

Summary of Proposed Revision of Local 21 Bylaws

Prepared by the Local 21 Bylaws Committee

January 2010

Background

Since November 2007, the Local 21 Bylaws Committee has been working to update and revise the current Local 21 Bylaws, which were last revised in 1996. The Committee met numerous times over many months, and thoroughly discussed, debated and carefully considered each proposed change and rewording. The Committee's work included a review of the Constitution of the IFPTE International Union and the Bylaws of other IFPTE Local Unions, which provided many useful ideas for our work.

After review of materials and issues, the Committee decided the most efficient way to proceed was to develop a full revision rather than piecemeal amendments to the current Bylaws. The Committee's proposed Revision must be voted up or down in its entirety. If the membership rejects the proposed Revision, the current Bylaws will remain in effect without any changes.

In January 2009, the Committee presented a draft Revision for review by the Executive Committee, who provided additional input. On January 31, 2009, the Committee presented the draft Revision to the Delegate Assembly along with a description of the process for member input, final drafting, and putting the Revision to a vote of the membership. The draft Revision and a comparison to the current Bylaws were posted on the Local 21 website and member comment was solicited.

In April 2009, the Bylaws Committee reconvened and reviewed each comment submitted by members. All of the member comments were considered and most were incorporated into the final draft. Some member suggestions are better handled through the adoption

Committee Membership

The Bylaws Committee consisted of the following members:

Maura Baldocchi, Chairperson (SF Official Court Reporters Association Chapter)
Lois Scott (President, 2007-08)
Florence Inserto (SF Vice President, 2007-08)
Jeff Levin (Oakland Vice President)
Ananth Prasad (South Bay Vice President)
Bob Muscat (Executive Director)
Sarah Clark (Executive Assistant and resident historian)

Legal assistance was provided by the Local's attorney, Peter Saltzman from the firm of Leonard Carder.

Overview of Changes

The Committee has been careful to preserve the basic governing structure of the Local. The Delegate Assembly continues to be the governing body of the Union and Chapters continue to be autonomous bodies with the right to govern their own affairs consistent with the Local Union's Bylaws. The Committee's changes are primarily to modify the organization, style and wording of these Bylaws and clarify roles, responsibilities and procedures while preserving the core values and structure of our union.

Our changes are mainly of 3 types:

1. Eliminate or update areas where the language is outdated, and provide language that reflects established current practices. For example, language that requires new members to be formally sworn in has been eliminated (since this isn't current practice), and the identification of regional Vice-Presidents has been updated to include VPs that have been added over the past ten years by action of the Delegate Assembly.
2. Reorganize the Bylaws to make them easier to read and flow logically. In the current Bylaws, the provisions regarding authority of the Delegate Assembly, Executive Committee and Executive Director were scattered in several places; we have consolidated these in one place and provide cross-references to related sections. Some sections have been moved to make the document flow more logically. We have also added subheadings to make it easier to find things, and provided cross-references where one section refers to another.
3. Clarify areas that were unclear or ambiguous. For example, we've established a clear definition of regular members and a new category of associate members. This is similar to what is provided for in other unions, to include retired members and others who want continuing involvement with the union, while clarifying that only regular members in good standing can vote or run for office. Also, we've sought to clarify the respective authority, roles and responsibilities of the Delegate Assembly, the Executive Committee and the Executive Director. Currently those provisions are scattered throughout the document and are sometimes unclear, ambiguous or even conflicting. The Committee has worked to consolidate those provisions in their appropriate section to provide much more clarity and definition.

Of particular importance is language in several places where the Executive Committee's authority is clearly defined as being subject to and governed by policies established by the Delegate Assembly. Accordingly, we have made more explicit the Delegate Assembly's role to establish policies, requirements, limitations, etc., and the Executive Committee's role of implementation and oversight to carry out those policies. Similarly, the revisions make clear that the Executive Director is hired by, and can only be fired by, the Delegate Assembly.

Need to Establish Local Union Policies

If the proposed Revision is adopted, the Bylaws Committee will also recommend that the Delegate Assembly develop and adopt Policies in a number of areas to further clarify the role and authority of the Executive Committee and the Executive Director. Unlike provisions in the Bylaws, which require a lengthy, formal amendment process to revise, Policies provide flexibility for the Delegate Assembly to respond to changing conditions and circumstances. The use of Policies is a “best practice” that we drew from both Local 17 (Seattle/King County workers) and the IFPTE International.

Reorganization of the Bylaws' Sections

Some Articles of the Bylaws have been reordered to provide a more logical arrangement. The following chart compares the current Bylaws and the Proposed Revision:

The major change is to group together all Articles dealing with structure, moving in progression from Membership to Chapters, Councils and the Delegate Assembly, and then to Executive Committee, Officers, Trustees and Executive Director. This is followed with the Articles dealing with Elections, Dues, Finances, etc., and concludes with Articles regarding initiatives and amendments.

| Current Bylaws | Proposed Revision |
|---|--|
| I. Name | I. Name |
| II. Jurisdiction | II. Jurisdiction |
| III. Objectives | III. Objectives |
| IV. Membership | IV. Membership |
| V. Dues | V. Authority |
| VI. Organization | VI. Chapters |
| VII. Chapters | VII. Regional and Employer Councils |
| VIII. Delegate Assembly | VIII. Delegate Assembly and Membership Meetings |
| IX. Employer/Regional Councils | IX. Executive Committee |
| X. Membership Meetings | X. Officers |
| XI. Executive Committee | XI. Trustees |
| XII. Officers | XII. Executive Director |
| XIII. Trustees | XIII. Nomination, Election and Installation of Officers |
| XIV. Delegates | XIV. Dues and Special Assessments |
| XV. Nomination, Election and Installation of Officers and Delegate Assembly | XV. Finances |
| XVI. Finances | XVI. Delegates to Other Bodies |
| XVII. Executive Director | XVII. Initiatives |
| XVIII. Initiative and Referendum | XVIII. Amendments |
| XIX. Amendments | |

Explanation of Changes, Article by Article

The Bylaws Committee has prepared a “redline” document that compares the text of the proposed Revision to the text of the current Bylaws. In the “redline” document, language that is either deleted or moved elsewhere is in ~~strikeout~~, while language that is added or relocated from elsewhere is underlined. A copy of the “redline” document can be found on the Union’s website at: <http://www.ifpte21.org/localbylaws/revision.shtml>

The following discussion, which is intended to be read as a companion to the “redline” document, provides a detailed walkthrough to explain, article by article, the changes that are being proposed. Throughout this explanation, references to “current” sections are references to the existing Bylaws as adopted in 1996.

Unless otherwise noted, all numbering below corresponds to the new numbering in the proposed revision.

ARTICLE I: NAME

Language has been added referencing subheadings and noting that they are for convenience only.

ARTICLE II: JURISDICTION

Local 21 has always been a public sector union, but this is not spelled out anywhere in the Bylaws. While we don’t want to close off the possibility of organizing in the private sector, such a move would require significant changes including additional Department of Labor reporting requirements and therefore should only be undertaken with careful deliberation.. Accordingly, for a decision of this importance language has been added that would require the Delegate Assembly’s prior approval to include private sector employees in the Local.

ARTICLE III: OBJECTIVES

This section has been expanded to be more specific about our objectives and include promotion of worker rights, legislative action and member education (drawn primarily from the IFPTE International Constitution).

Language has been added to explicitly stress our democratic and participatory values.

ARTICLE IV: MEMBERSHIP

- A. The category of “regular members” has been established to clarify who has the right to vote and hold office in the union. While we continue to be open to all professional, technical, administrative and managerial workers, as stated above under “Jurisdiction,” full participation in the governance of the Local requires that regular members be part of a represented bargaining unit with a stake in the outcome of our bargaining and organizing activities. Accordingly, only regular members in good standing may vote or run for office.
- B. A new, but separate, category of “associate member” has been added to allow former and retired members to continue to participate in union activities, but not to vote or run for office.
- C. The section on application for membership has been revised to conform to current practice.
- D. This section has been revised to cover objections to an existing member’s continuing eligibility for membership, in addition to the current provision dealing with application for membership. Additionally, this provision has been revised to refer determination of eligibility to the Executive Committee instead of the Delegate Assembly. Hearings of this sort are better conducted by the smaller Executive Committee as opposed to asking a body of over 100 members to conduct fact-finding and hearings of this sort.

[The requirements in the current sections D and E that new members be sworn in and declared a member by the Chapter President have been deleted, since this is impractical and no longer current practice.]

- E. In the section on duties of members, language prohibiting slander and libel has been deleted, as this provision might be construed to limit Constitutionally protected speech. Slander and libel are matters subject to legal jurisdiction rather than the Local Union’s governance structure. Language prohibiting malicious interference with the business of the Local Union has been added to existing language prohibiting malicious interference with individual representatives or officers, consistent with the International’s Constitution.
- F. Current language requires that members lose good standing if they don’t pay dues for three consecutive months. Language has been added to provide an exception to loss of good standing for members on inactive status due to an approved unpaid leave of absence from work (see XIV.D for more details).
- G. Language on voluntary withdrawal has been revised to indicate that MOUs might limit this right. (Many MOUs have preservation of membership clauses that limit withdrawal to the period immediately preceding expiration of the MOU.)

- H. This section has been revised to refer to the specific section of the Constitution of the International Union that provides for withdrawal of membership, and to grant the Executive Committee the authority to grant continuing eligibility for certain union benefits to members who withdraw under this provision.
- I. This is existing language moved from current Section J.

[The current Article V (Dues) has been moved to Article XIV.]

ARTICLE V: AUTHORITY

This article was renamed from “Organization” to “Authority”.

NOTE: Most of the current language in this article has been moved to the appropriate articles on Chapters or Delegate Assembly. While the “redline” version shows this language as deleted, for the most part it has been retained and is shown as added text in the new locations. See notes on Articles VI and VIII for details.

Language was expanded to reflect that Local-wide decision-making authority is vested by the membership in the Delegate Assembly, Officers, Executive Committee and Executive Director. The authority of Chapters to run their own affairs is clearly spelled out in Article VI on Chapters, but was removed from this section because individual Chapters do not conduct the affairs of the entire Local.

A sentence has been added to require that all actions by bodies of the Local Union be approved by a majority vote (unless otherwise specified), and to define “majority vote” as 50% + 1 of those present and voting.

ARTICLE VI: CHAPTERS

- A. This new first section is taken from existing language in the current Section VI.A (“Organization”) and brings it more appropriately into this Article on Chapters.
- B. The first sentence, requiring adoption of Chapter bylaws, is existing language moved from the current Section VII.F (“Chapters”).
- C. Several changes have been made to clarify and update existing language on duties of Chapters:
 - 1. Addition to more explicitly state that Chapters elect delegates as well as officers, and that elections are not required if a position is uncontested (this is a current practice).

2. The current Section VII.B, which requires monthly Chapter meetings, is deleted and replaced here with language that requires that Chapters “ordinarily hold a meeting at least once per month” (this provides some leeway for Chapters that don’t currently meet monthly).
 5. Language has been rephrased to change “dissent” from action of Delegate Assembly to “request for reconsideration” (this more accurately describes what happens).
 6. Language regarding certification of the number of delegates to which each Chapter is entitled has been moved from this Article to the Delegate Assembly provisions in the new Section VIII.B, since this is a Delegate Assembly function.
 7. Language regarding filling of vacant Delegate positions has been moved to this Article from the current Section VIII.F (“Delegate Assembly”), since it is a Chapter function.
 9. Language on Chapter elections has been modified to reflect current practice that some Chapters are not on the same election cycle as the Local. (The current language requires all Chapter elections to be held in the first two weeks of November.)
- D. Language has been added here to clarify that the Delegate Assembly has power to establish policies and procedures governing assignment of Chapters to regions (for Regional Councils and Vice-Presidents) and merger or dissolution of Chapters. See also Article VIII.E.4 (“Duties and Authority of Delegate Assembly”)

ARTICLE VII: REGIONAL AND EMPLOYER COUNCILS

The current Article IX provides in general terms for the establishment of Employer/Regional Councils. This has been eliminated and replaced with this new Article VII, which provides more specific details on the respective roles of Regional Councils (which could be South Bay and East Bay, for example) and Employer Councils (such as San Francisco and Oakland).

While the two types of Councils are similar, one coordinates Chapters with different employers but with other common interests, while the other coordinates Chapters with a single employer. Regional Councils serve primarily to coordinate political endorsements and other joint actions within a region. Employer Councils also perform these functions, but may also coordinate negotiations and contract implementation with a common employer.

Sections A, B and C are new language defining the role and responsibility of Regional and Employer Councils.

Sections D is the language from the current section IX.A.2.

Section E is the language from the current section IX.A.3 except that minutes of Council meetings are now to be transmitted to the Local's elected Secretary and the Chapters that belong to the Council.

Sections F is new language explicitly authorizing Councils to call meetings of the general membership of all Chapters within the Council. For example, an Employer Council might call a membership meeting to discuss bargaining issues affecting all of the Chapters in the Council.

Section G makes clear that Councils cannot bind individual Chapters to Council decisions. An exception is made for the San Francisco Council, where bargaining units are spread across multiple Chapters and therefore the Council acts as bargaining coordinator for contracts with the City and County of San Francisco.

ARTICLE VIII: DELEGATE ASSEMBLY AND MEMBERSHIP MEETINGS

- A. The "added" sentences are existing language moved from the current Section VI.B ("Organization").
- B. Language has been modified to make clear that Delegates must be Regular Members in good standing. This section also makes clear that the membership count on August 1 of each year is used to determine the number of Delegates for each Chapter for the following calendar year. Finally, language is added to allow for alternate Delegates to be appointed by the Chapter President as well as elected (this conforms with current practice).

The current section C has been eliminated in favor of the language added in B above regarding determination of number of Delegates allotted to each Chapter.

- C. This section ("Quorum") is unchanged except for the cross-reference.
- D. This section ("Meetings") has been revised to clarify that the Executive Committee, not the President, calls meetings of the Delegate Assembly (current practice is that the EC sets the dates). Language is added to allow a Delegate Assembly meeting to be called by petition signed by 50% of the Delegates.

The current section F regarding vacancies on the Delegate Assembly has been moved to section VI.C.7 for vacant delegate positions, and section X.A for vacant Local officer positions.

- E. This section spells out the duties and authority of the Delegate Assembly and pulls together in one place provisions that are scattered in many different sections in the

current Bylaws. Bringing these into a single section makes much clearer the duty and authority of the Delegate Assembly without having to jump around the different sections of the Bylaws.. Authorities are cross-referenced to the appropriate sections and are listed in the order of those cross-referenced sections.

With respect to finances, contracting and similar issues (see language in items 6 through 8 in the current Bylaws), the language has been modified as follows:

- Currently, the Bylaws grant authority for finances, contracts, etc. to the Delegate Assembly. In practice, however, these matters are usually approved by the Executive Director or the Executive Committee, until recently without formal policies. (Since Sept 2006, the Executive Committee has had a policy that contracts and expenditures under \$10,000 can be approved by the Executive Director, but anything in excess of that amount must be approved by the Executive Committee.)
 - The proposed Revision establishes that policies governing contracting, expenditures, finances, etc. will be established by the Delegate Assembly, but the actual review and approval of these matters is left to the Executive Committee subject to policies and limits to be established by the Delegate Assembly. This distinction between policy-making and policy execution recognizes that it would be impractical to require the Delegate Assembly to literally review and approve every contract and expenditure, because it only meets 3 times per year, while the Executive Committee meets monthly. This arrangement preserves the role of the Delegate Assembly as the central policy-making body of the Local Union, but allows the Executive Director and the Executive Committee to be responsible for implementation and oversight.
 - Section VIII.15 makes clear that authority to appoint, contract with and dismiss the Executive Director rests with the Delegate Assembly.
- F. The language on minutes is a rephrasing of language taken from the current VIII.G.D.
- G. The language on reconsideration comes from the current Section VI.D, except that the current provision that Chapters “disapprove” an action of the Delegate Assembly is reworded to say “request reconsideration” as this better describes the actual process. If a Chapter votes to request reconsideration of a Delegate Assembly action, the Delegate Assembly is obligated to reconsider the item at its next meeting.

[The current Article IX (Regional/Employer Councils) has been relocated to Article VII with modifications. See notes for Article VII above.]

[The current Article X (Membership Meetings) has been deleted]

The current Article X regarding membership meetings has been deleted. Local 21 now has over 7,000 members, and general membership meetings are an impractical way to conduct business. The Committee is concerned not to set up situations where a “general membership meeting” consists of a small minority or an unrepresentative group of members that might take action on behalf of the entire Local.

The proposed Revision contains the following provisions for various kinds of membership meetings:

- Section VII includes provisions that allow Regional and Employer Councils to call general membership meetings around issues of common interest to their constituent Chapters (for example, discussion of a contract prior to a ratification vote).
- Section VIII.E.17 allows the Delegate Assembly to call special membership meetings to discuss issues of importance and recommend particular actions.
- Section IX.A.4 permits the Executive Committee to call special meetings of various groups of members (for example, a meeting of all engineers regardless of Chapter), subject to any policies that may be set by the Delegate Assembly.

ARTICLE IX. EXECUTIVE COMMITTEE

This Article has been moved from XI to IX, and is rewritten to (a) pull together provisions that are currently scattered throughout different sections of the Bylaws, (b) to reflect current practices, and (c) to clarify that the Executive Committee’s authority to exercise oversight and approval, and to implement certain actions, shall be consistent with and governed by policies established by the Delegate Assembly.

- A. The current bylaws grant authority to approve contracts and expenditures to the Delegate Assembly, which meets only two or three times per year. The current practice is that contracts and expenditures are reviewed and approved by the Executive Committee at its regular monthly meetings, provided such actions are consistent with the budget adopted by the Delegate Assembly. The Executive Committee is also empowered to approve organizing campaigns, to approve contracts with unions representing Union staff, and to make political endorsements and make contributions.
- B. Language has been added to require monthly meetings, to permit meetings and voting by e-mail or teleconference (provided those actions are then included in the minutes of the next regularly scheduled meeting).
- C. Language has been added to define what constitutes a quorum.

ARTICLE X. OFFICERS

- A. This has been revised to explicitly name new regional Vice-Presidents (Oakland, East Bay and South Bay) that have been approved over the past ten years by action of the Delegate Assembly. The regional vice presidents have been renamed “vice president for ...” to avoid confusion about whether there is such a thing as a regional president (e.g., there is no San Francisco President, only a Vice President for San Francisco).

The language allowing the President to appoint replacements to fill vacant officer positions on the Executive Committee is existing language that was moved from the current Section VIII.F. (“Delegate Assembly”).

Language has been added to provide that vacancies for Vice-Presidents who chair Regional or Employer Councils shall be filled subject to approval of the respective Regional or Employer Council.

Language on removal of officers for cause comes from the current Section XV.C (“Nomination, Election and Installation of Officers and Delegate Assembly”).

- B. This section, regarding term of office, has been moved from the current Article XV.B. (“Nomination, Election and Installation of Officers and Delegate Assembly”).
- C. This section has mostly minor clarifications regarding the authority of the President:
1. Language has been added to make clear that the President also presides over meetings of the Executive Committee (current practice).
 2. Language has been added to clarify that the contracts which the President is authorized to sign include contracts authorized by the Executive Committee (to the extent provided by the Bylaws and Delegate Assembly policies).
 3. Language has been added to provide that Presidential appointments to committees should be with the approval of the Executive Committee.
 4. The current language designating the President’s authority to interpret the Bylaws has been modified to specify that such interpretations are subject to appeal to the Delegate Assembly rather than subject to the approval of the Delegate Assembly, which could impede the President’s ability to interpret the Bylaws for purposes of Executive Committee meetings, for example. At the same time, language has been added to make clear that the Delegate Assembly’s interpretations of the Bylaws are final.
 5. The language regarding appointment of Trustees specifies that Trustees must be members of the Delegate Assembly (see also proposed Article XI). This ensures that Trustees are already familiar with Local Union governance and issues. Appointment and removal of Trustees is subject to the approval of the Delegate Assembly.
 6. Language allowing the President to appoint members to fill vacancies on the Delegate Assembly has been eliminated in favor of language in the section on Chapters (VI.C.7) that makes this strictly the responsibility of the respective

Chapter. (The current Bylaws have conflicting provisions that on the one hand say that Chapters designate replacement Delegates, but on the other hand specify that the President should appoint such replacements from a list provided by the Chapter.)

D. Provisions regarding the Executive Vice-President are unchanged

Sections E, F, G, and H describe the four regional vice presidents (San Francisco, Oakland, East Bay and South Bay) and explicitly provide that they shall be elected only by their respective constituencies, as is the current practice.

- I. Responsibility for oversight of the maintenance of membership records has been added to the duties of the VP for Membership and Organization.
- J. Provisions regarding the VP for Legislative and Political Action are primarily for consistency – since committee appointments now involve the entire Executive Committee, it is no longer necessary to specify that this VP assist the President in forming the standing committee on political action. The VP continues to serve as the chair of this committee.
- K. The Vice President at Large has been given the specific role of coordinating the activities of Chapters that don't belong to any other region or employer area.
- L. Secretary duties have been expanded to include taking minutes of the Executive Committee (current practice) and specifying that minutes of Delegate Assembly meetings are sent to all Delegates, not just Chapter Presidents (also current practice).
- M. Responsibility for maintenance of membership records has been deleted from the Treasurer's duties (not currently done by Treasurer) and instead is moved to Section I above for VP for Membership and Organization. This section also permits the Executive Committee as well as Delegate Assembly to select specific banking institutions for deposit of Union funds (with the expectation that the Delegate Assembly would establish banking policies). Language about withdrawals of funds by check has been deleted here and consolidated in Article XV (Finances). All remaining changes are to provide appropriate cross-references or clarifications and do not otherwise change the duties or responsibilities of the Treasurer.
- N. The office of "Junior Past President" has been renamed "Immediate Past President" and language has been added to allow this person to serve even if not a regular member (to allow for the President to retire and continue as Immediate Past President).

ARTICLE XI. TRUSTEES

- A. Language on appointment of trustees is consistent with language in Section XII.B.5 (Officers – President’s duties). Language has been added to require consideration of regional diversity in selecting Trustees, and to require that Trustees be chosen from among the Delegate Assembly.
- B. The duties of Trustees have been modified in B.1 through B.4 to clarify responsibility to review the Executive Director’s credit card and reimbursed expenses (current language stating “Executive Director expenses” has given rise to confusion that this means all Union expenses) as well as the Union’s audited financial statements. Section B.5 requires Trustees to provide reports to the Delegate Assembly at least twice per year (current language requiring quarterly reports is inconsistent with the Delegate Assembly only meeting 2 or 3 times per year).

[The Current Article XIV (Delegates) was moved to Article XVI and renamed “Delegates to Other Bodies” to distinguish these from delegates to the Delegate Assembly.]

ARTICLE XII. EXECUTIVE DIRECTOR

This is Article XVII in the current Bylaws. It has been moved forward in the proposed Revision (see explanation on page 4 of this document) and given more specificity to clarify a number of areas that were not well defined in the current Bylaws.

- A. This is current language, moved from D to A.
- B. Similarly, language on Compensation and Term of Employment are current provisions, with language added to specify that the Executive Committee negotiates the Executive Director’s contract and the Delegate Assembly approves that contract.
- C. The current Bylaws do not provide much detail or specificity about the duties and authority of the Executive Director. In the proposed Bylaws, these duties and authorities have been spelled out with more detail, including specifying areas where the Executive Director’s actions are subject to direction of the Executive Committee. Otherwise, the Executive Director operates under policy guidance from the Delegate Assembly.
- D. Requires regular reports by the Executive Director to the Executive Committee (which in turn are contained in the Executive Committee minutes that are presented to the Delegate Assembly).
- E. This language, which is currently in section C, clarifies that the Executive Director, along with the President and Treasurer, is one of three persons authorized to sign

checks (similar language appears in the sections on the duties of the President and the Treasurer).

ARTICLE XIII. NOMINATION, ELECTION AND INSTALLATION OF OFFICERS

These provisions are in Article XV of the current Bylaws. The material has been rearranged to flow more logically and mostly in the order that these actions occur, but there are very few other changes.

- A. Provisions regarding eligibility to nominate, vote or run for office come from the current XV.F. and XV.G.
- B. The nominations procedure is taken from the current XV.E. The time frame has been expanded to better conform to current practice, to provide a specific deadline for the Nominations Committee to announce its nomination, and to provide an additional 30 days to nominate by petition after those nominations are announced.
- C. Provisions regarding the Election Committee have been moved to come after the provisions on Nominations. The current Bylaws provide for the President to appoint the Election Committee. The proposed Revision transfers this authority to the Delegate Assembly to ensure that no incumbent officer can appoint the Election Committee. In election years, appointment of the Election Committee will take place at the June meeting (when the budget is adopted). The Election Committee has been expanded to include 3 alternates.

Language has been added to specify that the Election Committee has the power to hear and resolve claims involving violation of election rules, with final appeal to the Delegate Assembly.

- D. Language on election procedures is consolidated in this section. The time for notice of the elections and the procedure for nominations to be sent to members is moved back from 45 days prior to the election to 90 days prior, to reflect the longer time frame now provided in section XIII.B as discussed above. Current language requiring that officers are elected by a secret ballot open to all regular members in good standing has been moved here from section B.

Electronic voting is permitted if authorized by the Delegate Assembly (presumably this would happen only if the Delegate Assembly is satisfied that secrecy and integrity, including one member one vote, can be guaranteed).

ARTICLE XIV. DUES AND SPECIAL ASSESSMENTS

This article has been moved from Article V to Article XIV (see explanation on page 4 of this document) and revised to include provisions regarding dues for both regular members and the newly created associate members.

- A. Language requiring applications for membership to include the payment of one month's dues or a written authorization for salary deduction is taken from the current Section IV.A ("Membership").
- B. Dues rates for regular members are unchanged and can only be modified by a vote of the membership. Dues for the new category of associate members will be set by the Delegate Assembly.
- C. A new section has been added to provide for special assessments if voted on by the affected members (for example, San Francisco members could vote a special assessment to pay for something specific to San Francisco).
- D. A new section has been added to provide for "inactive status" for members who are on unpaid leaves of absence and not paying dues. This allows them to continue in good standing despite temporary non-payment of dues.
- F. The provisions for per capita taxes (payments to the IFPTE International Union and other bodies, based on the number of members in the Local) are taken from the current Article XVI (Finances).

ARTICLE XV. FINANCES

- A. Language has been added to require that Chapters that retain their own independent chapter funds must report on such funds and expenditures to the Local Union (the Union's legal counsel has advised that the Local can be held responsible for such funds, so annual reporting is appropriate).

[The current Section B on dues was moved to Article XIV (see above)]

- B. This language was taken from the current XII.J (Treasurer), and has been revised to require that all kinds of payments and transfers, not just checks, shall require approval by at least two of the three authorized persons to ensure proper checks and balances.
- C. Language revised to explicitly refer to the Local's annual audited financial report and requires that it be transmitted to the Executive Committee.
- D. Record retention increased from 6 to 7 years. Language on quarterly financial reports is deleted and replaced with requirement that Treasurer prepares a monthly financial report for the Executive Committee, as well as a list of receipts and expenditures.

- The Treasurer is also required to provide the most recent monthly financial report to each meeting of the Delegate Assembly.
- E. Adds a provision that financial reports are available for inspection by members in the Local office.
 - F. Expanded to make clear that Chapters cannot independently incur expenses on behalf of the Local Union, nor incur expenses on behalf of the Chapter in excess of the Chapter's own funds (doing so would make the Local Union liable for those expenses).
 - G. Rewritten to clearly require that the Delegate Assembly adopt an annual budget, but provides for continuation of the existing budget if the Delegate Assembly is unable to adopt a budget in time for the start of the fiscal year.

[Article XVII (Executive Director) of the current Bylaws was moved to Article XII of the proposed Revision (see notes on Article XII above, and explanation on page 4 of this document).]

ARTICLE XVI. DELEGATES TO OTHER BODIES

This article was moved from the current Article XIV and renamed to distinguish Local Union delegates to other bodies from Chapter delegates to the Delegate Assembly .

- A. This is identical to the language in the current Section XIV.A.
- B. This is revised to ensure that delegates to Labor Councils are appointed in consultation with the affected Regional/Employer Councils.
- C. This has been revised to include provisions that the Executive Committee can require delegates to conferences, etc. to provide reports on those meetings.

ARTICLE XVII. INITIATIVES

The current language on Initiative and Referendum, and the language in the next article on Amendments, is confusing and not well organized. A number of changes have been made for clarification.

- A. This is current language, with the added clarification that petitions are submitted to the President and must be signed by regular members.

- B. Language has been added to permit the Delegate Assembly to originate a referendum for a vote by the entire membership.
- C. The current Section B is revised to require that initiatives or referenda be referred to a vote of the general membership within 60 days of being presented.

The current Section C, which deals with amendments and not initiatives, has been stricken as it is confusing and unnecessary here, and better dealt with in Article XVIII below.

The current Section D, which provides for Special Membership meetings, has been stricken. There are provisions in the proposed Revision that provide for the Executive Committee, Regional Councils and Employer Councils to call special meetings of members for specific purposes.

ARTICLE XVIII. AMENDMENTS

The current Bylaws provide for adoption of amendments at a “representative meeting,” which is not further defined. This language has been replaced with language specifically requiring amendments be submitted to a vote of the entire membership by secret ballot. The requirement for a 2/3 vote has been retained, and language is added to provide sufficient advance notice (at least 30 days).

The current language, which requires that amendments be referred to a membership meeting by a majority vote of the Delegate Assembly, has been replaced with language stating that amendments must be referred to a vote of the entire general membership by either a majority vote of the Delegate Assembly, or by submitting an initiative petition to the President in accordance with the provisions of Article XVII.