this Charter for the establishment and future maintenance of a Local Union

at.....

to be known as Local Union No.....

of.....

Now, the conditions of this Charter are such: That said Union

forever and under any and all circumstances shall be subordinate to and comply with all the requirements of the Constitution, Bylaws and General Laws or other laws of the International Union, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW), as they may from time to time be altered or amended: That said Union shall for all time be guided and controlled by all acts and decisions of the International Union, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW), as they may from time to time be enacted: That should the Local Union above chartered take advantage of any powers, privileges or rights conferred under the laws as they may exist at any time, said action shall not prevent the International Union, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW) from recalling, amending, changing or abolishing any such powers, privileges or rights.

So long as the said Union adheres to these conditions, this Charter to remain in full force; but upon infraction thereof, the International Union, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW) may revoke this Charter, thereby annulling all privileges secured hereunder.

In Witness Whereof, We have hereunto set our hands and affixed the Seal of the International Union, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW) This _____ day of _____, 20___ .

INTERNATIONAL EXECUTIVE BOARD

.....

International President

.....

International Secretary-Treasurer.

Section 7. No Local Union, Family Auxiliary or subordinate body shall disband as long as fifteen (15) members or two (2) Local Unions desire to retain the Charter, and then only upon the approval of the International Executive Board. In localities where there are two (2) or more Local Unions and where the membership of any Local Union drops below fifteen (15) members in good standing, such Local Union may be merged with another Local Union in that

locality, at the discretion of the International Executive Board.

Section 8. The above Section shall not apply to the issuance of charters covering plants under the jurisdiction of a previously chartered Amalgamated Local Union.

Section 9. If a Local Union disbands or if a Local Union goes out of existence by reason of cessation of production at the workplace over which it has jurisdiction, all of the funds, property and assets of the Local Union shall forthwith revert to and become the property and assets of the International Union. If within one (1) year thereafter a new charter is issued to a Local Union with the same or similar jurisdiction, the International Executive Board shall, in order to aid such newly chartered Local Union in the commencement of its operations, make an appropriation to it in an amount not to exceed the value of such funds, property and assets.

Section 10. If as the result of a drastic reduction in the membership of a Local Union because of layoffs or other reasons, the funds, property and assets of such Local Union become grossly disproportionate to the number of members remaining, the International Executive Board may, by seven-eighths (7/8) vote, after a hearing, and for such period of time as it may deem necessary, take possession of and assume control over the expenditure and use of such funds, property and assets for the purpose of insuring their application in furtherance of the objectives of the Local Union and the International Union, and their conservation in the interest of the membership of the Local Union as then existing and as subsequently augmented.

Section 11. In case the membership of a unit covered by the jurisdiction of an Amalgamated Local Union feels that there is just cause for withdrawal from the Local Union, the question may be raised in any regularly called meeting. If approved by a majority vote of such meeting, a date shall be set for a special meeting to discuss and decide whether or not to petition the International Executive Board for withdrawal from the Local Union. The membership of such unit shall be given at least seven (7) days' notice of the time, place and purpose of such special meeting. If at this meeting, in a vote by secret ballot, a two-thirds (2/3) majority of the members present vote to petition the International Executive Board, such a petition, containing a detailed statement setting forth the reasons for withdrawal from the Local Union shall be forwarded to the International Executive Board. The International Executive Board upon receipt of such petition shall investigate the circumstances

and determine if just cause for withdrawal exists and the effect such withdrawal would have upon the Local Union and the petitioning unit. If, following its investigation, the International Executive Board is satisfied that the petitioning unit has just cause for withdrawal and that such withdrawal will not adversely affect the Local Union or the unit, the International Executive Board will direct a referendum vote of the unit membership.

The membership of such unit shall be given at least seven (7) days' notice of the time, place, and purpose of such referendum vote. Voting in such election shall be by secret ballot in booths conveniently located to allow all members an opportunity to vote. All ballots shall have printed thereon the following words: "Are you in favor of withdrawal from Local? Yes ☐ No ☐."

In the event that the members present at the special meeting provided for in this Section decide against petitioning the International Executive Board for withdrawal, or if a petition is submitted but the International Executive Board denies it, or in the event the referendum vote fails to obtain the required two-thirds (2/3) majority, the question shall not be acted or voted on again for a period of two (2) years. In case a two-thirds (2/3) majority of the unit membership voting in such referendum vote in favor of withdrawal, the International Executive Board shall issue a separate charter.

Section 12. In the event an Amalgamated Local Union desires to discontinue the affiliation of a unit of the Local Union, such desire may be raised in any regularly called meeting of the Local Union membership or the Joint Council where such body exists. If approved by a majority vote of such meeting, a date shall be set for a special meeting to discuss and decide whether a vote shall be taken on the proposed discontinuation of affiliation. The membership, or Joint Council delegates where such body exists, shall be given at least seven (7) days' notice of the time, place and purpose of such special meeting. If at this meeting a two-thirds (2/3) majority of the members (or Joint Council delegates) present vote in favor of holding an election to decide the issue, the Local Union membership shall be given at least seven (7) days' notice of the time, place and purpose of such election. Voting in such election shall be by secret ballot in booths conveniently located to allow all members an opportunity to vote.

All ballots shall have printed thereon the following words only: "Are you in favor of discontinuing the affiliation of the Unit of Local _____? Yes ☐ No ☐."

In the event that the members (or Joint Council delegates, where such body exists) present at the special meeting provided for in this Section decide against holding an election or in the event that the vote of the Local Union membership voting in such election does not obtain the required majority, the question shall not be acted or voted on again for a period of two (2) years.

Section 13. In case a two-thirds (2/3) majority of an Amalgamated Local Union membership voting vote in favor of discontinuing the affiliation of a unit as provided in Section 12, the International Executive Board may issue a separate charter.

Section 14. All funds and other assets of an Amalgamated Local Union shall be and remain the property of the membership of that Local Union, and any unit withdrawing from an Amalgamated Local Union and obtaining a separate charter shall only be entitled to the balance of such funds or property as may have been allocated to it by the Local Union up to the time of separation where such unit funds are established.

Section 15. Local Unions, District Councils organized pursuant to Article 34, Family Auxiliaries and Community Action Program (CAP) Councils shall be the only chartered subordinate bodies of this International Union. All other subordinate bodies of the International Union which may at any time exist shall not be chartered and shall have no autonomy under this Constitution, but shall exist upon the authority of, and be generally supervised by and responsible to, the International Executive Board.

ARTICLE 37
Duties and Powers of Subordinate Bodies

Section 1. It shall be mandatory for all Local Unions of the International Union to affiliate with UAW state Community Action Program (CAP) or Provincial Industrial Union Councils, unless this requirement is otherwise waived by the Executive Board of the International Union.

Section 2. It shall be mandatory for all Local Unions to affiliate with UAW city, county or area Community Action Program (CAP) bodies and Councils of the Canadian Labour Congress (CLC) wherever such bodies are established, unless this requirement is otherwise waived by the Executive Board of the International Union.

Section 3. It shall be mandatory for all Local Unions to establish

bylaws and submit them to the International Executive Board for ratification. By-laws, although enacted by a subordinate body, are not effective until submitted to the International Executive Board except for those enacted pursuant to Section 5 of this Article. Bylaws, once submitted remain effective unless repealed by the International Executive Board, pursuant to Article 12, Section 5 of this Constitution.

Section 4. (a) Each Local Union, other than an Amalgamated Local Union, and each unit of an Amalgamated Local Union, shall hold a regular general membership meeting at least once a month unless the Local Union or unit of an Amalgamated Local Union provides in its bylaws for general membership meetings at least once every three (3) months. Where a Local Union or unit of an Amalgamated Local Union holds general membership meetings every three (3) months, it shall be required to establish a Workplace Council which shall meet and serve as the membership body in each of the intervening two months. The Workplace Council shall be composed of all elected officers of the Local Union or unit, plus additional elected, proportional representation as approved by the International Executive Board and as provided in the bylaws of the Local Union or unit. Upon petition of a Local Union with substantial membership, the International Executive Board is authorized to establish in such Local Union a Representative Workplace Council consisting of all elected officers of the Local Union with additional elected, proportional representation, which shall serve as the membership body within the Local Union. Such Council shall meet once each month, and a general membership meeting shall be held at least once each year. The procedures and representation for such Council must receive the prior approval of the International Executive Board and must be set forth in the bylaws of the Local Union.

(b) An Amalgamated Local Union that has a Joint Council established in accordance with Article 35, Section 2, shall have meetings of such Joint Council at least once a month and shall hold a general membership meeting at least once a year. Amalgamated Local Unions without a Joint Council shall hold a regular general membership meeting at least once every three (3) months.

(c) A Local Union or unit may by appropriate action postpone meetings during the summer months.

Section 5. All Local Unions shall include in their bylaws reasonable provisions for rules governing the attendance at meetings

by members holding any Local Union elective position. The Local Union shall establish non-monetary penalties that may include automatic removal from such office or position upon their failure to attend a stipulated number of meetings as required by their bylaws. Local Union bylaws on this subject must be submitted to and approved by the International Executive Board before becoming effective.

Section 6. Each subordinate body shall strive to attain the objectives set forth in this Constitution; to maintain free relations with other organizations; to do all in its power to strengthen and promote the labor movement; to cooperate with Regional Board Members, the International Representatives and help promote organizational activities.

Section 7. No Local Union or other subordinate body, and no officer, agent, representative or member thereof shall have the power or authority to represent, act for, commit or bind the International Union in any matter except upon express authority having been granted therefore in writing by the International Executive Board or the International President.

Section 8. A Local Union may organize a corporation, provided it is a membership corporation, if possible under state or provincial law, for the purpose of holding title to real property for the benefit of the Local Union. The membership of and voting privileges in any such corporation shall be the same and identical with the membership of and voting privileges in the Local Union, and the Board of Directors of any such corporation shall be the duly elected Executive Board Members of the Local Union. All provisions of this Constitution in any way relating to the relationship between the International Union and Local Unions including, but without limitation thereof, those provisions found in Article 12, Sections 2, 3 and 5; Article 36, Sections 9 and 10; Article 37, Section 3; and Article 48 shall apply with equal force and effect to the relationship between the International Union and any such corporation, insofar as such provisions of the International Constitution may be applicable to Local Union building corporations.

Section 9. A Local Union shall not make its membership list available to anyone except for the performance of official Union business or to satisfy the requirements of law.

ARTICLE 38
Local Union Officers

Section 1. Each Local Union shall have the following Executive Officers: President, Vice President or Vice Presidents, Recording Secretary, Financial Secretary, Treasurer, three (3) Trustees, Sergeant-at-Arms and Guide. Should one or more of these officers be absent, the absent officer(s) shall be temporarily replaced by the next officer present, following the above order of hierarchy.

Section 2. The election of Local Union Executive Officers shall take place by secret ballot during May and June and installation shall take place at the regular meeting following the election, except as otherwise authorized by the International Executive Board. After the deadline on accepting nominations has expired, no election of so-called "sticker" or "write-in" candidates shall be considered legal. Election of all Local Union Executive Officers shall require a majority of the votes cast for the office. The membership shall be duly notified at least seven (7) days in advance of the time and place of nominations. A notice containing both the time and place of elections and the time and place of any possible run-off election, shall be given at least fifteen (15) days in advance of the election. At least seven (7) days shall elapse between the time of nominations and the date the election shall take place.

The Executive Officers and all other elected officials of Local Unions and units of Amalgamated Local Unions (except Stewards and Committee-persons, who are subject to Article 45) who are elected following the 24th Constitutional Convention shall serve for a three (3) year term.

Section 3. No member shall be eligible for election as an Executive Officer of the Local Union until s/he has been a member in continuous good standing in the Local Union for one (1) year immediately prior to the nomination, except in the case of a newly organized Local Union.

Section 4. Eligibility for election to other Local Union offices, committees, etc., shall be determined by the Local Union.

Section 5. The Executive Board of each Local Union shall consist of all the elected Local Union Executive Officers and such Members-at-Large as the Local Union may deem necessary. The election of any such Executive Board Members-at-Large, whether directly elected thereto or holding membership thereon as the result of election to

some other office or position, shall be by secret ballot with the same notice procedures as set forth in Section 2 of this Article. Executive Board Members-at-Large shall be elected by plurality vote, unless the Local Union membership by affirmative action requires a majority vote.

Section 6. It shall be the duty and obligation of all Local Union officers and Executive Board Members and all other official representatives of the Local Union, whether elected or appointed, to support, advance and carry out all provisions of this Constitution, official policies of the International Union; and, to the extent not inconsistent with the foregoing, all official policies of the Local Union.

Section 7. The Executive Board shall be empowered to represent the Local Union between meetings of the Local Union when urgent business requires prompt and decisive action. In no case, however, shall the Executive Board transact any business that may affect the vital interests of the Local Union until the approval of the membership is secured, or of the Unit Workplace Organization in the case of an Amalgamated Local Union.

Section 8. Any member of the Executive Board who is not directly elected to the Board, but who holds such office by virtue of her/his holding some other office or position in the Local Union or Unit Workplace Organization shall, upon ceasing to hold the latter office or position, automatically cease to hold the office of Executive Board Member.

Section 9. At the discretion of the Local Union the offices of Financial Secretary and Treasurer may be combined.

Section 10. The following rules shall be mandatory in all Local Union elections for executive officers, and insofar as these rules are not inconsistent with any provisions of Article 8, for International Convention delegates:

(a) Every member in good standing shall be entitled to vote at all Local Union elections.

(b) Such elections shall be held during specified dates and hours at a specified polling place or polling places where each member shall personally cast her/his vote. The use of absentee ballots is not permitted in Local Union elections, except as allowed by a uniform policy established by the International Executive Board.

(c) All elections shall be held under the supervision of a democratically elected Election Committee.

(d) The date or dates for all elections must be established by the membership body of the Local Union.

(e) No candidate in any election shall be a member of the Election Committee having supervision over such an election.

(f) Any eligible candidate in any election shall have the right to submit her/his commonly known name to the Election Committee in writing as the candidate desires it to appear on the ballot, and it shall so appear.

(g) Each candidate shall have the right to have one (1) challenger present when the votes are cast and when they are tabulated, provided that such a challenger shall be a member of the Local Union.

Section 11. Following each election, the Election Committee shall report in writing the canvass of the results of the election to the membership's next membership meeting. No protest to an election shall be considered unless raised within seven (7) days of the closing of the polls or at the next membership meeting, whichever is later. A protest must either be in writing, or made at the membership meeting. If written, the protest must be actually received by the Local Union Recording Secretary before the deadline. In the event that membership meeting(s) have been suspended by affirmative membership action(s) pursuant to Article 37, Section 4(c), the protest must be submitted to the Local Union Recording Secretary within seven (7) days of the closing of the polls or the next Local Union Executive Board meeting (not to exceed thirty (30) days from the date of the election), whichever is later. The protest will be directed to the Local Executive Board, which shall rule on the protest within thirty (30) days after receipt.

Section 12. In the event the membership, either in acting upon a protest or in ratification of an Election Committee recommendation, should order a new election, no such election shall be held until the matter has been submitted to and an order thereon received from the International President. In such an event, the Local Union shall submit a complete report of the circumstances which influenced the membership to order a new election, as well as the official minutes of the pertinent membership meeting, to the International President. Any member of the Local Union shall have the right to submit a

written statement to the International President. The International President, acting as expeditiously as possible, may either make her/his order upon the information available to her/him or, if s/he feels the facts sufficiently contradictory to warrant the step, submit the matter to an Appeals Committee constituted pursuant to Article 33, Section 3 of this Constitution for investigation. In that event the International President shall make her/his order pursuant to the recommendations of said Appeals Committee. During this interim period, the Local Union offices shall be temporarily occupied by those candidates who would have been elected if the election had not been challenged. If the International President approves membership action ordering a new election, the election shall be held as soon as possible and the officers elected at that second election shall hold office during the pendency of any higher appeal and until otherwise directed by a superior appellate body.

Any appeal from the International President's order shall be taken in the usual way pursuant to Article 33 of this Constitution provided, however, that if the President's order is based upon an Appeals Committee recommendation, the appeal shall omit the step provided for in Article 33, Section 3(d), and the appeal shall commence with review of and action on the Appeals Committee recommendations pursuant to Section 3(d) of Article 33.

Any appeal from a decision of the membership refusing to order a new election shall be taken in the usual manner pursuant to Article 33, and the members elected as the result of the election being appealed from shall hold office during the pendency of the appeal and until otherwise directed by a superior appellate body.

All ballots and other pertinent records in any election shall be preserved for a period of one (1) year and may then be destroyed by the Local Union unless an appeal is pending, in which event they must be preserved until the appeal has been decided and the decision is final.

Section 13. If upon investigation by the International Union, it should appear by convincing evidence that any member has misrepresented returns, altered, mutilated or destroyed deposited ballots, or engaged in any other fraudulent acts in connection with the conduct of a Local Union election, the International Executive Board may remove such member from any office or appointive position s/he may hold pending a hearing. The Board shall designate a special committee to conduct a hearing, after due notice in writing of the charges against the member, and make recommendations

in a manner similar to that provided for under Article 33 of this Constitution. The special committee shall make recommendations to the International Executive Board, which recommendations shall be processed by the International Executive Board in the same manner that it processes recommendations of said Appeals Committees. The International Executive Board, if it finds the member guilty of the offense charged by a two-thirds (2/3) vote, may remove the member from any office or appointive position s/he may hold and/or suspend the member's right to seek any office or hold any appointive position in the International Union for a period not to exceed five (5) years, or suspend or expel her/him from membership. Any member so disciplined shall be notified in writing and shall have the right to appeal pursuant to Article 33, Section 3. The procedure provided for in this Section shall be in addition to and exclusive of any other action which may be taken against such member.

Section 14. All vacancies in Local Union offices, except the office of President, shall be promptly filled by election, provided that the Local Union may provide other means for filling such vacancies for the temporary period pending the holding of the election. In case of a vacancy in the office of President, the Vice President shall fill the vacancy for the unexpired term, provided that where there are two (2) or more Vice Presidents, the Local Union shall establish fair and reasonable procedure for determining which of the Vice Presidents shall fill the vacancy.

Section 15. A Local Union may employ service and organizational staff; if such employment is authorized by the Local Union's bylaws; and provided that any such staff member who serves the membership of the Local Union and represents the membership in collective bargaining with employers, must have been a member of the International Union in continuous good standing for a period of one (1) year.

Section 16. If a member holding Executive Office, the term of which is not expiring, desires to become a candidate for another Executive Office, such member is obligated to notify the Local Union of her/his resignation from the member's present office sufficiently in advance of the nominating meeting to permit the nomination and election of candidates for both offices during the same election. Such resignation would become effective at the time of installation.

Section 17. Whenever there are unopposed candidates for Local Union Executive Office, such candidates shall be considered elected without the necessity of an election. Where run-off elections are

necessary because a candidate for Local Union Executive Office fails to receive a majority vote, the run-off shall be confined to the two (2) candidates receiving the highest number of votes for the office involved.

ARTICLE 39
Installation Ceremony

The installation ceremony may be performed by the retiring President, Acting President or any regular commissioned International Representative.

The Installing Officer says:

"Give attention while I read to you the obligation:

"Do you hereby pledge on your honor to perform the duties of your respective offices as required by the Constitution of this Union; to bear true and faithful allegiance to the International Union, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW); to the best of your ability and with complete good faith to support, advance and carry out all official policies of the International Union and this Local Union; to deliver all books, papers and other property of the Union that may be in your possession at the end of your term to your successor in office, and at all times conduct yourself as becomes a member of this Union?"

Officers respond, "I do."

The Installing Officer then says:

"Your duties are defined in the laws of the International Union, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW) and in your obligation; should any emergency arise not provided for in these, you are expected to act according to the dictates of common sense, guided by an earnest desire to advance the best interest of the International Union and this Local Union. I trust you will all faithfully perform your duties so that you may gain not only the esteem of your brothers and sisters, but what is of even more importance, the approval of your conscience.

"You will now assume your respective stations."

ARTICLE 40

Duties of Local Union Officers

President

Section 1. It shall be the duty of the President to preside at all meetings of the Local Union, sign all orders on the treasury authorized by the Local Union, countersign all checks issued by the Financial Secretary against accounts of the Local Union when ordered by the Union, enforce the provisions of the Constitution and appoint committees not otherwise provided for. S/He shall be a member exofficio of all committees.

Vice President

Section 2. The Vice President or Vice Presidents shall assist the President in the discharge of her/his duties and shall attend all sessions of the Local Union. In case of the absence or incapacity of the President, the President's duties shall be performed by the Vice President, provided that where there are two (2) or more Vice Presidents, the Local Union shall determine which of them shall perform such duties.

Recording Secretary

Section 3. It shall be the duty of the Recording Secretary to keep a correct record of the proceedings of the Local Union, sign all orders on the treasury authorized by the Local Union, read all documents and conduct the general correspondence received by the Local Union which does not pertain directly to the duties of the other officers of the Local Union and keep same on file for future reference. The Recording Secretary shall bring to the attention of the membership of the Local Union any correspondence upon which the membership must take action. The Recording Secretary shall comply with the provisions of Article 50, Section 2. The Recording Secretary is obligated to keep on file with both the Research Department of the UAW and her/his Regional Director, the current version of each of the following: (1) The existing contract(s); (2) A complete revised list of all classifications and rates for the workplaces covered by the contract(s); (3) Any additional information gained through negotiations with the respective workplace management that may be useful to other Local Unions in their collective bargaining. The Recording Secretary shall be considered to have satisfied the foregoing requirements by submitting an electronic copy of items 1 through 3 in the Local Union Information System (LUIS). The

Recording Secretary shall update this information as often as necessary, but must furnish a current, updated version no later than sixty (60) days after the ratification of any contract or supplement.

Financial Secretary

Section 4. It shall be the duty of the Financial Secretary to receive all dues, initiation fees, readmission fees, and all other income of the Local Union for any fund from any source and to give official receipts for same, as provided in this Constitution. Financial Secretaries of Local Unions having a check-off arrangement shall issue one (1) receipt for the check received from the company, and otherwise use the procedure outlined above for any other income. No receipt shall be issued to individual members unless the company does not show on the check stub or pay envelope the amount of the deduction and the reason therefore.

Section 5. The Financial Secretary shall write all checks drawn on the Local Union funds and report in writing every month at a regular meeting of the Local Union giving the amount of monies received and paid out during the previous calendar month, divided as between the various income and expenditure classifications, and the remaining balances in the fund accounts of the Local Union.

Section 6. The Financial Secretary shall deposit all collections either with the Treasurer, taking a receipt therefore, or in such banks as Local Union Trustees may direct, with advice to the Treasurer as to the amount so deposited.

Section 7. The Financial Secretary shall by the 20th of each month, submit a monthly per capita tax to the International Secretary-Treasurer in accordance with Article 16, Section 6. S/He shall receive applications for membership and notify the candidates of their election or rejection. S/He shall assist the International Union in seeing that all members receive the official publication regularly when eligible, provide each member with an official receipt for all monies paid and make available to each member a copy of the International Constitution and bylaws of the Local Union. Union membership cards and/or dues buttons may be issued at the option of the Local Union.

Section 8. The Financial Secretary shall furnish the International Secretary-Treasurer, through the Local Union Information System (LUIS), with the names and addresses of all the officers of the Local Union. S/He shall keep a record of all members initiated, suspended,

expelled or deceased, transfers in and out and reinstatements, during her/his term of office and notify the International Secretary-Treasurer of same, by updating the Local Union's membership records in the Local Union Information System (LUIS), and shall perform such other duties as the bylaws prescribe or the Local Union may direct. There shall be maintained by the Financial Secretary a complete record of all active members of the Local Union. This record shall have the date of initiation, the date and cause of suspension or expulsion, the date of reinstatement, together with the date of death, home address and such other matters as may be deemed necessary to keep a record of the continuous membership of a member of the Local Union.

The Financial Secretary shall not make said record of all active members (membership list) available to anyone except pursuant to the provisions of Article 37, Section 9 of this Constitution.

Section 9. The Financial Secretary shall keep an inventory of all records and property of the Local Union, the same to contain, when possible, date of purchase and amount paid for each article. S/He shall notify all members in arrears of the amount of their indebtedness and turn over her/his books to the Trustees for audit and approval when called to do so. S/He shall, on the demand of the International Secretary-Treasurer, produce her/his books for examination and audit and shall comply with the provisions of this Constitution.

Section 10. Should it be proven that any Local Union Financial Secretary has willfully and intentionally failed to report monthly the full membership of her/his Local Union to the International Secretary-Treasurer; or should it be proven that any Local Union President, Treasurer and/or Financial Secretary willfully and intentionally refuses to sign a check to send in the full amount of per capita tax on the same number of members who have paid dues to the Local Union, the Local Union may be suspended from all privileges and benefits until the deficiency is made good and the officer or officers responsible for such failure shall not be allowed to again hold office in the organization for a period of two (2) years.

Treasurer

Section 11. The Treasurer shall give a receipt for all monies received from the Financial Secretary. The monies received must be deposited in such bank as the Local Union Trustees may direct for the several funds provided for in this Constitution and such other

funds as the Local Union may set up in the name and number of the Local Union.

S/He shall sign all checks, which must be countersigned by the President. S/He shall report in writing every month at a regular meeting of the Local Union the total receipts and total expenditures for the Local Union for the previous calendar month and the amount of money still on deposit. The Treasurer shall deliver to her/his successor all monies and other property of the Local Union. S/He shall, on demand of the International Union or Trustees of the Local Union, produce her/his books for examination and audit.

Trustees

Section 12. The Trustees shall have general supervision over all funds and property of the Local Union. They shall audit or cause to be audited by a Certified Public Accountant selected by the Local Union Executive Board, the records of the Financial Officers of the Local Union semiannually as provided herein, using the Trustee Audit Form found on the Local Union Information System (LUIS), a copy of which shall be forwarded to the International Secretary-Treasurer immediately thereafter. It shall also be their duty to see that the Financial Officers of the Local Union are bonded in conformity with the laws of the International Union. The Trustees shall see that all funds shall be deposited in a bank subject to an order signed by the President and Treasurer and/or Financial Secretary. In Local Unions where safety deposit boxes are used, the Trustees shall see that the signatures of the President, Treasurer and one (1) of the Trustees are required before admittance to the safety deposit box is permitted. In the event the books are not received for audit within fifteen (15) days after the end of each six-month period, the Chairperson of the Trustees shall make a report to the next meeting of the Local Union for action.

Sergeant-at-Arms

Section 13. It shall be the duty of the Sergeant- at-Arms to introduce all new members and visitors and assist the President in preserving order when called upon to do so. S/He shall also take charge of all property of the Local Union not otherwise provided for and perform such other duties as may be assigned to her/him from time to time.

Guide

Section 14. It shall be the duty of the Guide to maintain order, inspect the membership receipts, satisfy her/himself that all present are entitled to remain in the meeting of the Local Union and perform such other duties as are usual to the office.

Section 15. All Local Union officers, committees, stewards and other members handling funds or other property of the Local Union shall, at the completion of their duties, turn over all papers, documents, funds, and/or other Local Union property to the properly constituted Local Union officers.

ARTICLE 41
Duties of Local Union Members

Section 1. It shall be the duty of each member to conscientiously seek to understand and exemplify by practice the intent and purpose of her/ his obligation as a member of this International Union.

Section 2. It shall be the duty of each member to render aid and assistance to brother or sister members in cases of illness, death or distress, and in every way acquit her/himself as a loyal and devoted member of the International Union.

Section 3. It shall be the duty of each member to participate in all local, state, provincial and federal elections through registration and balloting.

ARTICLE 42
Opening and Closing Ceremonies

"I now declare this meeting of Local Union No. ... of the International Union, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW) open for the transaction of such business as may properly come before it."

The following order of business is suggested, but it may be altered to suit the requirements of each Local Union:

1. Roll call of officers
2. Reading of the minutes of the previous meeting

3. Applications for membership
4. Voting on applications
5. Initiation of candidates
6. Report of Financial Secretary and/or Treasurer
7. Reports of officers, committees and delegates
8. Communications and bills
9. Unfinished business
10. Good and Welfare
11. Does anyone know of a member out of work or in distress
12. New business
13. Closing (All questions of parliamentary nature shall be decided by Robert's Rules of Order.)

ARTICLE 43
Initiation Ceremony

The President shall say to the Guide:

"You will now place the candidate before me for the obligation." The Guide advances with the candidate and places her/him in front of the President's station. All newly elected members before being admitted to full membership shall subscribe to the following obligation:

"I ..... pledge my honor to faithfully observe the Constitution and laws of this Union and the Constitution of the United States (or Canada, as the case may be); to comply with all the rules and regulations for the government thereof; not to divulge or make known any private proceedings of this Union; to faithfully perform all the duties assigned to me to the best of my ability and skill; to so conduct myself at all times as not to bring reproach upon my Union, and at all times to bear true and faithful allegiance to the International Union, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW)."

ARTICLE 44
Local Union Committees

The Local Union shall have the following standing committees: Constitution and Bylaws, Union Label, Education, Conservation and Recreation, Community Services, Civil and Human Rights, Citizenship and Legislative, Consumer Affairs, Veterans, a Local

Union Women's Committee where such membership exists, and such other committees as they deem necessary. All committees should be appointed or elected, subject to the discretion of the Local Union or Unit Workplace Organization in the case of an Amalgamated Local Union.

ARTICLE 45
Stewards and Committeepersons

Section 1. The Bargaining Committee may but does not necessarily have to consist of the members of the Executive Board of the Local Union.

Section 2. All Stewards and/or Committeepersons shall be democratically elected for three (3) year terms. A Local Union or unit of an Amalgamated Local Union may have, after July 1, 1998, a shorter term, of no less than two (2) years, only by affirmative membership action, and permission granted by the International Executive Board, Stewards and Committeepersons shall be required to take the oath of office as provided in Article 39.

Members in good standing who are on indefinite layoff from the employer may not be a candidate for, or vote in, an election for a non-executive local union office that has grievance handling, contract bargaining or contractual administrative duties unless specifically authorized to do so by Local Union Bylaws or applicable collective bargaining agreement.

Section 3. A Steward or Committeeperson may be recalled by the members s/he represents for failure to perform the duties of the office. A valid petition setting forth specific complaints of the Stewards or Committeeperson's failure to perform the duties of the office shall be signed by the members s/he represents. The Steward or Committeeperson so complained against shall receive notification of the specific complaints. Upon the filing of such a petition with the Local Union, a special meeting for recall shall be held, of which due notification shall be given. A two-thirds (2/3) vote of the members present at such special meeting shall be required to recall. Each Local Union or unit of an Amalgamated Local Union shall establish in its bylaws the number of petitioners required for a recall and the quorum necessary to establish such recall meeting.

Section 4. Upon application to and approval of the International Executive Board, Stewards and/or Committeepersons may be

elected exclusively by and from appropriate groups (as specified in Article 19, Section 3) in keeping with the policy resolution adopted by the Sixteenth (16th) Constitutional Convention.

Section 5. No protest to an election shall be considered unless raised within seven (7) days of the closing of the polls or at the next membership meeting, whichever is later. A protest must either be in writing, or made at the membership meeting. If written, the protest must be actually received by the Local Union Recording Secretary before the deadline. In the event that membership meeting(s) have been suspended by affirmative membership action(s) pursuant to Article 37, Section 4(c), the protest must be submitted to the Local Union Recording Secretary within seven (7) days of the closing of the polls or the next Local Union Executive Board meeting (not to exceed thirty (30) days from the date of the election), whichever is later. The protest will be directed to the Local Executive Board, which shall rule on the protest within thirty (30) days after receipt. If a new election for Committeeperson or Steward is ordered as the result of a protest and this order is appealed, no such election shall be held until the matter has been submitted to and an order thereon received from the International President.

ARTICLE 46
Local Union Finances

Section 1. The funds of each Local Union shall be used to defray all necessary expenses which must be approved by the Local Union in regular meeting.

Section 2. All appeals by Local Unions to other Local Unions for funds must be approved by the respective Regional Directors before they shall be recognized. Such appeals must be promptly approved or disapproved.

ARTICLE 47
Local Union Dues

Section 1. A Local Union or unit of an Amalgamated Local Union may establish membership dues in an amount exceeding the minimum prescribed by Article 16, Section 2; or, if the dues exceed the minimum prescribed by Article 16, Section 2, may decrease membership dues to an amount not less than said minimum. Such action by a Local Union or unit of an Amalgamated Local Union

shall require ratification by a majority vote of the votes cast by secret ballot at a Local Union or unit meeting, due notice of the intended action of which has been given to the membership at least seven (7) days prior to the date of said meeting and shall be subject to the approval of the Regional Director whose approval must be obtained before such dues are changed.

Section 2. A Local Union or unit of an Amalgamated Local Union is empowered to provide for the forfeiture of the membership of a delinquent member for the non-payment of dues without the necessity for proceeding by the filing of charges and the conducting of a trial.

ARTICLE 48
Local Union Audits

Section 1. The fiscal year of the Local Union shall be from January 1st through December 31st.

Section 2. It shall be the duty of the Trustees of each Local Union, as provided for in Article 40, Section 12, to audit or cause to be audited by a Certified Public Accountant the books and financial affairs of their Local Union semi-annually on the forms supplied by the International Union; and this semi-annual report shall be made to the Local Union and a copy forwarded to the International Secretary-Treasurer of the International Union and to the Local Union's Regional Director.

Section 3. Should inaccuracies or discrepancies appear to exist in a Local Union, the International Secretary-Treasurer, upon the approval of the International President or the International Executive Board, shall have the authority to designate a representative to take charge of and audit all financial books, records and accounts of said Local Union and/or may employ a Certified Public Accountant to audit same.

Section 4. The report and findings of the representative or the Certified Public Accountant shall be filed with the President of the Local Union and the International Secretary-Treasurer of the International Union.

Section 5. (a) If upon investigation by the International Union or as the result of an audit it should appear that any member, alone or in concert with others, has received Union funds improperly, has

spent Union funds improperly or otherwise has engaged in financial misconduct, the International Secretary-Treasurer shall set forth the specifics in writing to the International President. These shall include the exact nature of the alleged offense, the amount involved and the time during which such alleged offenses occurred.

(b) The International President shall within fifteen (15) days of receipt of such specifics, forward a copy of them to the involved member by receipted, registered or certified mail. If the member then makes restitution or otherwise corrects the financial misconduct and in the judgment of the International President no purpose would be served by further proceedings, the International President may terminate the investigation. However, if the member fails or refuses to make restitution or otherwise correct the financial misconduct, or if in the judgment of the International President further proceedings are warranted due to the nature of the alleged financial misconduct, the International President shall within twenty (20) days after notification to the member, appoint a member or members of the International Executive Board or a staff member to conduct a hearing into the alleged financial misconduct. Within ten (10) days after the selection of a hearing officer/s, the member shall be notified in writing by the hearing officer/s, of the time and place of the hearing and her/his right to appear and to present evidence, witnesses and her/his position. Similar notice shall be given the International Secretary-Treasurer. The hearing must be held not less than fifteen (15) days nor more than thirty (30) days after notification to the member and the Secretary-Treasurer. The hearing shall be held as close as practical to the locality in which the member lives. The Secretary-Treasurer and the member (or their representatives) shall be notified to appear before the hearing officer/s with such counsel and witnesses as they may choose. The hearing officer/s shall conduct a fair hearing to illuminate the facts and issues. The hearing officer/s shall make a written report to the International President within twenty-one (21) days of the close of the hearing.

(c) The International President shall decide the case based on the files and record, briefs which may have been submitted and the recommendation of the hearing officer/s. If the International President decides that there is convincing evidence of improper receipt or expenditure or other financial misconduct, s/he may order reimbursement and, in her/his discretion, may summarily suspend the member from any office s/he may hold or the right to seek any Union office. Said member shall be promptly notified.

(d) Within thirty (30) days of such notification, the member may appeal the President's decision or action, in which case her/his appeal shall be processed in the same manner as appeals to the International Executive Board from decisions of subordinate bodies under Article 33 of this Constitution.

(e) Any appealed suspension shall automatically be lifted unless the International Executive Board has rendered its decision within one hundred twenty (120) days of the day the appealing member commences her/his appeal. If the suspended member fails to appeal from the suspension within the thirty (30) days allowed, or if the International Executive Board upholds the suspension by a two-thirds (2/3) vote, the member shall be considered removed from any office or position s/he may have held, as well as from the privilege of seeking election or appointment to any office or position, and s/he shall not thereafter be eligible to hold any office or position unless and until the removal has been lifted by a two-thirds (2/3) vote of the International Executive Board and then only when the member has made full restitution. Any member so suspended, whose appeal has been denied by the International Executive Board, may further appeal the suspension either to the Public Review Board or the Convention Appeals Committee as provided for in Article 33 of this Constitution.

(f) The procedure provided in this Section shall be in addition to and exclusive of any other action which may be taken against such member. Under no circumstances shall a sum found to have been improperly received or spent be written off the books of a Local Union or a final settlement of same be made without the approval of the International Secretary-Treasurer.

Section 6. If it is claimed that a member owes non-dues money to her/his Local Union, the International Union or the International Strike and Defense Fund, and that s/he has failed to meet the obligation, a fair hearing shall be held to determine if s/he owes the obligation. The member shall receive written notice of the hearing setting forth the Union's claim as to the nature of the obligation and the amount owed. If, as a result of the hearing a determination is made that the member owes the money, the member shall be so notified in writing and given thirty (30) days to pay the money owed. If the member fails to meet an obligation to pay the amount owed within the thirty (30) days, the determination and documentation shall then be forwarded to the International President. If the foregoing provisions have been complied with, the International President shall advise the member and her/his Local Union that the

member is not eligible to participate in the affairs of the Union until the obligation is paid. In the event the member disagrees with the decision of the International President, the member shall have the right to appeal under Article 33 of this Constitution.

ARTICLE 49
Fraud in Local Union Elections

Any member convicted of misrepresenting returns, altering, mutilating or destroying deposited ballots, voting fraudulently or of intimidating others by threats or otherwise interfering with a member in the exercise of her/his right to cast a ballot in Local Union elections and strike balloting, shall be punished in accordance with the Trial Procedure outlined in this Constitution. The member so convicted shall be disqualified for either elective or appointive office within the jurisdiction of the International Union for a period of not less than two (2) years or more than five (5) years.

ARTICLE 50
Strikes

Section 1. (a) When a dispute exists between an employer and a Local Union concerning the negotiation of a collective bargaining agreement or any other strikeable issue the Local Union or the International Executive Board may issue a call for a strike vote. All members must be given due notice of the vote to be taken and it shall require a two-thirds (2/3) majority vote by secret ballot of those voting to request strike authorization from the International Executive Board. Only members in good standing shall be entitled to vote.

(b) Where a different ratification procedure for a Local Union or an Intra-Corporation Council has been properly applied for under terms of Article 19, Section 3, and after the International Executive Board has approved such ratification procedure, the method for accepting or rejecting contract changes and the taking of strike votes shall be governed by the terms of the procedure approved by the International Executive Board for that Local Union or Intra-Corporation Council.

Section 2. If the Local Union involved is unable to reach an agreement with the employer without strike action, the Recording Secretary of the Local Union shall prepare a full statement of the

matters in controversy and forward the same to the Regional Director and International President. The Regional Director or her/his assigned representative in conjunction with the Local Union committee shall attempt to effect a settlement. Upon failure to effect a settlement s/he shall send the International President her/his recommendation of approval or disapproval of a strike. Upon receipt of the statement of matters in controversy from the Regional Director, the International President shall prepare and forward a copy thereof to each member of the International Executive Board together with a request for their vote upon the question of approving a strike of those involved to enforce their decision in relation thereto. Upon receipt of the vote of the members of the International Executive Board, the International President shall forthwith notify in writing the Regional Director and the Local Union of the decision of the International Executive Board.

Section 3. In case of an emergency where delay would seriously jeopardize the welfare of those involved, the International President, after consultation with the other International Officers, may approve a strike pending the submission to and securing the approval of the International Executive Board, providing such authorization shall be in writing.

Section 4. Neither the International Union nor any Local Union, nor any subordinate body of the International Union, nor any officer, member, representative or agent of the International Union, Local Union or subordinate body shall have the power or authority to instigate, call, lead or engage in any strike or work stoppage, or to induce or encourage employees of any employer to engage in a strike or concerted refusal in the course of their employment to use, manufacture, process, transport or otherwise handle or work on any goods, articles, materials, or commodities, or to perform any services, except as authorized by the International Executive Board or the International President in conformity with the provisions of this Constitution. Such power and authority resides exclusively in the International Executive Board and the International President, and may be exercised only by collective action of the International Executive Board as provided in Section 2 of this Article or by emergency action of the International President as provided in Section 3 of this Article.

Section 5. Before a strike shall be called off, a special meeting of the Local Union shall be called for that purpose, and it shall require a majority vote by secret ballot of all members present to decide the question either way. Wherever the International Executive Board

decides that it is unwise to no longer continue an existing strike, it will order all members of Local Unions who have ceased work in connection therewith to resume work and thereupon and thereafter all assistance from the International Union shall cease.

Section 6. Any Local Union engaging in a strike which is called in violation of this Constitution and without authorization of the International President and/or the International Executive Board, shall have no claim for financial or organizational assistance from the International Union or any affiliated Local Union.

Section 7. The International President, with the approval of the International Executive Board, shall be empowered to revoke the Charter of any Local Union engaging in such unauthorized strike action, thereby annulling all privileges, powers and rights of such Local Union under this Constitution.

Section 8. In cases of great emergency, when the existence of the International Union is involved, together with the economic and social standing of our membership, the International President and the International Executive Board shall have authority to declare a general strike within the industry by a two-thirds (2/3) vote of the International Executive Board, whenever in their good judgment it shall be deemed proper for the purpose of preserving and perpetuating the rights and living standards of the general membership of our International Union, provided, under no circumstances shall it call such a strike until approved by a referendum vote of the membership.

Section 9. In case of a general strike, it shall require a majority vote of the International Executive Board before the strike is officially called off.

ARTICLE 51
Board of International Trustees

Section 1. A three (3) member International Board of Trustees shall be created, charged with the duty of safeguarding all funds and property of the International Union by causing the books and accounts of the International Secretary-Treasurer to be audited semi-annually. The Board of Trustees shall designate a Certified Public Accountant to make such audits and shall incorporate same in their report to the International Officers, Board Members, and all affiliated Local Unions as soon as completed. The Board of

Trustees shall report its activities semi- annually to the International Executive Board and to the International Convention. It shall make recommendations to the Board and to the Convention for improving the handling of the finances of the International Union and for safeguarding its funds and property.

Section 2. Members of the Board of Trustees shall devote the time necessary to the performance of their duties not to exceed a maximum of thirty (30) days in any six (6) months. Members of the Board of Trustees shall be compensated on the basis of maximum International Representative's salary and expenses.

Section 3. Nominations and elections of Trustees shall take place in the regular order of business of the International Convention. Candidates shall be nominated and elected in one election. The candidates shall be nominated for a three (3) term trusteeship, for a two (2) term trusteeship, and for a one (1) term trusteeship. The candidate receiving the highest number of votes for each of these three (3) positions, respectively, shall be declared elected. At each Constitutional Convention, a Trustee shall be elected for a three (3) term period.

Section 4. A member of the Board of Trustees shall not, while holding such position, be permanently employed by the International Union as an International Representative or in any other permanent capacity.

ARTICLE 52
Family Auxiliaries

Section 1. The International Union, UAW, long ago made a commitment to the concept of a family involvement in the activities of this Union.

Where there is a desire on the part of the families of UAW members of any Local Union of the International Union to elevate the conditions, maintain and protect the interests of the UAW, and foster a better understanding within the family of the Union's goals and activities, a Charter for a Family Auxiliary shall be granted when application is made upon a form furnished by the International Secretary-Treasurer of this International Union.

Section 2. The Charter fee shall be ten dollars ($10.00) for Charter and initial supplies.

Section 3. Dues to maintain such Auxiliary shall not be more than fifty cents (.50) per month. No per capita tax shall be charged by this International Union from dues so collected.

Section 4. The Auxiliary shall establish such laws as do not conflict with the bylaws of their Local Union and this Constitution and shall submit same to the International Executive Board for ratification.

Section 5. So long as the Auxiliary adheres to the provisions of this Constitution and the Local Union bylaws and does not adopt a policy contrary to that of the International Union or Local Union and adheres to the conditions of its Charter, it shall remain in full force; but upon infraction thereof or upon request of the Local Union, the International Executive Board may revoke the Charter, thereby annulling all privileges secured there under.

Section 6. The Family Auxiliaries shall be administered through the International President's Office, in a cooperative effort with Education, CAP, Community Services, Family Education Center and other appropriate departments.

Section 7. The President of the International Union shall appoint the director to direct, coordinate and supervise the activities of the Family Auxiliaries.

Section 8. The director of the Family Auxiliaries may call regional conferences of the Auxiliaries.

Section 9. It is the duty of the Family Auxiliaries to educate the families of the workers to the principles and ideals of trade unionism; to adhere to the principles and policies of their Local Union and the International Union; to assist their Local Unions in time of need and during labor disputes; to assist Local Unions in social affairs when called upon by their respective Local Union; to provide educational and cultural activities for the children of the workers. It shall be the duty of the Local Unions to assist in the formation of Local Family Auxiliaries; the Regional Director shall assist the director of the Family Auxiliaries in their respective regions. The Family Auxiliaries shall not campaign for or against candidates seeking office in Local Unions. The Family Auxiliaries shall not interfere with affairs of the Local Union unless officially called upon by their Local Union. Each respective Local Union shall select a committee of not more than three (3) to assist the National and Regional Directors in supervising

and formulating policies for their respective Auxiliaries.

Section 10. No one shall be eligible for membership in the Family Auxiliaries who holds membership in any Local Union under the jurisdiction of the UAW.

ARTICLE 53
Canadian Local Unions

Section 1. The International Executive Board may upon application, exempt in whole or in part, all Local Unions in Canada from application of any provisions of this Constitution adopted to provide for conformity with United States legislation.

Section 2. The International Executive Board shall have the authority to:

(a) Transfer and assign to National Automobile, Aerospace and Agricultural Implement Workers Union, CAW-Canada ("CAW-Canada") jurisdiction over certain Local Unions and certain bargaining rights, collective agreements and administrative powers and responsibilities of the International Union, all of which are administered or serviced in Canada by Canadian Region, District 7;

(b) Permit the separation of certain Local Unions in Canadian Region, District 7, as an operating group;

(c) Transfer and assign to CAW-Canada certain employee benefit plans, rights, properties and liabilities of the International Union;

(d) Make a contribution to CAW-Canada.

All as provided for in an agreement made as of the 28th day of May, 1986, between UAW and the new Canadian Trade Union to be known as CAW-Canada (the "Agreement"); and

Take and do all other necessary steps and procedures as it, in its sole discretion, deems to be necessary to implement the transactions contemplated in the Agreement.

Section 3. The International Union shall have the authority to negotiate, enter into and execute the Agreement.

Section 4. The 28th Constitutional Convention hereby ratifies

the Agreement and the negotiations which led to the Agreement.

ARTICLE 54
Union Label

Section 1. The International Union shall have a Union label and stamp.

Section 2. It shall be the duty of the International Secretary-Treasurer to copyright and protect said Union label and stamp.

Section 3. It shall be the policy of the International Union and subordinate bodies to insist that all parts, stampings, tools, dies, machinery, fixtures, accessories and supplies used in the manufacture of articles under the jurisdiction of this International Union, bear the Union label or Union stamp of the International Union, or any other bonafide labor union.

Section 4. It shall be the duty of all representatives, business agents and Union officials to insist that the above provisions be written into all contracts between employers and the International Union subject to approval of the International Executive Board.

Section 5. No manufacturer of products produced by workers under the jurisdiction of this International Union shall be permitted to use the Union label or Union stamp, unless the workplace is holding a contract approved by the International Executive Board with the International Union.

Section 6. It shall be the duty of the Local Union Label Committee to see that the International Union label shall be molded, stamped or affixed to all parts manufactured, assembled or finished products where provided for.

Section 7. The above provisions shall in no case be used as a basis for the violation of existing agreements.

Section 8. All Local Unions shall have an appointed or elected Union Label Committee that must function.

Section 9. At all Conventions of the International Union, a necessary qualification of delegates shall be the possession and wearing of at least three (3) Union-made garments.

Section 10. The International Executive Board shall set up a Union Label Committee from members of the International Union to coordinate the activities of Local Union Label Committees throughout the International Union. It shall be the duty of this Committee to work in conjunction with the Education Department of the International Union.

ARTICLE 55
Retirees

The International Executive Board shall establish a retiree structure within the International Union as follows:

Section 1. Local Union Retired Workers Chapters

(a) A Local Union having twenty-five (25) retired members or more shall establish a Local Union Retired Workers Chapter which shall hold a regular general membership meeting at least once a month.

(b) The retired members of the Local Union Chapter shall elect a retired member to be a member of the Local Union Executive Board with voice and vote. The election of such retiree board member shall be pursuant to Article 38, Section 5 of this Constitution.

(c) The Local Union President or her/his designee shall serve as a member of the governing board of the Local Union Retired Workers Chapter with voice and vote.

(d) Each Local Union shall amend its bylaws to provide for the above measures and such other measures concerning the Retired Workers Chapter as it deems appropriate.

(e) Local Union Retired Workers Chapters shall conform to the policies of the International Union.

Section 2. Area Retired Workers Councils

(a) Each Regional Director shall establish Area Retired Workers Councils in designated geographic areas, or by combination of designated Local Unions, or on any other reasonable basis.

(b) Additional Area Retired Workers Councils may be established by the International Executive Board as needed to

permit retired members to participate in those areas in which they have settled in considerable numbers.

(c) Area Retired Workers Councils may be either membership or delegate bodies, as the Regional Director shall direct. If such a Council is constituted as a membership body, all retired members within its jurisdiction may join the Council.

(d) The President of each Local Union within the jurisdiction of an Area Retired Workers Council shall be entitled to designate one (1) delegate to the Area Council.

Section 3. Regional Retired Workers Councils

(a) Each Regional Director shall establish a Regional Retired Workers Council in her/his Region.

(b) Representation to the Council shall be as follows:

(1) Each Local Union Retired Workers Chapter shall be entitled to one (1) retiree delegate.

(2) Each Local Union Retired Workers Chapter having more than one thousand (1,000) retired members shall been titled to one (1) additional retiree delegate for each one thousand (1,000) retired members or major fraction thereof; provided, however, that where appropriate the International Executive Board may approve additional representation.

(3) Each Area Retired Workers Council established by the Regional Director shall be entitled to three (3) retiree delegates, and each additional Area Retired Workers Council established by the International Executive Board shall be entitled to one (1) retiree delegate.

(4) Each Local Union shall be entitled to one (1) delegate to be designated by the President of the Local Union.

Section 4. International Retired Workers Advisory Council

(a) An International Retired Workers Advisory Council shall be established.

(b) Representation to the Council shall be as follows:

(1) One (1) retiree delegate from each of the Regional Retired Workers Councils.

(2) One (1) retiree delegate from the Area Councils within a region as established by the International Executive Board. Regions with fifteen (15) or more Area Councils shall have one (1) additional retiree delegate.

(3) Area Council delegates to the Regional Council shall have voice and vote on all matters in the Council, except that such delegates shall not be eligible to vote or be a candidate for the Advisory Council delegate position from Regional Councils.

(c) Each delegate to the International Retired Workers Advisory Council shall be elected by the members of the delegate's Region or Area Retired Workers Council pursuant to the election procedures established by the bylaws of the Regional or Area Retired Workers Council.

(d) The International Retired Workers Advisory Council shall elect a Chairperson, Vice Chairperson and a Secretary from among its delegates.

(e) The International Executive Board shall consult with representatives of the International Retired Workers Advisory Council concerning retired workers programs and policies and such other matters as affect the welfare of retired members.

(f) Each elected member of the International Retired Workers Advisory Council shall automatically be a delegate to the UAW Constitutional Convention with voice and one (1) vote. Each appointed member of the International Retired Workers Advisory Council may attend UAW Constitutional Conventions as a guest.

Section 5. Membership and Dues

(a) Membership in the Retired Workers bodies provided for in this Article is open to any member entitled to retired membership status, as provided in Article 6, Section 19 of this Constitution. Members are eligible for full participation in such Retired Workers bodies.

(b) Retirees will not be required to pay membership dues during the period of retirement, in accordance with Article 6, Section 19 of this Constitution. To assist in financing these activities, a three dollar ($3.00) per month voluntary retired membership dues is hereby established. All UAW retirees are eligible to participate in the three dollar ($3.00) voluntary retired membership dues.

(c) Dues shall be allocated as follows:

(1) International Retired Workers Fund 40%

(2) Regional Retired Workers Fund 25%

(3) Local Union Retired Workers Chapter 35%

Distribution of funds from the International Retired Workers Fund and each Regional Retired Workers Council Fund shall be determined by the Officers of the International Union and the Regional Director respectively. Each Local Union Retired Workers Chapter Fund shall be held by the Local Union for disbursement upon the request of the Retired Workers Chapter.

Section 6. Retired Workers Council Bylaws

Each Regional and Area Retired Workers Council shall enact bylaws consistent with and subject to the approval of the International Union.

Section 7. Associate Status

The spouse or surviving spouse of any retired member may request and receive associate status in a Local Union Retired Workers Chapter, with full rights of participation in its activities. Such associate, however, shall not have the rights of a member of the Local Union as set out in Article 6 - "Membership," nor those described in Article 6, Section 19 which addresses retired UAW members. The administrative procedures for Retired Workers Chapter associate status shall be established by the International Executive Board.

UAW ETHICAL PRACTICES CODES

Approved by the 37th Constitutional Convention June 2018

UAW ETHICAL PRACTICES CODES
Democratic Practices

The UAW is proud of its democratic heritage. Its Constitution is carefully designed to insure each member her/his full democratic right, both as an individual and through her/his elected representatives, to express her/himself freely and to participate at all levels in the decisions governing the Union. Moreover, individual rights as a UAW member are protected against infringement or abuse, for a member may appeal complaints concerning the administration of the Union, to the Local Union, the International Executive Board and the Constitutional Convention; and has the right to submit her/his appeal to the UAW Public Review Board, comprised of citizens with national reputations outside the labor movement, whose decisions are final and binding.

The democratic principles which have always governed the International Union, UAW, and its Local Unions are:

1. Each member shall be entitled to a full share in Union self-government. Each member shall have full freedom of speech and the right to participate in the democratic decisions of the Union. Subject to reasonable rules and regulations, each member shall have the right to run for office, to nominate and to vote in free, fair and honest elections. In a democratic union, as in a democratic society, every member has certain rights but s/he also must accept certain corresponding obligations. Each member shall have the right freely to criticize the policies and personalities of Union officials; however, this does not include the right to undermine the Union as an institution; to vilify other members of the Union and its elected officials or to carry on activities with complete disregard of the rights of other members and the interests of the Union; to subvert the Union in collective bargaining or to advocate or engage in dual unionism.

2. Membership meetings shall be held regularly, with proper notice of time and place and shall be conducted in an atmosphere of fairness.

3. All Union rules and laws must be fairly and uniformly applied and disciplinary procedures, including adequate notice, full rights of the accused and the right to appeal, shall be fair and afford full due process to each member.

4. Each Local Union shall maintain adequate safeguards so that all of its operations shall be conducted in a democratic and fair manner. No corruption, discrimination or anti-democratic procedure shall ever be permitted under any circumstances.

Financial Practices

Union funds are held in sacred trust for the benefit of the membership. The membership is entitled to assurance that Union funds are not dissipated and are spent for proper purposes. The membership is also entitled to be reasonably informed as to how Union funds are invested or used.

1. The International Union and its Local Unions shall conduct their proprietary functions, including all contracts for purchase or sale or for rendering housekeeping services in accordance with the practice of well-run institutions, including the securing of competitive bids for major contracts.

2. The International Union and its Local Unions shall not permit any of their funds to be invested in a manner which results in the personal profit or advantage of any officer or representative of the Union.

3. There shall be no contracts of purchase or sale or for rendering services which will result in the personal profit or advantage of any officer or representative of the Union. Nor shall any officer, representative or employee of the International Union or any Local Union accept personal profit or special advantage from a business with which the Union bargains collectively.

4. Neither the International Union nor any of its Local Unions shall make loans to its officers, representatives, employees or members, or members of their families, for the purpose of financing the private business of such persons.

Health, Welfare and Retirement Funds

1. No official, representative or employee of the International Union or a Local Union shall receive fees or salaries of any kind from a fund established for the provision of health, welfare or retirement benefits, except for reasonable reimbursement provided for in a collective bargaining agreement and expressly approved by the International Executive Board.

2. No official, employee or other person acting as agent or representative of the International Union or a Local Union, who exercises responsibilities or influence in the administration of health, welfare and retirement programs or the placement of insurance contracts, shall have any compromising personal ties,

direct or indirect, with outside agencies such as insurance carriers, brokers, or consultants doing business with the health, welfare and retirement plans.

3. Complete records of the financial operations of all UAW health, welfare and retirement funds and programs shall be maintained in accordance with the best accounting practice. Each such fund shall be audited regularly.

4. All such audit reports shall be available to the members of the Union covered by the fund.

5. The trustees or administrators of such funds shall make a full disclosure and report to the members covered by the fund at least once each year.

Business and Financial Activities of Union Officials

Any person who represents the UAW and its members, whether elected or appointed, has a sacred trust to serve the best interests of the members and their families. Therefore, every officer and representative must avoid any outside transaction which even gives the appearance of a conflict of interest. The special fiduciary nature of Union office requires the highest loyalty to the duties of the office.

1. The mailing lists of the Union are valuable assets. In order to protect the interests of our entire membership, Union officers and representatives shall not, under any circumstances, turn over a Union mailing list to an outsider for use in the promotion or sale of any goods or services that benefit an individual or a private concern. Mailing lists are to be used only to promote the necessary legitimate functions of the Local Union and for no other purpose. It is improper for any official or representative of either the International Union or Local Union to permit the use of any mailing list by any third party to promote the sale of furniture, appliances, automobiles, insurance, eyeglasses or any other item, or to enable professionals to solicit the membership.

2. No officer or representative shall have a personal financial interest which conflicts with her/his Union duties.

3. No officer or representative shall have any substantial financial interest (even in the publicly-traded, widely-held stock of a corporation except for stock- purchase plans, profit sharing

or nominal amounts of such stock), in any business with which the UAW bargains. An officer or representative shall not have any substantial interest in a business with which the UAW bargains collectively.

4. No officer or representative shall accept "kickbacks," under-the-table payments, valuable gifts, lavish entertainment or any personal payment of any kind, other than regular pay and benefits for work performed as an employee from an employer with which the Union bargains or from a business or professional enterprise with which the Union does business.

5. The principles of this Code, of course, apply to investments and activities of third parties, where they amount to a subterfuge to conceal the financial interests of such officials or representatives.

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SPECIAL NOTE

ARTICLE 6
SECTION 17

On March 10, 1989, the United States Court of Appeals for the Sixth Circuit ordered that certain provisions of Article 6, Section 17 of the Constitution of the International Union, UAW be expunged from the Constitution. Prior to compliance with this order, the Union appealed to the U.S. Supreme Court; however, that body denied the Union's appeal on October 2, 1989. Due to the action of the U.S. Supreme Court in refusing to overturn the order of the Court of Appeals, compliance with that order was required, thereby rendering the issue closed and leaving only the provisions of Article 6, Section 17 set forth herein in effect.

How to Find the Proper Interpretation

This revised issue of the Constitution with Interpretations contains all of the additional basic constitutional interpretations adopted by the International Executive Board since the publication of the previous edition of the Constitution with Interpretations; and the interpretations that became obsolete due to amendments adopted by the Thirty-Seventh (37th) Constitutional Convention have been deleted.

Any new problems that arise which necessitate a constitutional interpretation will be acted upon in the usual manner.

You will notice that there is no separate index to the interpretations, as such. Instead, an Article and Section notation appears at the upper outside corner of each page of the interpretations to facilitate references.

In using this edition of the Constitution with Interpretations, the following procedure would be the most helpful:

1. Find the subject of your question by consulting the appropriate heading or headings in the index to the Constitution. This will give you the Article(s) or Section(s) which may contain the answer to your question. It will also give you the page of the Constitution where that Article or Section appears. It may be that your question is expressly covered by the language of the Constitution and you need look no further.

2. In virtually every instance, the language of the Article or Section will at least touch upon the answer you seek, but it may not be the specific answer to your problem. In that case, you turn to the interpretations listed under those Articles and Sections and read there the interpretations of the International Executive Board as they relate to your question. Where appropriate, cross-references to other Articles, Sections and interpretations are given at the end of the particular interpretation.

INTERPRETATIONS
of the CONSTITUTION
of the INTERNATIONAL UNION

United Automobile,
Aerospace and
Agricultural Implement Workers
of America, UAW

ARTICLE 6
Membership

SECTION 2
(1) Honorary Membership

The Constitution makes no provision for honorary membership. However, Local Unions can vote such memberships to persons who have rendered exceptional service either to the trade union movement generally or to that particular Local Union, provided that the persons granted such honorary memberships are not already members of the UAW by holding membership in some other UAW Local Union.

Any cards or letters which are issued to commemorate the issuance of the honorary membership card shall be for a stated term and that term shall not exceed two years and such honorary membership can then be renewed by specific action; otherwise it expires.

Before such honorary membership becomes effective and it is presented to the individual so honored, it must be approved by the Local Union membership and the International Executive Board. (3/9/54, Page 14.)

SECTION 3
(1) Refund of Checked-Off Initiation Fee and Dues

An employee who has joined a Local Union by having paid or having had deducted her/his initiation fee and dues within thirty (30) days of her/his employment and is subsequently terminated,

laid off or quits within that period, would be entitled upon request made within sixty (60) days to a refund of all monies paid for initiation fee and dues following termination of such employment. Where such member does not request a refund of her/his dues and initiation fee, s/he may upon proper request be issued an honorable withdrawal card. (Detroit 1/15/73.)

SECTION 10

(1) Membership in more than one Local Union.

When considering permission, the International Executive Board may take into account the fact that members in certain industries may be employed on a part-time basis by multiple UAW-represented employers in the same industry. (Detroit, 6/2/14.)

SECTION 19

(1) Voting Rights of Retired Members in Local Unions

A retired member has a constitutional right to participate in any and all elections conducted on a local-wide basis except elections of the type specifically exempted under this Section. Under this Section a retired member would not, however, be eligible to vote for a Steward or Committeeperson even though that Steward or Committeeperson might, by virtue of her/his election, also hold office as a member of a Local Union policy making group such as the Executive Board. (Detroit, 1/21/60, Page 172.)

(2) Voting Rights of Retired Members in Units of Amalgamated Local Unions

Retired members are eligible to vote for officers of units as such. If a unit has a substantial complement of officers set up by its bylaws, and these officers generally correspond to the Executive Officers of a Local Union as set forth in Article 38, Section 1, the retired member would be eligible to vote for such officers even though these officers also constitute the Local Union Bargaining/Negotiating Committee. In units where the bylaws do not provide for a substantial complement of officers, the retired member would not be entitled to vote for such unit Chair and Secretary since the primary function of these individuals is to serve as officials of the Bargaining/Negotiating Committee and they are only incidentally charged with the responsibilities of unit officers.

(3) Eligibility of Retired Members to Run for Local Union Offices

Retired members are ineligible to run for any local union position which carries responsibility for grievances or bargaining required by the Collective Bargaining Agreement(s) and/or local union bylaws. (Las Vegas, 6/1/02.)

SECTION 20

(1) Material Benefits to which Non-Members are Entitled under Agency Shop Provisions

The "material benefits" of non-members under an agency shop agreement are such benefits as being eligible to receive Solidarity, strike assistance, and any other such direct service benefits received by members of the Union.

Such non-members shall not be allowed attendance at Union meetings, the right to hold or run for any Union office (elected or appointed), or any voting rights within the Union unless and until they have become members of the Union in accordance with the provisions of this Constitution. (Detroit, 6/18/62, Pages 48-49.)

ARTICLE 7
Powers of Administration

SECTION 1(b)

The International Executive Board members may participate in regular and special meetings through the use of conference telephone, electronic video screen communication, or other electronic transmission. Participation by International Executive Board members in such meetings in such manner shall satisfy any quorum requirements set forth in Article 12. (Detroit 6/2/14.)

ARTICLE 8
Conventions

SECTION 5

(1) Delegates to Conventions Other Than UAW

Delegates to other conventions and similar bodies with which UAW Locals are affiliated may be elected or appointed in any manner provided by the bylaws of the Local Union, provided they have been approved by the International Executive Board, or standing resolutions

of the Local Union to the extent any such method is consistent with the Constitution or the official call of the delegate body to which the delegates are being sent. (Detroit, 1/21/60.) (Amended 9/12/68, Pages 155-158.)

(2) When Amalgamated is Not Compelled to Pay for Unit Delegates

Where an Amalgamated Local Union has voted not to send any delegates to the Convention and a unit of the Amalgamated makes a decision to send a delegate or delegates from that unit, the Local Union would not be compelled to pay the expenses of such delegates attending the Convention. (Detroit, 6/10/49, Pages 711-712.)

(3) Procedure in Amalgamated Local Union When Electing Delegates on Local-Wide Basis

In the event the Local Union membership or Joint Council of an Amalgamated Local Union desires to elect its Convention delegates on a local-wide basis, it may do so; provided however, that any unit of such an Amalgamated Local Union entitled to one or more delegates, by official action of their unit membership, can object to such a procedure. If such objection is raised, the Local Union must be notified within a period of two weeks following the Local Union's decision. Those units who may be grouped together for the purposes of Convention representation, as provided for in Article 8, Section 5, can only raise a legitimate protest after the majority of those units so grouped take similar action. Any unit or group of units referred to above who protest in the manner outlined may elect delegates representing their unit or group on the basis provided for in Article 8, Section 5. (Detroit, 5/11/51, Page 367.)

SECTION 8

(1) Alternates in Amalgamated Local Unions

In an Amalgamated Local Union, alternate delegates can only serve as alternates for the units from which they are elected. (Detroit, 4/28/49, Pages 167-168.)

SECTION 11

(1) Eligibility for Convention Delegate

Local Unions may place no restrictions, other than those provided by this Constitution, upon the eligibility of candidates for Convention delegate. A bylaw which provides that a member must attend one out of

every three Local Union meetings to be eligible to run for Convention delegate is invalid. (Milwaukee, 7/31/44, Page 49.)

(2) Eligibility of Convention Delegate-Trial of Member

The member in question may be denied the right to run for delegate to the Convention by Trial Committee provided it was the intent of the Local at the time it took such action. (Buffalo, N.Y., 9/8/47, Pages 72-76.)

SECTION 23

(1) Plurality Vote for Election of Delegates

The Constitution allows the election of delegates by a simple plurality and a Local Union cannot add to the provisions of the Constitution by requiring a majority vote for election as a Convention delegate. (Detroit, 5/9/51, Pages 260-264.)

ARTICLE 13
Duties of International Officers

SECTION 8

In accordance with a Constitutional amendment which was adopted in 1970 by the delegates to the 22nd Constitutional Convention, all matters appealed to the Convention Appeals Committee will be considered to have been decided by the Convention and are final and binding upon any case coming before them. (Atlantic City, 4/21/70, Page 201.)

ARTICLE 14
International Representatives

SECTION 5

(1) Resignation Must Precede Acceptance of Nomination

An International Representative may be nominated for Local Union office while still on the payroll of the International Union; but prior to accepting such nomination s/he must resign her/his position with the International Union. (New York City, 3/5/45, Pages 45-46.)

(2) Delegates to Joint Councils

This Section is not applicable to full-time or part-time International

Representatives running for election as delegates to Joint Councils or General Councils of a Local Union. But such persons, if elected to such Councils, will not be eligible to hold office in such Councils except in conformity with this Section. (Philadelphia, 10/22/43, Page 67.)

(3) Delegates to Other Councils

This Section does not bar International Representatives from seeking and holding office in Intra-Corporation Councils or other similar councils. (Philadelphia, 10/27/43, Pages 67-68.) See also Articles 20, 21, 22, and 34.

(4) Members of Local Union Committees

International Representatives can serve on Local Union appointed or elected committees but with the understanding it does not conflict with their particular assignment for the International Union. (Chicago, 6/10/47, Pages 33-34.)

ARTICLE 16
Initiation Fees and Dues

SECTION 1

(1) Initiation Fees in Amalgamated Local Unions

A unit of an Amalgamated Local Union cannot establish its own initiation fee for the unit unless that right is specifically granted it by the Local Union. (Detroit, 1/10/49, Pages 53-54.)

(2) Former Members Failing to Take Military Withdrawal Certificates

Any applicant for union membership or reinstatement is entitled to exemption from payment of initiation or reinstatement fee upon presentation of her/his service discharge papers. (Los Angeles, 2/7/44, Pages 27-28.)

(3) Failure to Obtain Military Service Card

Any member in good standing who leaves for the Armed Forces but fails to obtain a Military Service Card, is, upon presentation of the proper discharge papers, entitled to all of the rights and privileges afforded under the Military Service Act. (Minneapolis, 5/1/44, Pages 88-89.) See also Article 16, Section 25.

(4) Initiation Fee Collected in Error

Where the Local has charged an initiation fee to members returning from the Armed Forces, said amount should be credited to dues, since the Constitution provides that a member discharged from the Armed Forces may become a member of this Union without paying an initiation fee. The International Union will give appropriate credit to the Local provided the Local indicates the amount due in each instance. (Minneapolis, 5/1/44, Page 88.)

(5) Merchant Marine Service

The exemption provided in this Article for men and women returning from service in the Armed Forces is applicable also to persons returning from service in the Merchant Marine. (Detroit, 8/5/44, Page 88.)

(6) Applicable to First Employment Only

The exemptions given under this Section to returned members of the Armed Forces apply only where the member's first employment after her/his return is within the jurisdiction of the UAW. Thus, a suspended UAW member who, upon her/his return from the Armed Forces, takes and holds a job outside the jurisdiction of the UAW, but who now is employed within the jurisdiction of a UAW Local, may be required to pay a reinstatement fee to her/his old UAW Local before s/he can obtain a transfer to the new UAW Local. (Detroit, 8/5/46, Page 87.)

SECTION 2

(1) Refund of Dues Paid by Probationary Employees

An employee who has joined a Local Union by having paid or having had deducted her/his initiation fee and dues within thirty (30) days of her/his employment and is subsequently terminated, laid off or quits within that period, would be entitled upon request made within sixty (60) days to a refund of all monies paid for initiation fee and dues following termination of such employment. Where such member does not request a refund of her/his dues and initiation fee, s/he may upon proper request be issued an honorable withdrawal card (Detroit, 1/15/73, Pages 103-104.)

(2) Retired Member Not Required to Pay Dues After

Retirement

A member who is retired under Article 6, Section 19, of this Constitution is not required to pay regular dues following the month in which s/he is retired, if all of her/his dues obligations have been met prior to such retirement. Any compensation received following the month of her/his retirement, such as accumulated vacation pay, etc., will not obligate the member for the payment of dues as a result of receiving such compensation after retirement. (Black Lake, 6/2/72, Page 187.)

SECTION 9

(1) Education Fund

It is permissible for a Local Union to use a portion of its Education Fund to defray the expense of publishing a monthly newspaper for the benefit of its members. (Washington, 11/7/45, Page 108.)

SECTION 13

(1) Trigger for Payment and Method for Calculating Rebates to International Union General Fund and Local Unions

When determining whether any rebates from the International Union Strike and Defense Fund shall be allocated from the portion of dues income received in accordance with Article 16, Section 5(a) or 5(b)(i)(3) of the International Constitution, 95% of the total dues income received pursuant to Article 16, Section 5(a) or 5(b)(i) will be rebated back to the Local Unions and the International Union General Fund in accordance with the percentages described in this Section. Similarly, 5% of the total dues received pursuant to Article 16, Section 5(a) or 5(b)(i) shall serve as the source of any 13th "rebate" check payable under Article 16, Section 13(b). (Detroit, 8/11/15).

SECTION 21

(1) No Extension of Time for Payment of Dues

The fact that the last day for the payment of dues falls on Sunday does not operate to extend the time within which such dues are required to be paid under this Section. (Milwaukee, 5/1/44, Page 54.)

(2) Former Member Joining Another Local

Where a member becomes delinquent in her/his Local Union and, while delinquent, accepts employment under the jurisdiction of another UAW Local, s/he must reinstate her/himself in her/his first

Local and then transfer to the second. (New York City, 3/5/45, Page 17.)

(3) Authorized Strike Will Not Make Member Delinquent

Out-of-work receipts are not required by members while engaged in an authorized strike. A member in good standing at the time her/his Local or unit goes on such strike continues in good standing for the duration of the strike and for a period of thirty (30) days after her/his return to work. (Detroit, 1/12/46, Pages 145-149.)

SECTION 22

(1) Good Standing Not Subject to Vote in the Local Union

Any member suspended by reason of having become in arrears in her/his dues is automatically placed in good standing upon complying with the requirements of this Section of the Constitution and the applicable provisions of the Local Union's bylaws. Her/His readmission to good standing is not subject to vote in the Local Union. (Louisville, 3/17/47, Pages 141-143.)

(2) Reinstatement Fees in Amalgamated Local Unions

A unit of an Amalgamated Local Union cannot establish the reinstatement fee for the unit unless it is specifically granted that right by the Local Union. (Detroit, 10/9/51, Pages 171-173.)

(3) Local Union or Unit Cannot Waive Reinstatement Fee

A Local Union or unit of an Amalgamated Local Union cannot waive the reinstatement fee established by the Local Union without the approval of the International Executive Board. (Detroit, 12/6/62, Page 202.)

(4) Maximum Reinstatement Fee

The maximum reinstatement fee that may be levied under the provisions of this Section is $50.00. (1/20/54, Page 281.) (Amended 9/12/68, Page 159.)

SECTION 25

(1) Veteran Who Failed to Deposit Transfer

Where a member takes a transfer and fails to deposit it in the Local to which s/he intended to transfer, and later enters military service and after her/his discharge applies to her/his first Local for reinstatement,

s/he is entitled to such reinstatement without payment of initiation or readmission fees if s/he otherwise meets the conditions set forth in this Section. (Detroit, 8/5/46, Page 86.)

SECTION 26

(1) Vacation Pay or Bonus Previously Received Considered as a Benefit

Any member who receives vacation pay or bonus in one month and takes time off from work for a vacation leave in a subsequent month shall not be exempted from the payment of dues under this Section, since s/he had received compensation for such leave in a previous month. Vacation pay or bonuses received in any previous month within the vacation year shall be applied to the month in which such leave is taken and considered as a benefit in lieu of work for the purpose of dues liability under this Section. (Detroit, 12/6/62, Page 203.)

(2) Members Required to Pay Regular Dues while on SUB if Forty (40) Hours are Worked in Month

Where a member receives Supplemental Unemployment Benefits and during the first part of a month pays one (1) hour SUB dues for the month and is subsequently recalled to work during the same month, and receives forty (40) hours pay within that month, the member's dues for that month would be the regular minimum monthly dues as set forth under Section 2 of this Article.

If the member had previously paid the one (1) hour SUB dues s/he could be given credit for such payment or the one (1) hour may be refunded to her/him after receipt of the regular monthly dues. (Detroit, 11/15/71, Pages 54-55.)

(3) Laid Off Member Not on Check-off-Duty to Report

A member not covered by check-off under which the company automatically notifies the Local Union of members who are laid off or granted leaves of absence has the responsibility of reporting immediately her/his layoff or leave of absence to the Financial Secretary of her/his Local Union. If such a member does not so report her/his layoff or leave of absence within thirty (30) days of the time it commences, s/he would automatically be recorded on the books of the Local Union as having been issued an honorable withdrawal transfer card as of said 30th day. (Detroit, 1/21/60, Pages 182-183.)

SECTION 27

(1) 6-Month Period Calculation

In applying this Section the "first six months of such layoff or leave" means the period from the date of her/his layoff to the last day of the sixth month thereafter. For example, for a member laid off on April 10, the "first six months" would not expire until the 31st of October. Each additional month for which a member must certify in order to remain in good standing without paying dues would then automatically coincide with a calendar month. (Detroit, 7/14/61, Page 169.)

NOTE: Notwithstanding the above, when members are receiving Supplementary Unemployment Benefits (SUB) or other monies subject to dues payment, the first six month period of such layoff or leave means the period commencing the first month of which benefits are exhausted and dues are not paid or any subsequent combination of six months thereafter during that layoff.

(2) Membership Status Upon Return to Local Union from Automatic Withdrawal

When a laid off member who has been automatically noted on the records of her/his Local Union as having been issued an honorable withdrawal transfer card returns to work under the jurisdiction of her/his Local Union, her/his withdrawal status automatically ends and s/he becomes a member in good standing and shall resume paying dues to her/his Local Union. (Detroit, 7/14/61, Page 169.)

ARTICLE 17

Honorable Withdrawal Transfer Cards

SECTION 2

(1) Issuance of Withdrawal Transfer Cards

A Local Union must issue a withdrawal transfer card to a member upon her/his request, provided the member's status meets the constitutional requirements set forth in Article 17. (Chicago, 6/4/45, Pages 17-22.)

(2) Failure to Obtain Withdrawal Transfer Card

A discharged member who accepts employment outside the jurisdiction of the International Union but fails to obtain withdrawal transfer card and is subsequently suspended for non-payment of

dues, is ineligible for reinstatement since s/he no longer is under the jurisdiction of the International Union. (Minneapolis, 7/16/45, Page 127.)

(3) Possession of Withdrawal Transfer Card- Interruption of Good Standing

Possession of the honorable withdrawal transfer card interrupts the member's continuous good standing in a Local Union except in the following two cases:

1. Where the member has redeposited her/his withdrawal card in the Local Union in the same month in which it was issued by that same Local Union.

2. Where a laid off member has taken a withdrawal card from her/his original Local Union, transferred to another UAW Local Union, deposited her/his withdrawal card in the second UAW Local Union and, within a period of one year from her/his layoff, returns to her/his original Local Union depositing her/his withdrawal card from the second Local Union where s/he temporarily worked.

Unless one of these two special conditions is met, any member who is recorded as having a withdrawal card on her/his Local Union records would not again meet the one year continuous good standing until s/he had returned to work, redeposited her/his withdrawal card, and had remained as a continuous good standing member for a period of one year. (Detroit, 1/21/60, Pages 283-284.)

(4) Additional Exceptions to Issuance of Automatic Withdrawal Transfer Card

Members who may be elected to a national, state, or local legislative body or who are engaged in work which promotes the programs and policies of the organization, should be exempt from the issuance of an automatic withdrawal card. The decision in these cases is left to the discretion of each Local Union. Any member may, however, appeal any decision made in this respect as provided for in Article 33 of the Constitution. (Detroit, 10/11/51, Pages 273 and 274.)

(5) Escapee Not Entitled to Withdrawal Card

When a member avails himself of the escape period provided in the Local's maintenance of membership clause but continues to work, s/he remains under the jurisdiction of the International Union and

therefore is not entitled to a withdrawal card. (Detroit, 8/5/46, Pages 92-93.)

SECTION 3

(1) Prosecution of Holders of Withdrawal Transfer Cards

A Local Union may not prosecute the holder of a withdrawal card under the Trial Procedure (See Article 31) during the time the card is still outstanding. The proper action is to institute proceedings to terminate the withdrawal card. (See Interpretation under Section 9 of this Article.) This must be done within sixty (60) days from the date the complainant first became aware of the alleged misconduct. (Chicago, 6/4/45, Page 21.) See also Article 17, Section 9.

(2) Returning to Original Local

A member cannot deposit a withdrawal card in the original Local or transfer back to the original Local until s/he actually has a job over which the original Local has jurisdiction. (Detroit, 1/12/46, Pages 29-30.)

In a multiple workplace corporation, however, which has a single collective bargaining agreement and an area-wide seniority arrangement under which a member laid off from one workplace is automatically returned to her/his original workplace with job rights in the original workplace but not enough seniority to be reinstated on her/his job, the member under these circumstances may be considered as being on layoff status in her/his original Local Union in accordance with the provisions of Article 16, Sections 26 and 27 of this Constitution. (Detroit, 4/14/60, Pages 29-30; 261-262.)

(3) Temporary Employment While Home Local on Strike

Where a member's workplace is on strike and s/he finds employment in another workplace with the permission of her/his home Local, s/he is not required to transfer to the second Local. S/He must continue to pay her/his dues to her/his home Local and the Local having jurisdiction over the workplace in which s/he is working shall waive the payment of dues by said member or permit her/him to work under a "work permit." (Detroit, 1/12/46, Pages 28-29.)

(4) Full Time Employment While Home Local on Strike

Members in good standing of a striking Local Union who obtain full time employment outside the jurisdiction of the UAW shall, unless

they obtain permission from their Local Union immediately, be issued honorable withdrawal transfer cards as required by Article 17, Section 2. These members shall not participate in any activities within their Local Union until they have returned to work within the jurisdiction of their Local Union and have deposited their withdrawal transfer cards.

(5) Member of Local Subsequently Chartered by UAW

Where a person prior to entering the Armed Forces was a member of a labor organization which subsequently became a UAW Local Union, and on her/his return accepted employment in supervision, s/he is not entitled to a withdrawal card since s/he was not a "member in good standing" of a UAW Local at the time s/he entered the service. (Detroit, 8/5/46, Page 99.)

(6) Members Holding Constitutional Office Voluntarily Leaving Jurisdiction of Local Must Transfer

Members holding a constitutional office in a Local Union, who exercise interworkplace seniority in order to retain their classification or who voluntarily leave the jurisdiction of the Local Union, are required to transfer if the workplace to which they move comes under the jurisdiction of another Local Union (Louisville, 3/17/47, Pages 91-93.)

(7) Deposit of Withdrawal Card

Holders of a withdrawal card upon obtaining a job under the jurisdiction of the UAW shall deposit said withdrawal card with the Local Union under whose jurisdiction s/he is then working and the Financial Secretary of the Local shall notify the original Local Union of such transactions. (Chicago, 3/1/48, Pages 814-816.)

SECTION 4

(1) Continuous Good Standing

This section is applicable only to those members whose entire seniority moves with them at the time of their transfer. (Las Vegas, 6/1/02.)

SECTION 6

(1) Withdrawal Transfer Cards may not be Exchanged for Out-of-Work Receipts

A laid off member who elects to take a withdrawal transfer card

at the time of her/his layoff may not subsequently and during the layoff period deposit her/his withdrawal transfer card in return for an out-of-work receipt. Withdrawal transfer cards can be deposited only when the member has been called back to work in her/his workplace. (Cleveland, 8/4/46, Page 99.)

(2) Members Receiving SUB not entitled to Withdrawal Transfer Card

Any member laid off indefinitely who receives Supplemental Unemployment Benefits or an equivalent type layoff benefit is obligated under Article 16, Section 26, to pay dues to the Local Union and, therefore, will not be entitled to an honorable withdrawal transfer card until s/he has exhausted her/his entitlement to such benefits. (Detroit, 1/31/74, Page 281.)

SECTION 7

(1) Back Dues and Fees Owed Before Transfer

If a delinquent member is transferred to or employed at another Local Union within the jurisdiction of the UAW, the member must pay back dues and reinstatement fee to his/her original Local Union to establish continuous good standing. (Las Vegas, 6/1/02.)

(2) Refusal to Accept Withdrawal Transfer Cards

A Local Union may not refuse to accept a withdrawal transfer card in proper order if the member presenting it is eligible for membership at the time the card is offered. (Chicago, 6/4/45, Page 21.)

SECTION 9

(1) Right to Defend Against Termination of Withdrawal Transfer Card

Before a withdrawal transfer card can be terminated, the Local Union must give the member an opportunity to appear at a meeting and present her/his defense. (Grand Rapids, 9/8/44, Page 22.)

(2) Procedure for Termination of Withdrawal Transfer Card

The following procedure governs the termination of withdrawal transfer cards "for good and sufficient reasons":

(a) A motion to terminate the withdrawal transfer card should be made at a Local membership meeting. The reasons should be given

in the motion.

(b) Action on the motion should then be deferred to a later meeting and a committee appointed to investigate the reasons in order to determine whether they are "good and sufficient."

(c) The committee should conduct an investigation, making inquiry as to the validity of the reasons. The person whose withdrawal card is sought to be terminated should be given full opportunity to answer all charges made. (This is not a "trial" but an investigation which the committee may conduct in such manner as it deems best suited to getting the facts. If it desires, it may hold a "hearing" and permit witnesses on both sides to be heard.)

(d) The committee should then present its findings and recommendations to a subsequent membership meeting, which should act by either adopting or rejecting the motion to terminate the withdrawal transfer card.

(e) The member involved should be afforded full opportunity to present her/his contentions to the meeting.

(f) The Local should then vote on the question: "Shall the withdrawal transfer card be terminated?" (Chicago, 6/4/45, Pages 20-21.)

(3) Effect of Termination of Withdrawal Transfer Card

The termination of a withdrawal transfer card does not terminate the membership of the person who held the card, but returns her/him to the status of other members with the same obligation to pay dues, etc. (Grand Rapids, 9/7/44 and Chicago, 6/4/45, Pages 20-2l.)

SECTION 12

(1) Applies Only to Persons With Authority to Hire or Discharge

Under this Article and Section, the positions with management referred to within this Section, apply only to positions with the authority to hire or discharge or otherwise affect the status of employment of the members within the jurisdiction of the Local Union. (Detroit, 9/9/66, Page 246.)

ARTICLE 19

Contracts and Negotiations

SECTION 3

(1) Separate Ratification Rights for Skilled Trades

Where separate ratification rights have been approved for skilled trades, only skilled tradespersons may vote in such contract ratification meetings for skilled trades. (Black Lake, 6/10/71, Pages 276-277.)

(2) Interest Arbitration and Ratification

Where, pursuant to a prior contractual agreement, bargaining occurs in a context where interest arbitration is the exclusive means to resolve impasse, the membership will be presented with full information about the final offers by management and the union, and will be given an opportunity to vote on whether to accept management's offer or proceed to interest arbitration in defense of the union's final offer. The meeting at which such vote is taken shall be conducted in accordance with the normal procedures for ratification votes. This procedure shall constitute compliance with the requirements of Article 19, Section 3. (Flint, 11/10/05)

ARTICLE 20

National and Corporation Bargaining Councils

SECTION 1

(1) Locals Must Affiliate and Pay Tax

It is mandatory on all units or Locals that they affiliate with an Intra-Corporation Council if one is set up; it is also mandatory that the per capita tax due such Council be paid. (Milwaukee 4/16/45, Pages 130-131; Minneapolis, 7/16/45, Page 122; Detroit, 1/12/46, Pages 53-54.)

ARTICLE 26

Civil and Human Rights Department

SECTION 4

(1) Procedure in Discrimination Cases

The procedure to be followed shall be as outlined in the handbook issued by the Civil and Human Rights Department.

ARTICLE 29
Communications

SECTION 6

Local publications shall conform with the policies of the International Union and all Local Union Editors and/or Editorial Committees shall be responsible to the Officers and Executive Board of the Local Union who shall have authority to effectuate such conformity. Where a unit of an Amalgamated Local Union has a publication, such initial responsibility shall be to the unit officers, but the Amalgamated Local Union Officers and Executive Board shall still have the ultimate authority of effectuating such conformity. (Detroit, 6/2/14.)

ARTICLE 31
Trials of Members

SECTION 1

(1) Charges Must Be Specific

In order for charges to be properly filed under the provisions of this Section of the Constitution, the charges must specifically set forth the nature of the alleged offense or offenses.

Charges that are based on broad generalities such as "conduct unbecoming a union member" or "violation of the Constitution" do not fulfill the constitutional requirements of this Section of the Constitution unless the nature of the conduct in question or the nature of the violation of the Constitution are clearly set forth in the charges. (1/21/54, Page 296.)

(2) Convention Delegates Failing to Follow Local's Instructions

There is no authority in this or any other Section of the Constitution for preferring charges or trying Convention Delegates who fail to vote at the Convention in accordance with "instructions" of their Local Union. Delegates to the Convention meet to legislate on matters affecting the entire International Union and they are not bound, either legally or morally, to follow "instructions" of their particular Local Unions relative to their voting. They are entitled to base their judgments and their votes upon facts and considerations presented to them at such Conventions-material which may not have been previously within the knowledge of themselves or the membership of the Locals which they represent. (Philadelphia, 10/22/43.) See Article 8. (Page 9.)

(3) Trials During Administratorship

Appointment of an Administrator for the Local Union affects neither the status of Local Union members nor the existence of the Local and trials held during the period of administratorship must conform with the requirements of this Article of the Constitution.

In such cases the charges should not be filed by the Administrator, but by a member or members of the Local Union. (Chicago, 6/8/45, Page 58.)

SECTION 2

(1) Where Recording Secretary has been Suspended

Where an Administrator for the Local Union has been appointed by the International Executive Board and the Recording Secretary has been suspended, charges should be submitted to the Administrator, or to the person who has been designated by the Administrator to act in the capacity of Recording Secretary during the period of administration. (Chicago, 6/8/45.)

SECTION 3

(1) Charges Against the Entire Local Union Executive Board

Under this Article and Section, where charges have been placed against the entire Executive Board of a Local Union, the Local Union Executive Board would be obligated to procedurally determine whether the charges were proper in accordance with the limitations as set forth under (a), (b), (c), (d), and (e) of this Section. However, where charges are brought against one or more members of the Local Union Executive Board, or made by one or more members, those member(s) so charged and member(s) making the charges shall withdraw from participating in the Local Union Executive Board's procedure required to determine the propriety of the charges. The remainder of the Local Union Executive Board would determine whether the charges were proper. (The application of this interpretation will be re-examined if under certain circumstances, its implementation does not serve the democratic purposes intended by this interpretation.) (Revised 6/23/83)

(2) Charges Are Not To Be Investigated

Article 31 charges are procedurally reviewed by local executive boards to determine if they are proper or improper pursuant to the sub-sections of Section 3. Charges are to be reviewed, as submitted,

based on their specific content. No investigation is required or proper. The addition of Section 3(e) at the 32nd Constitutional Convention requiring substantial direct evidence as well as the evidence of at least one (1) corroborating witness does not change the historical method of review. (Las Vegas, 6/1/02).

(3) Postponement of Trial

There is nothing in the procedural provisions of this Article including those contained in Section 8 of Article 31 which would cause postponement of trial proceedings to result in the end of trial. Since charges were submitted and since charges have not been withdrawn by the accuser, it is mandatory that a trial be held (unless the charges have been considered to be improper by the Local Union Executive Board, pursuant to Article 31, Section 3). (Buffalo, 9/8/47, Pages 66-67.)

(4) Trial Committee Must Report Their Findings

There is nothing in the procedural provisions of Article 31 which would cause the dismissal of the Trial Committee because of a delay in reporting their findings. When charges are submitted and have not been withdrawn by the accuser, it is mandatory that the selected Trial Committee function until they have reported their findings to the body selecting them, as provided for in Article 31 (unless in the meantime the charges are withdrawn by the accuser or considered to be improper by the Local Union Executive Board, as provided in Article 31, Section 3). (Detroit, 5/11/51, Page 370.)

(5) Charges that Grievances Have Been Improperly Handled

Where charges on their face set forth no more than an accusation that a Committeeperson, Steward, or some similar official or body has used poor judgment, or has not exercised the proper degree of discretion or wisdom in handling a grievance, such charges should not be processed under Article 31, Section 3, of the International Constitution. Such attack upon the judgment, discretion or wisdom of an official or body in handling the grievance would not constitute any specific violation of this Constitution or conduct unbecoming a member and would, therefore, be an improper accusation to submit to a Trial Committee. Where a member believes her/his grievance has been improperly handled without the exercise of proper judgment, discretion and wisdom, her/his remedy lies in the regular procedures established for such review under Article 33 of the Constitution. (Detroit, 1/27/61, Pages 205-206.)

SECTION 6

(1) Member Must have Notice of Charges

The suspension provisions of Article 31, Section 6 of the Constitution cannot be invoked until after the accused is in possession of the receipted registered or certified letter outlining the charges that had been preferred against her/him. (9/9/53, Page 233.)

SECTION 10

(1) Effective Date of Suspension

In the event a Local Union Trial Committee suspends a member from office or membership as a result of their trial findings and such decision is properly approved by the Local Union membership, such suspension shall become effective as of the date stipulated by either the Local Union Trial Committee or the Local Union membership. If the Local Union Trial Committee or Local Union membership fail to stipulate the effective date of suspension, the suspension shall become effective the date the membership approved such suspension. (Detroit, 5/1/53, Page 182.)

(2) Suspension from Local is Suspension from International

When a member is duly suspended or expelled by her/his Local Union, s/he automatically is suspended or expelled as a member of the International Union. (Washington, 7/12/45, Page 94.) See also Article 6, Sections 9 and 14.

(3) Report of Trial Committee

A Trial Committee is not a "committee" in the sense in which the word is ordinarily used. It is in the nature of a jury. It is inappropriate for it to make a "minority report." When it votes on the verdict and judgment and fixes guilt and the penalty by a two-thirds (2/3) vote, the accused is found "guilty" and the penalty attached, subject to the approval of the membership. Dissenting members of the Committee have the right to vote in the Committee on the issues of guilt and penalty, but in the event the majority against them is two-thirds (2/3), the guilt and penalty are established as far as the Trial Committee is concerned. There is nothing for a dissenting member to "report" to the membership although s/he, of course, has the right to participate in the deliberations of the membership meeting, at which time s/he may advance any reasons for arguments s/he pleases in the effort to influence the meeting to approve or disapprove the verdict and judgment of the Trial Committee. S/He does this, however, as a member of the Local

Union and not as a member of the Trial Committee. (New York, 12/11/46, Pages 52-53.) See also Interpretation No. 1 under Section 11 of this Article.

(4) Failure to Reach Verdict by Trial Committee-Acquittal

Where a Trial Committee under this Article and Section does not reach a verdict of guilty by a two-thirds (2/3) vote, the Trial Committee is required to report same to the membership of the Local Union and the member stands acquitted. (Detroit, 9/9/66, Page 245.)

SECTION 11

(1) Membership Vote on Trial Committee's Report

The vote upon the report of the Trial Committee should be in two parts:

(a) The membership should vote upon the "verdict," that is, as to whether or not the accused shall be held to be guilty. If such a motion is not approved by a majority vote, the accused stands acquitted, and no further action by the meeting is necessary.

(b) If the verdict of "guilty" is approved by a majority vote, the membership should then proceed to vote on that portion of the Trial Committee's report which specifies the penalty. In connection with the vote on the penalty, a majority vote is also necessary to approve the penalty fixed by the Trial Committee.

If it is the intention of the meeting, having approved a verdict of guilty, to effect a modification of the penalty, this may be done by voting down that portion of the report which specifies the penalty (by a majority vote) and then by a majority vote adopting a separate motion embodying a different penalty. (New York, 12/9/46.) See also Interpretation No. 3 under Section 10 of this Article.

(2) Right to Inspect Trial Records

A Local Union may not provide that "The records of trials shall not be available for inspection to any person or member of the Trial Board, unless authority is obtained at a membership meeting by a majority vote." (Minneapolis, 7/16/45, Page 30.)

ARTICLE 33
Appeals

SECTION 2(a)
(1) Appeals Where Legality of Trial Committee is in Question

In the case of an appeal arising out of a trial in a Local Union or unit, where it appears to the International Executive Board that there is a question as to the legality of the existence of the Trial Committee, the Board has the right to consider such questions, even though the decision of the lower tribunal has not been complied with. (Detroit, 4/22/47, Page 74.)

SECTION 4(h)
(1) Failure of Appellant(s) to Appear at Appeal Hearing

Where a member or members of a Local Union submits an appeal to the International Executive Board in accordance

with the provisions of Article 33, Section 3(d) of the International Constitution, and does not appear at the hearing established in accordance with the requirements of Article 33, Section 4(h) of the International Constitution, by the International Executive Board appeals team or the International President, after due and proper notice, the appeal may be dismissed by the International Executive Board on the grounds that the member or members did not meet the provisions of the International Constitution which require her/his or their attendance at such hearing. Therefore, the appeals team or the International President, may determine that the appeal is considered as having been withdrawn by the appellant or appellants due to her/his or their failure to appear at the hearing as required by the International Constitution.

The appeals team may at its discretion review the circumstances motivating such an appeal if, in its judgment, it is determined that a review of such circumstances would be in the interest of justice or requires constitutional correction. (Detroit, 8/11/60.)

(2) Jurisdiction of Nine-Member Committee

The Nine-Member Committee of the International Executive Board is authorized to make a decision on all appeals submitted to it by an Appeals Committee under this Article, as well as appeals under Article 48, Section 5; Article 31, Section 24; Article 38, Section 13; and any other appeals wherein the Constitution states that such appeals will be processed in a similar manner as appeals to the International

Executive Board from decisions of subordinate bodies under Article 33 of this Constitution, or reports by Special Committees appointed by the Board to investigate disputes presented to that body. (Detroit, 3/7/63, Pages 327-328.)

ARTICLE 34
District Councils

SECTION 1
(1) Constitutionally Established District Councils

In order for a District Council to be a legally and constitutionally established Council, it would be necessary for the majority of all the Local Unions (representing a majority of the membership) within the geographical district, as geographical districts are defined in Article 10, Section 21, of the Constitution, to request the establishment of such District Council. (Detroit, 5/11/51, Page 377.)

ARTICLE 35
Amalgamated Local Unions

SECTION 2
(1) Authority of Joint Councils

A bylaw that provides that the regular general membership meeting can overrule the action of the Joint Council is unconstitutional. The democratic rights of the membership are protected by the referendum vote provided for in Article 35, Section 3 of the Constitution. (Detroit, 1/10/49, Pages 38-39.)

SECTION 3
(1) Members of Amalgamated Voting Against Dues Increase

An Amalgamated Local may increase the dues of the members in all of its units if the increase is ratified by a majority secret ballot vote of the membership and otherwise is in conformity with the Constitution (See Article 47.) Such a valid increase in dues by an Amalgamated Local is binding upon all of its units including those units which voted disapproval of the dues increase. (Detroit 1/21/60.)

(2) Division of Funds of Amalgamated Local

Two units comprising an Amalgamated Local may not divide the Local's income between the units according to the number of members of each and still remain an Amalgamated Local. The officers of an Amalgamated Local are elected by all units jointly and they are responsible for the entire income and expenditures for the units. (Washington, 11/7/45, Page 110.)

SECTION 3(a)

(1) Units of Only One (1) Person

In units of only one (1) employee, it is obviously impossible to elect two representatives. The language of Article 35, Section 3(a) shall therefore be deemed satisfied if only a single representative to the Joint Council is accorded to such single-person unit(s). (Las Vegas, 6/16/06)

SECTION 3(c)

(1) Unit Autonomy-Internal Structure

The delegate body of an Amalgamated Local is without authority to legislate on the internal structure of any unit in the Local. It is the prerogative of the unit to legislate its own internal structure. (Chicago, 4/16/46, Page 52.)

(2) President Not Officer of Unit

The President of an Amalgamated Local is elected on a local-wide basis and is therefore not an officer of the unit from which s/he comes. (Detroit, 8/5/46, Page 97.)

ARTICLE 36

Local Union Charters and Subordinate Bodies

SECTION 9

(1) Amalgamated Local Unions

In Amalgamated Local Unions where there are only two units and one of the workplaces goes out of business and there are no longer any members employed in that unit, such laid off members of the abandoned unit shall be treated in the same fashion as members of a single workplace Local Union that goes out of business. (Detroit, 5/25/59, Pages 36-37.)

ARTICLE 37

Duties and Powers of Subordinate Bodies

SECTION 4

(1) Shift Meetings

Where Local Unions hold shift meetings the following rules must be observed:

1. Where the first meeting introduces and passes a motion, the subsequent meetings cannot table the motion. It is mandatory that the later meetings vote on the motion as passed by the first meeting.

2. When the first meeting originates a motion, the succeeding meetings cannot introduce another motion on the same subject inasmuch as all of the shift meetings are actually one.

3. When the succeeding meetings introduce and pass motions, they must be held over for final action to give the first meeting the opportunity of voting on the motion the next time they meet. (Detroit, 8/9/49, Pages 309-311.)

SECTION 4(a)

(1) Action of Workplace Council Binding in Between Membership Meetings

Where a Local Union or a unit of an Amalgamated Local Union holds general membership meetings every three (3) months and an appropriate workplace council has been established in accordance with this Article and Section, the actions and/or decisions made by the workplace council in the intervening months shall be binding upon the Local Union as though taken by the membership. Such actions or decisions can only be rescinded in the same manner that is required for rescinding a membership action or decision. (Black Lake, 9/2/75, Page 278.)

SECTION 5

(1) Attendance Rules Cannot Be Made Eligibility Requirements

This Section of the Constitution cannot be employed to make attendance of meetings a condition of eligibility to run for office. The attendance provision can only be applied after a member is elected to a Local Union position. (5/27/53, Pages 72-76.)

(2) Removal from Office Does not Affect Eligibility for UAW Convention Delegate

Where a member holding an elective position is removed from office for her/his failure to comply with the Local Union attendance rules and is therefore ineligible to run for any position for the remainder of the term of office from which s/he was removed, it does not affect her/his eligibility to be a candidate for delegate to a UAW Constitutional Convention. (1/20/54, Page 277.)

(3) Appointed Representatives-Local Union Bylaws

Local Unions must have requirements in their Local Union Bylaws providing that any member holding any Local Union elected position must attend two (2) of three (3) membership meetings and two (2) of three (3) meetings involving their

office or position or be automatically removed from the position to which they were elected.

A number of collective bargaining agreements contain provisions whereby the Department Director, Regional Director or Local Union may appoint Benefit Plans Committee Members, Apprentice Committee Members, Health and Safety Representatives, Alcohol and Drug Abuse Representatives, etc. The question has arisen as to whether or not such Union appointees are also governed by the attendance requirements contained in the Local Union Bylaws.

Where such bylaw provisions are uniformly applied, contain mechanisms for reasonable excuse and were approved by the International Union, then they apply with equal force to such appointed representatives upon submission of the facts to the Department Director or Regional Director, as the case may be, for necessary action of his or her office. (12/15/80, Pages 157-158.)

ARTICLE 38
Local Union Officers

SECTION 1

(1) Candidate for More Than One Executive Board Office

A candidate may not run for more than one (1) Local Union Executive Board office on the same ballot. (Los Angeles, 2/7/44.) Thus s/he cannot run for Trustee and Board Member-at-Large at the same time. (New York City, 3/5/45, Page 14.)

(2) Executive Officer and District Committeeperson

There is nothing in the International Constitution which bars an individual from holding both an Executive Office in her/his Local and a position such as District Committeeperson in the Local. However, a Local Union has the right to provide in its bylaws that officers of the Local may not also hold the position of Committeeperson or Steward, etc. (Detroit, 8/5/46, Pages 105-106.)

(3) Right of Committeepersons to Run for Executive Office

The Local Union cannot bar a Committeeperson from running for an Executive Office, however, it can make rules

which prohibit a member from simultaneously holding two (2) elective offices. (Louisville, 3/17/47, Page 93.) (NOTE: See the preceding Interpretations under this Article and Section.)

SECTION 2

(1) Deadline Fixed By Local Union

The Local has the power to set the deadline for accepting nominations. If the Local Union fails to set the deadline, then the deadline should be set by the Local Union Election Committee in the exercise of its own sound judgment. (New York City, 3/5/45, Page 16.)

(2) Acceptance After Declining Nomination

Following the deadline of acceptance of nominations, no candidates will be added or removed from the ballot. This shall apply in all elections. (Las Vegas, 6/1/02.)

(3) Notice in Run-Off Election for Officers

Where there is no notice of a run-off election for Local Union Executive Officers given prior to the date of the general election, at least fifteen (15) days shall elapse from the time of the general election to the time of the run-off election. Local Unions may establish a date for the run-off election any time after the original election so long as the membership has at least fifteen (15) days' notice of the date the run-off is to be held.

It is advisable that the notice of the original election include a notice regarding a run-off election if such should be necessary. For the legal requirements of mailing such notices to each member, reference is made to the Election Guide. (Detroit, 1/21/60.)

(4) Majority Vote

Where a Local Union provides in its bylaws that offices not covered by Article 38, Section 1, require a majority of votes rather than a plurality, in cases where there are more than one (1) to be elected to office, example, Bargaining Committee, the following formula will be used when specific rules are not provided to implement the bylaws of the Local:

All votes received by all candidates for office will be totaled. (If there are fifteen (15) running for Committeeperson all votes received by all candidates will be totaled.) This total

will then be divided by the number of candidates to be elected. This figure will then be divided by two (2) giving the figure, plus one (1), which is to be considered the majority point. Candidates receiving more votes than this majority figure will be declared elected.

If run-offs are necessary, twice the number of candidates in ranking order for the ranking position to be filled will be placed on the ballot. (Chicago, 3/1/48.)

(5) Majority Vote for Trustees

Where Local Unions are electing three (3) trustees for three-year terms, the following rules shall apply:

(1) Trustees are elected simultaneously and there is no distinction between the two offices and the membership is entitled to vote for three (3) trustees.

(2) Where there are less than seven (7) candidates, the three (3) candidates receiving the greatest number of votes shall be declared elected.

(3) Where there are seven (7) or more candidates, the majority point is determined by adding the total votes cast for the office of trustee, dividing by the number of positions to be filled, which is three (3), again dividing by two (2); which will determine the fifty (50) percent mark, and then adding one (1) to determine the majority point.

(4) In the event more than three (3) candidates receive a majority vote, the three (3) candidates with the greatest majority shall be declared elected.

(5) Where there are seven (7) or more candidates and no candidate receives a majority, the run-off is confined to the six (6) candidates receiving the greatest number of votes.

(6) Where there are seven (7) or more candidates and only one (1) candidate receives a majority the run-off is confined to the candidates who finished in second, third, fourth and fifth position.

(7) Where there are seven (7) or more candidates and only two (2) candidates receive a majority, the run-off is confined to the candidates who finished in third and fourth positions. (Detroit, 1/21/60, Pages 809-812.)

(6) Nomination and Election of Officers

In the matter of nominating and electing Local Union officers, nominations may be held within forty-five (45) days prior to the holding of the election, but triennial Local Union elections may not be held earlier than the month of May, unless otherwise authorized by the International Executive Board. (Black Lake, 6/2/72, Pages 185-186.)

(7) Right of Members to Nominate

Where a Local Union in the United States adopts a nominating procedure that all members stand nominated, such procedure must also provide the opportunity for a member or members to nominate candidates of their choice during the nomination period. (Detroit, 1/31/74, Pages 214-215.)

SECTION 3

(1) One (1) Year Good Standing Mandatory for Executive Officers

Compliance with this "one (1) year continuous good standing rule" governing eligibility for Executive Offices is mandatory and cannot be waived or shortened except in cases of new Locals. (New York City, 3/5/45, Pages 18, 24, and 58.)

(2) Eligibility for Local Union Office Where Funds Have Been Misappropriated

Any member who has been found guilty of misappropriating funds and has not made full restitution to the Local Union would not be eligible to hold an office which required bonding. After full

restitution is made and the member is eligible for bonding, s/he would be eligible to be a candidate for holding a Local Union office which requires bonding provided the member is otherwise eligible under the Constitution. (Detroit, 5/25/59, Pages 39-41.)

(3) Lack of Qualified Nominees Who Accept

The fact that there are an insufficient number of accepting nominees with one (1) year's continuous good standing will not alter the Constitution's one (1) year requirement for candidates for Executive Offices. (New York City, 3/5/45, Pages 21-22.)

(4) Suspension Breaks Continuous Good Standing

If a Trial Committee reaches a verdict of "guilty" and the Trial Committee's decision is upheld by the membership, any suspension of membership prior to (See Article 31, Section 6) or after the trial would constitute a break in the member's continuous good standing even though s/he continued to pay dues. (Detroit, 2/2/51, Page 325.)

(5) Meaning of "Continuous"

Where during any portion of the one (1) year period immediately preceding the nomination a nominee has been in arrears in the payment of her/his dues more than the time allowed by the Local (which under Article 16, Section 21, cannot be more than one (1) calendar month), s/he has not been in "continuous" good standing in the Local and, hence, is ineligible to run for an Executive Office. S/He may seek a non-Executive Office such as Steward where a shorter period has been fixed by the Local under Section 4 of this Article. (New York City, 3/5/45, Pages 23-24.)

(6) Holder of Withdrawal Card Not Member in "Continuous Good Standing"

A member holding a withdrawal card is not a member in "continuous good standing" for one (1) year and hence cannot run for Executive Office in the Local. Her/His "continuous good standing" commences as of the date upon which s/he deposits her/his withdrawal card with the Local. (New York City, 3/5/45, Page 47.) See Interpretation No. 4 under Article 17, Section 2.

(7) Members of New Units Seeking Executive Office in Amalgamated Locals

Where a unit has not been in the Amalgamated Local for one (1) year, a member of that unit cannot be a "member in continuous good standing in the Local Union for one (1) year" and hence is ineligible to run for Executive Office in the Local. Such member may be eligible for a non-Executive Office or other elective position in the Local under the eligibility rules fixed by the Local in accordance with Section 5 of this Article; provided, the beginning of the period fixed for eligibility does not predate the time when such individual joined the Union as a member of the organized unit of the Amalgamated Local. (New York City, 3/5/45, Page 23.)

(8) Eligibility as Affected by Attendance at Local Union Meetings

Bylaws which further limit the eligibility of members for Executive Office by requiring that they must have "attended at least six (6) regular membership meetings within twelve (12) months prior to date of nomination"; or that "member in good standing must have attended at least fifty (50) percent of the regularly scheduled general membership meetings in the year immediately prior to the nomination" are invalid. (New Orleans, 1/22/45, Pages 124-125; Chicago, 6/4/45, Pages 59-60.)

(9) Locals Merging Does Not Affect Members' Continuous Good Standing

Where Local Unions are merged, the members in good standing of the Local Unions so merged will be considered members in good standing of the Local they are merged into. (Detroit, 3/30/48, Pages 92-94.)

(10) Local May Not Increase Eligibility Requirements for Candidates for Executive Offices

A Local Union is without power to add to the qualifications fixed by the Constitution of the International Union for candidates for Executive Offices, and bylaws requiring nominees for Executive Offices to be present at nomination meetings, or to be represented by proxy, or to give good reason for being absent from such meetings, in effect add additional qualifications and are therefore invalid. (New York City, 3/5/45, Pages 3 and 6.)

SECTION 4

(1) Eligibility for Election to Non-Executive Offices

The Local Union may determine the eligibility for election to

all elective offices and positions in the Local except those Executive Offices enumerated in Section 1 of this Article. (New York City, 3/5/45, Page 25.)

(2) "Good Standing" Requirement for Non-Executive Offices

A Local Union cannot require more than one (1) year continuous good standing as a condition of eligibility for non-executive offices, but does have the discretion to set an
eligibility requirement of less than one (1) year. (4/28/55, Page 253.)

(3) Election Committee May Not Fix Eligibility Requirements

An Election Committee may not rule a candidate ineligible to run for non-Executive Office or position in the Local such as Committeeperson, except in accordance with the eligibility requirements fixed by the Local. Where the Local has not fixed "continuous good standing for one (1) year" as an eligibility requirement under this Section for non-Executive Offices, the Election Committee may not impose such a requirement. (New York City, 3/31/44, Page 14.)

(4) Chairperson of Unit Committees

An Amalgamated Local Union may provide in its bylaws that the Chairperson of the unit Bargaining/Negotiating Committee shall automatically be considered elected to and function as an Executive Board Member-at-Large. (Detroit, 8/5/46, Page 100.)

SECTION 7

(1) Right of Members to Attend Local Board Meeting

A non-member of the Local's Executive Board does not have an absolute right to attend the meetings of the Local's Executive Board. The conduct of Local Board meetings, within the limits set forth in this Section of the Constitution, is a matter which is governed by the Local Union's Bylaws and practice. However, any member may appeal to the Local membership and further to the International Union from any refusal on the part of the Local Executive Board to grant her/him a hearing. (Detroit, 8/5/46, Page 105.)

(2) Right of Local Union Executive Board to Expend Funds

The decision as to what is "urgent business" which "requires

prompt and decisive action" is one which the Local Executive Board must make for itself, subject to the right of the membership to question the soundness of the Board's decision in each case. (Louisville, 3/17/47, Page 93.)

SECTION 9

(1) Only Offices of Financial Secretary and Treasurer may be Combined

Under the Constitution only the Executive Offices of Financial Secretary and Treasurer may be combined. (Milwaukee, 8/4/44, Page 83.)

(2) When Offices May Be Combined

The offices of Financial Secretary and Treasurer can be combined only at the next regular election of Executive Officers of the Local. (Washington 11/7/45, Page 109.)

SECTION 10

(1) Use of Slates of Candidates-Statement of Policy

In a number of Local Unions situated in communities where voting machines are used in public elections, the Locals have been making use of voting machines in Local Union elections. Since public elections are ordinarily conducted on the basis of political parties, the names of candidates usually appear on these voting machines as slates representing particular political parties. A number of Local Unions using voting machines have followed this practice, presenting the names of candidates for Local Union offices to be voted upon as slates and not individually.

While this practice is clearly proper and legitimate in public elections involving political parties, it is the view of the International Executive Board that it is not proper or legitimate in elections held in Unions whether the party ticket appears on a voting machine or on a printed ballot. Every voter in a Local Union election is entitled to vote for her/his individual choice for any office.

It is obvious that in the case of voting machines the names of candidates may appear in rows, designated in some distinctive manner, such as Row A, Row B, etc. There can be no objection to this, provided (1) that the method of designation is merely by letters or numbers or other means which do not in any manner attempt to characterize the candidates, and (2) that neither the particular row used, nor the order

of the names appearing upon it, in any manner suggests any choice or preference for particular candidates, or otherwise purports to give any candidate an advantage over any other candidate; and that the voting machine must allow for individual voting for each position regardless of which slate a member appears on.

The particular row in which the slate of candidates appears should be determined without favor or discrimination and the rows should be systematically rotated so as to provide that each row appears approximately the same number of times in each position available.

It is the view of the International Executive Board that Local Union elections which are conducted in violation of this procedure are undemocratic, contrary to the spirit of the Constitution of the International Union, and violative of its traditions.

All Local Unions are required to conduct their elections in conformity with this statement of policy. (Revised 6/23/83, Pages 149-150.)

(2) Financial Secretary Present at Polling Place

Where the membership has approved, the rules of the Election Committee may permit the Financial Secretary of the Local to be present at the poll at the time of voting for the purpose of guarding the records and books for which her/his office is responsible. And this is unobjectionable even though the Financial Secretary is a candidate for reelection. (New York City, 3/5/45, Pages 26-27.)

SECTION 10(a)

(1) Eligibility of Member to Vote-Check-Off

Where a member has signed a dues check-off card but the company's failure to check off her/his dues has caused her/him to appear delinquent on Local Union records, s/he nevertheless, is in good standing and eligible to vote. (New York City, 3/5/45, Page 68.) See Article 16, Section 32 of the Constitution.

(2) Office Workers' Right to Vote

Office workers who are organized in the Local are members and must be accorded the right to vote and to run for Delegate to Conventions. (Milwaukee, 8/4/44, Pages 265-266.)

(3) All Members Must Have Opportunity to Vote

A Local Union may conduct an election for Bargaining Committeepersons by any method which suits the needs of the Local, so long as such method ensures a fair and democratic election. But where the Local's Election Committee has so limited the voting time as to make it impossible for some of the members of the Local to vote (as for example night shift workers), such a method is illegal in that it fails to assure a fair and democratic election. (Detroit, 8/5/46, Page 100.)

SECTION 10(b)

(1) Procedure for Limited Absentee Balloting

A Local Union may make provisions for members to vote in their Local Union elections, as indicated above, at its option wherever practical. Should the Local Union determine that it desires or requires such provisions, the Local Union may, by affirmative action of the membership, provide for such voting.

The procedure that may be adopted by the Local Union prior to nominations in any election in which such rules would apply, is as follows:

1. A member who will be away from her/his Local Union during the entire period of an election of executive officers or Convention delegates on a work assignment for her/his employer or on Local Union business may apply for an absentee ballot by filing with her/his Local Union, by mail (registered or certified) or in person, a signed statement that s/he will be away from her/his Local Union for the entire period of the election on a work assignment by her/his employer or on Local Union Business. Such statement or request must be filed with the Local Union in sufficient time for the member to secure a ballot and redeposit same with the Local Union prior to the start of the election.

2. Upon such certified application, the Local Union shall immediately provide the member with a ballot and two envelopes, one return-addressed. The member shall place her/his marked ballot in the unmarked envelope and enclose it in the return- addressed envelope.

3. The ballot as indicated may then be presented to the Local Union in person or as contained in the return-addressed envelope returned by mail (registered or certified). However, under either circumstance, the ballot must be received by the Local Union before the start of the election. (Detroit, 4/4/67, Pages 185-186.)

SECTION 10(c)

(1) Responsibility of Local Union Election Committee to Cooperate with Local Union Officers

Local Union Election Committee is obligated, in the preparation for an election required by the Local Union to be conducted by the Election Committee, to consult and cooperate with the Officers of the Local Union in establishing the procedures for such election. However, the actual conduct of the election is entirely the responsibility of the Election Committee. (Detroit, 1/31/74, Pages 212-213.)

(2) Postponement of Election

The Election Committee can, once the date of election has been posted, refuse the request of the Local Union President to postpone the election. Such decisions by the Election Committee are not subject to revision by either the Local Union Executive Board or the Local Union President. (Louisville, 3/17/47, Page 100.)

SECTION 10(d)

(1) The Local Union Executive Board May Establish Election Dates, Etc., in the Absence of a Quorum

In unusual circumstances, where the Local Union still holds general membership meetings, and is unable to secure a quorum immediately preceding the required time to begin the conduct of their elections, the establishment of the date and other specifics in connection with the election may be established by the Local Union Executive Board. (Detroit, 1/29/71, Pages 480-481.)

SECTION 10(e)

(1) Election Committee Members Must Resign to Seek Office

Any member of an election committee who accepts nomination to run for Local Union Office which is conducted under the supervision of the Election Committee, of which s/he is a member must resign from the Election Committee for the duration of the term if s/he becomes a candidate. (Detroit, 8/11/60, Pages 138-139.)

SECTION 10(f)

(1) Designation of Candidates

Local Unions have the right to decide what designation candidates having the same name shall use on the ballot for purposes of

identification. Where one candidate is the incumbent, the word "incumbent" may be used opposite her/his name to distinguish her/him from another candidate of the same name seeking the same office. (Los Angeles, 2/10/44, Page 34.)

SECTION 10(g)

(1) Candidates as Challengers

Each candidate may have a challenger but a candidate cannot be a challenger. (New York City, 3/5/45, Page 21.)

(2) Election Rules on Recount

A Local Union cannot require the filing of a bond or other security as a condition to filing for a recount. (Minneapolis, 7/16/45, Pages 29-30.)

SECTION 12

(1) Preservation of "Ballots" Where Voting Machines Used

Where a Local Union uses voting machines which do not automatically print tally sheets, the requirement for preservation of ballots can be met by having the totals copied from the machines onto sheets of paper and certified as accurate by the Election Committee. Any challengers who are present during the counting should be asked to also sign their names to these sheets. (Detroit, 1/21/60.)

ARTICLE 40
Duties of Local Union Officers

SECTION 1

(1) Supervision of Local Union Clerical Help

The maintenance of the Local Union office is under the President's jurisdiction, and s/he employs such office help as is required, subject to the approval of the Local Union's Executive Board. When any of the office employees are performing duties at the direction and on behalf of any of the Executive Officers in connection with their official duties, such employees are under the supervision of such Executive Officer or Officers until such time as the duties are completed. (New York City, 3/5/45, Pages 38-39.)

(2) President Not Officer of Unit

The President of an Amalgamated Local is elected on a local-wide

basis, and therefore s/he is not an officer of her/his unit. (Detroit, 8/5/46, Page 97.)

(3) President Not Ex Officio Member of Election or Trial Committee

The provision in this Section which provides that the President of the Local Union "shall be a member ex officio of all committees" does not operate to make the Local Union President a member of a Local Union Trial Committee or a Local Union Election Committee. Trial Committees and Election Committees exist for specific and definite purposes, and unlike standing committees of the Local, they have nothing to do with the general administration of the Local Union. (Detroit, 8/5/46, Page 102.)

SECTION 3

(1) Tapes Not Official Records of Local Union Membership or Executive Board Meetings

Under this section the Recording Secretary is required to prepare and keep a correct record of the proceedings of the Local Union and present same for approval at a subsequent meeting. Accordingly, only the prescribed minutes of the Recording Secretary shall be considered as the official record of the Local Union Membership and Executive Board Meetings. Tapes used in membership and Local Union Executive Board meetings may not be considered as the official records of such meetings. (Detroit, 1/31/74, Pages 223-224.)

ARTICLE 42

Opening and Closing Ceremonies

(1) Quorum

Where Local Union Bylaws provide for a quorum at membership meetings and a quorum is present at the beginning of the meeting and during the course of the meeting the attendance drops below the quorum mark, the business of the meeting may continue to be transacted until someone challenges the presence of a quorum. All business that is transacted to the point where the quorum is challenged is legal and no business can be transacted after the presence of a quorum is challenged. (1/7/55, Pages 122.-123)

ARTICLE 45

Stewards and Committeepersons

SECTION 1

(1) Eligibility for Committeeperson as Affected by Unlawful Discharge

Where a Committeeperson is discharged by management and her/his grievance is pending, s/he remains a member of her/his Local and unit and, if otherwise eligible, may run for re-election or other office in such unit or Local or for Convention Delegate. And where pending the outcome of her/his grievance s/he finds temporary employment elsewhere her/his membership in her/his original Local is not affected and s/he need not transfer to the Local having jurisdiction over her/his new workplace. The new Local should issue to her/him a work permit. (Detroit, 1/22/46, Pages 177-178.)

(2) Eligibility of Retired Members to Run for Local Union Offices

Retired members are ineligible to run for any local union position which carries responsibility for grievances and/or bargaining required by the Collective Bargaining Agreement(s) or local union bylaws. (Las Vegas, 6/1/02).

SECTION 2

(1) Bargaining Committeepersons Cannot be Appointed

Bargaining Committeepersons must be elected. Where individuals have been elected in one capacity this does not constitute election to serve in another capacity. Hence it is improper for the Bargaining Committee of a unit of an Amalgamated Local to be selected from the officers of the unit even though a motion to that effect has been voted at a meeting of the unit membership. It likewise is improper for a Unit Chairperson to appoint a Bargaining Committee from the elected Committeepersons or Stewards of the unit, subject to membership approval, even though the unit has voted her/him such authority. (Detroit, 8/5/46, Page 98.)

SECTION 3

(1) Recall of Stewards and/or Committeepersons Elected on Workplace-Wide Basis

Where a Local Union or a unit of an Amalgamated Local Union elects Stewards and/or Committeepersons under Section 2

of this Article on a workplace-wide basis and such Stewards and/or Committeepersons are assigned to districts after their election, they may be recalled in accordance with the procedures established by the Local Union by members of the district they represent by assignment; however, such recall by a district does not serve to remove them as Committeepersons and/or Stewards since they were elected workplace-wide. If such Stewards and/or Committeepersons are recalled by their district the Local Union shall assign them to another district or they may be recalled by the membership electing them in accordance with the procedures of the Constitution and those established by the Local Union. (Detroit, 12/6/62, Pages 204-205.)

(2) Recall of Committeeperson Who as Such is Member of Executive Board

A Committeeperson who is elected by the membership at large and by virtue of such election is also a member of the Executive Board can be recalled in accordance with the provision in Article 45, Section 3. (Louisville, 3/17/47, Page 98.)

(3) Recall of Steward or Committeeperson

In the recall vote of any Steward or Committeepersons, any member of the Union may vote who works in the geographical district which the Steward or Committeeperson represents (whether this district be the workplace as a whole or a department.) Such voting to take place at a meeting called for specific purpose of recall, after due notice of the meeting has been given to all members working in that geographical district pursuant to Article 45, Section 3. (Buffalo, 9/8/47, Pages 69-70.)

(4) Stewards and Committeepersons

Once a petition to recall a Steward or Committeeperson is initiated, it must be completed and deposited with the Local Union President and/or Recording Secretary, or in the case of an Amalgamated Local Union the unit Chairperson and/or unit Secretary, within forty-five (45) days of such date.

If the petition is invalid or the meeting called for the purpose of recall decides not to recall the Steward or Committeeperson, then no further petition citing the same specific complaint may be deemed valid until one (1) year has elapsed from the date of such action or decision, unless the one (1) year time limit is waived by the International Union President due to unusual and compelling circumstances.

If multiple or frivolous petitions are filed involving the same Steward or Committeeperson, the Local Union Executive Board, or in the case of an Amalgamated Local Union the unit workplace organization, may declare the petition invalid and may appeal the matter directly to the Office of the International President for a ruling as to validity. (12/17/80, Pages 160-162.)

SECTION 4

(1) Separate Skilled Trades Representation -- Limits Voting and Candidacy

Where separate skilled trades representation is granted to a Local Union to elect Stewards and/or Committeepersons from appropriate groups (as specified in Article 19, Section 3), the right to vote for or run for the position of Steward and/or Committeeperson representing such separate group, shall be limited to those who are members of such groups. Members of such groups may not be a candidate in any other group except the one so specified. (Black Lake, 6/10/71, Page 272.)

ARTICLE 46
Local Union Finances

SECTION 1

(1) Necessary Expenses

A Local Union cannot expend funds to grant gifts or gratuities to the general membership of the Local Union. Such expenditures cannot be considered "necessary expenses" within the meaning of this Section of the Constitution. (1/10/56, Pages 69-72.)

ARTICLE 48
Local Union Audits

SECTION 6

(1) Local Union Executive Board Required to Hold Hearing for Collecting Non-Dues Money

Where it is claimed that a member owes non-dues money to the Union, this Section requires that no action may be taken against the member unless a fair hearing is held and a determination made thereon. If the non-dues money is owed to the Local Union, such hearing should be held by the Local Union Executive Board, after sufficient notice has been given to the member or members involved.

In cases where such non-dues money is owed to the International Union, a hearing shall be held by the International Union by qualified representatives, selected by the International President. (Black Lake, 6/2/72, Pages 191-194.)

ARTICLE 50
Strikes

SECTION 1
(1) Strike Vote in Corporation Councils

Where Corporation Councils covered by a master agreement instruct Local Unions to take strike votes, it is mandatory to take such strike votes and that part of Article 50, Section 1, requiring a prior vote shall be covered by the vote of the Corporation Council. (Detroit, 5/12/48.)

ARTICLE 55
Retirees

SECTION 1(a)
(1) Retired Workers Chapter Member Transfers

Where a member of a Local Union is transferred from one Local Union to another, under a corporate collective bargaining agreement and upon retirement is desirous of returning to her/his original Local Union to establish membership and participate in the activities of the Retired Workers Chapter, such member may do so with the understanding that her/his membership rights in her/his original Local Union would be limited to the Retired Workers Chapter and not in the Local Union according to Article 6, Section 19, of the International Constitution.

While participating in the Retired Workers Chapter only, s/he may hold Retired Workers Chapter office, but may not be a candidate, nor be elected as the retiree representative on the Local Union Executive Board.

Where a retired member has been transferred under the above circumstances and returns to her/his original Local Union within one (1) year, s/he may exercise full membership rights, both in the Local Union and the Chapter in accordance with Article 6, Section 19 of the International Constitution. (Detroit, 5/8/73, Pages 27-28.)

(2) Retired Worker Transfers between Local Unions

Where a member is retired from her/his Local Union in accordance with Article 6, Section 19, and desires to participate in a Retired Workers Chapter other than her/his own Local Union, such retired member may do so upon application to the Retired Workers Chapter to which s/he wishes to transfer and if such application is approved by affirmative action of the membership of that Retired Workers Chapter, her/his retiree membership may be transferred.

Such membership in the new Retired Workers Chapter will be limited to the Retired Workers Chapter only and s/he would have no membership rights in the new Local Union in accordance with Article 6, Section 19. Her/His rights of participation would be limited to the Retired Workers Chapter. S/He may hold office in the Retired Workers Chapter, but would not be entitled to be a candidate for, or elected to the Retired Workers Chapter position on the Local Union Executive Board. (Detroit, 5/8/73, Pages 28-29.)

SECTION 1(b)

(1) Retired Member on Local Union Executive Board Restricted to Administrative Matters in Local Union

The retired member elected to the Local Union Executive Board by the Local Union Retired Workers Chapter shall have voice and vote as provided in this Article and Section on all administrative matters presented to the Local Union Executive Board except those matters specifically restricted for retiree participation in Article 6, Section 19 of the International Constitution. (Detroit, 4/6/67, Pages 165-166.)

SECTION 5(a)(b)

(1) Retired Supervisors May be Eligible for Membership in Retired Workers Chapters

A member who becomes a supervisor and retires as such may become a member of a Local Union Retired Workers Chapter provided (1) s/he holds an honorable withdrawal transfer card; (2) s/he makes application for membership and is voted to membership by affirmative action of the Chapter; and (3) pays to the Chapter the three dollar ($3.00) per month dues requirement which, under these circumstances, would be mandatory. (Detroit, 4/6/67, Pages 165-166.) (Detroit, 6/2/14.)