

INTERNATIONAL FEDERATION OF PROFESSIONAL
AND TECHNICAL ENGINEERS LOCAL 21, AFL-CIO
BYLAWS BY LAWS

ARTICLE I NAME

The name of this Local Union shall be PROFESSIONAL AND TECHNICAL ENGINEERS, LOCAL 21, a local of the INTERNATIONAL FEDERATION OF PROFESSIONAL AND TECHNICAL ENGINEERS, AFL-CIO, the International Union. Section headings in these Bylaws are for convenience only and shall not be considered part of the provisions of these Bylaws.

ARTICLE II JURISDICTION

The jurisdiction of this Local Union shall include employees within the nine Bay Area counties and other areas of California as may be determined by the International Union.

The inclusion of any employees in the private sector shall require approval of the Delegate Assembly.

ARTICLE III OBJECTIVES

The objectives of this Local Union shall be to unite into one labor organization, through the authority of the membership as defined in Article V, all workers eligible for membership, regardless of religion, race, creed, color, national origin, age, sex, sexual orientation, gender identity, marital status, physical or mental disability, or political affiliation or opinion, to secure improved working conditions, wages, hours, and other economic and social advantages for its members; and to deal with a broad spectrum of economic and social issues, as the Local Union members may determine from time to time; to promote the rights of workers and the security and welfare of all people by political, educational and other community activity; to secure the promotion or rejection of legislation affecting the membership; and to inform, advise, and educate its members and all workers in the principles of the International Federation of Professional and Technical Engineers and of the benefits to be derived through collective bargaining and joint action.

It is further the objective of the Local Union to carry out its work consistent with the values and principles of openness, transparency, member participation, democratic process and mutual support.

ARTICLE IV MEMBERSHIP

- A. **Regular Membership.** ~~Any person employed, or qualified for employment as a professional, technical, administrative or managerial employee and working or residing within a bargaining unit represented by the jurisdiction of this- the Local Union, is eligible for regular membership in this Local Union, unless such employment is covered by a contract or memorandum of agreement with another local union of the International Federation of Professional and Technical Engineers. Only regular members in good standing, as provided in Section IV. F., are eligible to vote in Local Union elections or to run for Local Union office.~~
- B. **Associate Membership.** ~~Retired members and members who leave the bargaining units in good standing, or other individuals who are approved by the Executive Committee, may become "Associate Members" of the Local Union. They will be entitled to receive selected mailings, but not to vote in Local Union elections or to run for Local Union office.~~
- B. C. **Applications for Membership.** ~~An applicant for membership shall submit a written application for membership on a form provided by the Local Union for this purpose, and shall tender one month's dues in cash or by written authorization of salary deduction.~~

- ~~C. D.~~ **Objections to Applications for Membership.** Should there be any objection to an applicant, the application or to a member's continuing eligibility, the matter shall be referred to the ~~Delegate Assembly~~ Executive Committee whose duty it shall be to investigate the applicant and make recommendations to the Chapter. If there still is a question regarding an applicant's acceptance, it shall require a majority vote of the members present at the next chapter meeting to elect the applicant to membership. matter and make a final decision.
- ~~D.~~ Upon satisfaction of the requirements of sections A. through C. of this Article, the applicant shall assent to the following obligation:
- ~~"I, (candidate pronounces his name), do hereby sincerely pledge on my honor to uphold the ideals and principles of this Local Union, to abide by all its rules and decisions, and to never knowingly wrong a fellow member, or see her/him wronged, if in my power to prevent it, as long as I remain a member of this Local Union."~~
- ~~E.~~ The Chapter President shall then declare the applicant accepted as a member.
- ~~FE.~~ **Duties of Members.** It shall be the duty of every member to uphold the ideals and principles of this Local Union and abide by all its rules and decisions. No member shall slander or libel the Local or International Union, its members or its officers, or be a party to any activity to secure the disestablishment of the Local Union as a collective bargaining agent, or maliciously interfere with the business of the Local Union or any business agent or officer in the performance of legitimate duties.
- ~~GF.~~ **Loss of Good Standing.** A member shall lose her/his good standing in the Local Union by suspension or expulsion from membership after appropriate proceedings in conformity with the ~~International Constitution,~~ Constitution of the International Union, or automatically by non-payment of dues for a period of three (3) months, except as provided in Section XIV. D.
- ~~HG.~~ **Voluntary Withdrawal.** Subject to any limitations in any contract or memorandum of understanding that the Local Union has entered into, A member shall be considered to have voluntarily withdrawn from membership upon ~~his~~ submittal of a withdrawal or transfer card.
- ~~I.~~ ~~Every member not described by subsections G. and H. above remains in good standing.~~
- ~~J.~~ ~~A member losing good standing because of failure to pay dues, if he or she has not been suspended or expelled from membership, may reinstate such good standing by the payment of all delinquent financial obligations.~~
- ~~KH.~~ **Honorable Withdrawal.** In any case where the Local Union is required to give a former member an honorable withdrawal card under the terms of Article XVIII of the Constitution of the International Union ~~Constitution,~~ the Executive Committee it may provide for the continuance of Local Union benefits to such former member under conditions which ~~it~~ the Executive Committee shall set forth.
- ~~I.~~ **Reinstatement.** A member losing good standing because of failure to pay dues, if he or she has not been suspended or expelled from membership, may reinstate such good standing by the payment of all delinquent financial obligations.

V — DUES

- A. — ~~The regular monthly dues of this organization shall be 0.963% of a member's wage, payable in advance or by payroll salary deduction.~~

VI ARTICLE V — ORGANIZATION AUTHORITY

- A. — ~~The structure of this Local Union shall consist of Chapters. A Chapter shall consist of a representative unit or group of employees under the jurisdiction of this Local Union based on such criteria as the employer, bargaining unit, the job classification or the geographical unit or any other criteria that may be determined by the Delegate Assembly to create a Chapter.~~
- B. The affairs of the Local Union shall be conducted through the authority of the membership invested in the Delegate Assembly, Officers, and the Chapters Executive Committee, and the Executive Director and the general membership pursuant to these By-Laws-Bylaws. Unless otherwise specified, actions by any body of the Local Union shall require a majority vote (a vote greater than 50%) of those present and voting. The Delegate Assembly is authorized and empowered to take all lawful action consistent with these By Laws to act on behalf of the Local Union. The actions of the Delegate Assembly shall become effective immediately and shall be considered the action of the Local Union.
- C. — ~~The actions of the Delegate Assembly shall be recorded in minutes and the minutes shall be transmitted to each Chapter and such minutes shall be made available to the members of each Chapter.~~
- D. — ~~If any of the Chapters vote to disapprove any action of the Delegate Assembly then the subject matter of the disapproval shall be placed automatically on the next agenda of the Delegate Assembly, and such subject shall be taken up for reconsideration by the Delegate Assembly. In the event the Delegate Assembly reconsiders and rescinds or revises its prior action, the action up to the date of its reconsideration shall be considered as valid action of the Local Union. If the Delegate Assembly upon reconsideration, reaffirms its original action, the decision of the Delegate Assembly shall be final and a challenge of such final action by any functioning Chapter or by any member of the Local Union shall be under the provisions of the initiative and referendum procedures as set forth in Article XVIII of these By-Laws.~~

VII ARTICLE VI CHAPTERS

- A. **Establishment of Chapters.** A Chapter shall consist of a representative unit or group of employees under the jurisdiction of the Local Union based on such criteria as the employer, bargaining unit, job classification, geographical unit or any other criteria that may be determined by the Delegate Assembly. Establishment of a Chapter must be approved by the Delegate Assembly.
- A-B. **Authority of Chapters.** Each Chapter shall adopt Bylaws consistent with these Bylaws. Each Chapter shall be responsible for all activities of the Chapter in representing its members within its jurisdiction. Each Chapter shall have the authority to adopt policies and function within its jurisdiction. A Chapter may take any action in accordance with its own by laws in order to carry out the objectives of the Local Union.
- B. ~~A Chapter shall hold a meeting at least once a month.~~

- C. **Duties of Chapters.** In order to qualify as a Chapter, the Chapter must meet the following requirements:
1. ~~Elect officers and Delegates (by secret ballot), unless the position is unopposed.~~
 2. ~~Hold regular monthly meetings. Hold regular meetings, ordinarily monthly.~~
 3. ~~Make available the minutes of the Delegate Assembly of the Local Union to Chapter members.~~
 4. ~~File a copy of the minutes of the meetings of the Chapter with the Secretary of the Local Union.~~
 5. ~~Notify the Delegate Assembly of any dissenting request for reconsideration of any action taken on the minutes or action of the Delegate Assembly of the Local Union.~~
 6. ~~Have certified by the Local Delegate Assembly the appropriate number of Delegate Assembly representatives to which it is entitled. Each Chapter may determine the method of electing the representatives to participate on the Delegate Assembly, provided, however, that such representatives must be elected by a secret ballot by the membership of the Chapter, unless the position is unopposed.~~
 7. In case of a vacant Delegate position, the respective Chapter shall select a member in good standing in accordance with these Bylaws.
 8. ~~Chapter officers shall act serve as Delegates and Alternates to the Delegate Assembly unless otherwise provided for by the Chapter, provided, however, that the President of the Chapter shall be required to serve as a Delegate on behalf of the Chapter.~~
 9. ~~Chapter officers shall serve terms of a minimum of one year and a maximum of two years. Chapters shall provide for nominations of Chapter officers in September and elections in November at least forty-five (45) days prior to any election.~~
- D. **Delegate Assembly Policies on Chapters.** The Delegate Assembly shall establish the policy and procedures governing the admittance to the Local Union, assignment to regions, merger or dissolution of Chapters and shall determine all questions of jurisdiction between Chapters.
- E. ~~A Chapter shall consist of a group of workers whose application for membership is approved by the Delegate Assembly.~~
- F. ~~Each Chapter shall adopt By Laws consistent with these By Laws.~~
- G.E. **Non-Binding Nature of Chapter Actions.** No Chapter shall be bound by the action of another individual Chapter unless such action has been taken in accordance with the actions of the International or Local Union.

ARTICLE VII REGIONAL AND EMPLOYER COUNCILS

Upon the request of a Chapter or Chapters, the Delegate Assembly may create Regional Councils and/or Employer Councils.

- A. **Functions of Regional Councils.** Regional Councils are composed of Local Union chapters within a common geography, and coordinate activities of their constituent chapters such as:
1. Recommendations to the Local Union Executive Committee on political endorsements in races that do not clearly fall under the jurisdiction of a single Chapter or Employer Council (e.g., state assembly or senate races, or county-wide ballot measures);
 2. Participate in activities within the local Central Labor Council(s), including political activities;
 3. Support for activities with other Local Union chapters and other labor unions;

4. Recommendations to the Local Union Executive Committee on political or labor-community contributions;
 5. Recommendations to the Executive Committee or Delegate Assembly on matters of concern or interest to the Local Union;
 6. To approve appointments of replacements as provided in Section X. A.
- B. Functions of Employer Councils.** Employer Councils are composed of Local Union Chapters with a common employer, and coordinate activities of their constituent Chapters such as:
1. Negotiations and contract campaigns;
 2. Contract implementation and member representation;
 3. Member communications;
 4. Recommendations to the Local Union Executive Committee on political endorsements for races/candidates directly pertaining to the jurisdiction of the Employer Council;
 5. Recommendations to the Local Union Executive Committee on political or labor-community contributions;
 6. Support for activities with other Local Union chapters within the Employer Council and other labor organizations;
 7. Recommendations to the Executive Committee or Delegate Assembly on matters of concern or interest to the Local Union.
 8. To approve appointments of replacements as provided in Section X. A.
- C. Council Rules of Procedure.** Employer Councils and Regional Councils shall be required to adopt rules of procedure to be approved by the represented Chapters and to hold regular meetings, no less than two times per year.
- D. Council Chairs.** Councils shall be chaired by respective Regional Vice Presidents for that Region or Employer.
- E. Council Minutes.** Councils shall be required to keep minutes of proceedings and transmit minutes to the Executive Committee, Secretary of the Local Union and represented Chapters.
- F. Membership Meetings Called By Councils.** Any such Council may schedule meetings of the membership of all Chapters within that Council to discuss and decide common issues pertaining to those Chapters.
- G. Non-Binding Nature of Council Actions.** Except for the Chapters within the San Francisco Council, no Chapter shall be bound by the action of said Councils.

VIII ARTICLE VIII DELEGATE ASSEMBLY AND MEMBERSHIP MEETINGS

- A. Governing Body.** The governing body of ~~this~~ the Local Union shall be the Delegate Assembly, which ~~and~~ shall have the authority and duties as set forth in these ~~By Laws~~ Bylaws. The Delegate Assembly is authorized and empowered to take all lawful action consistent with these Bylaws to act on behalf of the Local Union. The actions of the Delegate Assembly shall become effective immediately and shall be considered the action of the Local Union.
- B. Delegates.** The Delegate Assembly shall consist of the elected officers of the Local Union and ~~members~~ Delegates representing Chapters, who shall be regular members of the Local Union. Each Chapter shall have one (1) Delegate Assembly member and an additional

Delegate for each fifty (50) regular members or fraction thereof in excess of fifty (50). ~~per capita paying members.~~ The Chapter census as of August 1st of each year will be used to determine the number of Delegates for the following calendar year. Each Delegate ~~Assembly member~~ shall have one vote on the Delegate Assembly. ~~Chapters may elect alternate Delegates.~~ Alternate Delegates may be elected by the Chapter or appointed by the Chapter president.

- C. ~~The proportioning, using the above formula, shall be done by the Officers and the Executive Director, the week prior to the opening of the nominations of Delegate Assembly members, based on the latest available per capita sheets and reported to each Chapter immediately.~~
- DC. **Quorum.** The Delegate Assembly shall have a quorum when a majority of all Chapters are represented and a majority of officers as provided for in Article ~~XII~~ IX are represented.
- ED. **Meetings.** The Delegate Assembly shall meet at the call of the ~~President~~ Executive Committee, provided, however, that it ~~shall~~ meet at least two times per year. Delegate Assembly meetings may also be called by filing a petition with the President, signed by at least fifty (50) percent of the Delegates, and shall be held within thirty (30) days of the filing of such petition.
- F. ~~In case of a vacancy on the Delegate Assembly, the respective Chapter shall designate a member in good standing in accordance with these By Laws. In the case of an officer vacancy, the Local President shall appoint a member in good standing with the approval of the majority of the Delegate Assembly.~~
- GE. **Duties and Authority of Delegate Assembly.** Among the duties of the Delegate Assembly are:
- ~~1. To adopt rules for the conduct of its meetings.~~
 - ~~2. To transmit its minutes to each chapter.~~
 - ~~3. To review the Local Union's financial statements.~~
 - ~~4. To act as a review board in case of misconduct charges.~~
 - ~~5. To adopt a budget setting forth anticipated income and expenditure for the fiscal period of July 1st - June 30th.~~
 - ~~6. In accordance with Article XVII, to invest, expend, contribute, use and acquire Local Union funds and property in pursuit of the objectives set forth in the International Constitution and provided for in these By Laws.~~
 - ~~7. To provide for the employment, instruction, salaries, allowances, direct and indirect disbursements expenses and reimbursements of expenses for officers, agents and employees of the Local Union in accordance with Article XVII.~~
 - ~~8. In accordance with Article XVII, to provide for direct and indirect loans for such purposes and with such security as it deems appropriate, all to the extent permitted by law.~~
 - ~~9. In accordance with Article XVII, to provide for the engagement and payment of lawyers, accountants, office services, and such other special or expert services as may be required for the Local Union.~~
 - ~~10. Resolve conflicts between Chapter By Laws and Local By Laws.~~
1. To adopt rules for the conduct of its meetings.
 2. To set general policies for the direction of the Local Union.
 3. To establish Chapters, Employer Councils and Regional Councils in accordance with Articles VI and VII.

4. To establish the policies and procedures governing admittance to the Local Union, assignment to regions, merger or dissolution of Chapters in accordance with Section VI. D.
5. To interpret these Bylaws and to resolve conflicts between Chapter Bylaws and these Bylaws.
6. To establish additional Vice President positions in accordance with Section X. A and approve appointment of replacement officers in accord with Section X. A.
7. To set the date for elections in accordance with Section XIII. B.
8. To hear all appeals involving eligibility to hold office or violations of any election rules and regulations in accordance with Section XIII. C. 4.
9. To adopt a budget setting forth anticipated income and expenditure for the fiscal period of July 1st - June 30th, to adopt policies regarding budgeting, fiscal and contracting actions, and to designate banking institutions for deposit of Local Union funds.
10. To review the minutes of the Executive Committee and the financial statements of the Local Union.
11. To direct the means by which funds of the Local Union are raised, in accordance with Section XV. A.
12. To authorize the Treasurer and Executive Director to borrow money on behalf of the Local Union.
13. To approve obligations incurred by Chapters in excess of their operating balance in accordance with Section XV. F.
14. To sponsor and administer any employee benefit plans covering employees of the Local Union.
15. To appoint, contract with, and dismiss the Executive Director.
16. To establish policies providing for allowances and expenses for officers, agents and employees of the Local Union in accordance with Article XV.
17. To schedule membership meetings to discuss and make recommendations on particular matters.
18. To refer initiatives to the regular membership for a vote in accordance with Section XVII. B.
19. To submit referenda to a vote of the regular membership of the Local Union in accordance with Section XVII. C.

HF. Minutes. The actions of the Delegate Assembly shall be recorded in minutes, and the minutes shall be transmitted to each Chapter and such minutes shall be made available to the members.

IG. Reconsideration of Delegate Assembly Actions. If any Chapter(s) vote to request reconsideration of an action of the Delegate Assembly, such reconsideration shall be placed on the agenda of the next Delegate Assembly. In the event the Delegate Assembly rescinds or revises its prior action, the action up to the date of its reconsideration shall be considered as valid action of the Local Union. If the Delegate Assembly, upon reconsideration, reaffirms its original action, the decision of the Delegate Assembly shall be final and any further challenge of the action by any Chapter or by any member of the Local Union shall be made only under the provisions of the initiative procedures as set forth in Article XVII of these Bylaws.

IX. EMPLOYER/REGIONAL COUNCILS

- A. The Delegate Assembly may create Employer and/or Regional Councils to coordinate activities of Chapters that share a common employer and/or region.
 1. Employer and/or Regional Councils shall be required to function in accordance with the same rules governing Chapters in Article VII.

- ~~2. Said Councils shall be chaired by respective Vice Presidents, i.e. a San Francisco Employer Council shall be chaired by the San Francisco Vice President.~~
- ~~3. Said Council shall be required to keep minutes of proceedings and transmit minutes to the Delegate Assembly.~~

~~X~~ MEMBERSHIP MEETINGS

- ~~A. The Delegate Assembly may schedule membership meetings on particular matters. It may also call membership meetings of members employed by the same employer and/or who are covered by the same collective bargaining agreement.~~
- ~~B. General Membership meetings may be called in lieu of regular Delegate Assembly meetings.~~
- ~~C. Special Membership meetings may be called pursuant to Article XVIII, INITIATIVE AND REFERENDUM.~~
- ~~D. The membership shall be notified in writing or by an official publication at least thirty (30) days prior to such meeting. The President in his/her judgment, may call such meeting with less notice.~~

~~XI~~ ARTICLE IX EXECUTIVE COMMITTEE

- ~~A. **Executive Committee Members and Duties.** The Executive Committee shall consist of all officers of the Local Union as provided for in Article X, as provided for in Article XII. The Executive Committee is authorized and empowered to take all lawful action consistent with these Bylaws and in accordance with applicable policies of the Delegate Assembly to act on behalf of the Local Union, including but not limited to the following actions: The Executive Committee is authorized to:~~
 - ~~1. Act on behalf of the Local Union between Delegate Assembly meetings.~~
 - ~~2. Make recommendations to the Delegate Assembly on matters of concern or interest to the Local Union.~~
 - ~~3. Make recommendations on Chapter creation and jurisdiction in accordance with Article VII D of these By Laws.~~
 - ~~4. Provide minutes of its meetings to the Delegate Assembly and to Chapters.~~
 1. To act on behalf of the Local Union between Delegate Assembly meetings in accordance with applicable policies of the Delegate Assembly.
 2. To make recommendations to the Delegate Assembly on matters of concern or interest to the Local Union.
 3. To provide minutes of its meetings to the Delegate Assembly and to Chapters.
 4. To call meetings of regional, occupational or other groupings of members according to policies established by the Delegate Assembly.

5. To prepare a budget, together with the Treasurer and Executive Director, consistent with the income of the Local Union and submit it to the Delegate Assembly at least once a year.
6. To expend, contribute and acquire Local Union funds and property in accordance with the budget and policies adopted by the Delegate Assembly.
7. To exercise financial oversight of the Local Union's bank accounts, resources and expenses.
8. To engage an independent certified public accountant to prepare an annual audit of the Local Union's financial records and accounts.
9. To act on objections to membership in accordance with Section IV. D.
10. To appoint nominating committees in accordance with Section XIII. B.
11. To approve organizing campaigns.
12. To approve contracts with staff unions.
13. To approve contracts with lawyers, professional consultants, office service providers, and such other special or expert services as may be engaged by the Executive Director, in accordance with policies set by the Delegate Assembly.
14. To approve all litigation brought by or against the Local Union.
15. To approve contributions to other organizations or events.
16. To make political endorsements and authorize political contributions.

- B. Meetings.** The Executive Committee shall ordinarily meet at least once per month. Executive Committee meetings are open to the membership. Notice of each meeting shall be provided to the membership at least two (2) days prior to its date. The Executive Committee may meet in executive session. Any action taken in executive session shall be placed in the minutes of the meeting. The Executive Committee may make decisions between regular meetings by conducting votes by telephone, electronic mail or other means, provided that notice is sent to all members of the Executive Committee. A record of such votes shall be included in the minutes of the following Executive Committee meeting. Special meetings of the Executive Committee may be called by the Local Union President or by a majority of the Executive Committee, with prior notice to all members of the Executive Committee and to the membership.
- C. Quorum.** A quorum of the Executive Committee shall consist of a majority of the voting members of the Executive Committee.

XII ARTICLE X OFFICERS

- A. Officers, Vacancies and Removal.** The officers of this Local Union shall be President, Executive Vice President, ~~Vice President for San Francisco~~ ~~Vice President~~, ~~Vice President for Oakland~~, ~~Out of San Francisco~~ ~~Vice President for the East Bay~~, ~~Vice President for the South Bay~~, Vice President for Membership and Organization, Vice President for

Legislative and Political Action, ~~At-Large~~ Vice President At Large, Secretary and Treasurer. Additional Vice President positions may be established by action of the Delegate Assembly. Such positions shall be for particular constituencies and must be elected from and by such constituencies. In the case of an officer vacancy other than the President or a Vice President who is chair of a Regional or Employer Council, the Local Union President shall appoint a regular member in good standing with the approval of the Delegate Assembly. In the case of the vacancy of a Vice President who is chair of a Regional or Employer Council, the Local Union President shall appoint a regular member in good standing with the approval of the Regional or Employer Council. Officers may be removed for cause pursuant to procedures outlined in the Constitution of the International Union.

B. **Terms.** The term of office for the officers of the Local Union shall be two (2) years. Except as may be otherwise provided by these Bylaws, no member shall serve in more than one (1) Local Union office simultaneously. This does not preclude an officer serving as a Chapter officer. In the event an officer is laid off from employment, he or she may continue to serve in office until the next succeeding meeting of the Delegate Assembly, at which time the Delegate Assembly shall decide whether to further continue the service of the officer, or to authorize the Local Union President to appoint a replacement.

BC. **President**

1. The President shall ~~be the presiding officer of the Local Union and shall~~ preside over all Delegate Assembly, Executive Committee, and General Membership meetings of the Local Union.
2. The President shall be one of the three (3) persons authorized to countersign all orders on funds, financial contracts and agreements concerning the Local Union after such expenditure of funds, financial contracts and agreements have been approved by the Delegate Assembly, Executive Committee or the Executive Director as provided for in these ~~By-Laws~~ Bylaws.
3. Except as otherwise provided in these Bylaws, ~~The~~ President shall have the authority to appoint any committee necessary to the functioning of the Local Union ~~in consultation with the Delegate Assembly~~ with the approval of the Executive Committee, and shall be an ex-officio member of all committees.
4. The President shall have the authority to interpret these ~~By-Laws~~ Bylaws subject to ~~the approval of appeal to~~ the Delegate Assembly, whose interpretation shall be final.
5. The President shall have the authority to appoint three (3) Trustees from among the membership of the Delegate Assembly and to terminate and replace a Trustee as deemed necessary, all with the approval of the Delegate Assembly. ~~Trustees may be appointed from representatives of the Delegate Assembly.~~ Local Union officers may not serve as Trustees.
- ~~6. The President shall appoint, from a list of candidates submitted by members of the appropriate Chapter, a member in good standing to fill a vacancy on the Delegate Assembly.~~
- ~~7.~~ 6. The President shall be responsible for taking such other action as, in her/his judgment, will advance the best interests of the Local Union and its members.

CD. **Executive Vice President**

1. The Executive Vice President shall assist the President in the operation of all of the affairs of the Local Union.
2. In the absence of the President or in the event of the President's inability to serve, the Executive Vice President shall assume the duties and office of the President.
3. In the event that the office of the President is vacant, the Executive Vice President shall assume ~~that~~ the office for the remainder of ~~that~~ the term.

- ~~DE.~~ **San Francisco Vice President for San Francisco**
1. The ~~San Francisco~~ Vice President for San Francisco shall be elected from among the Chapters representing employees of the City and County of San Francisco, and shall coordinate the activities of the such Chapters City and County of San Francisco based chapters.
- ~~EF.~~ **Out of San Francisco Vice President for the East Bay**
1. The ~~Out of San Francisco~~ Vice President for the East Bay shall be elected from among the Chapters representing employees of Alameda and Contra Costa Counties, other than the City of Oakland, and shall coordinate the activities of non-City and County of San Francisco based such Chapters. based in Alameda and Contra Costa Counties, other than the City of Oakland.
- G. Vice President for Oakland**
1. The Vice President for Oakland shall be elected from among the Chapters representing employees of the City of Oakland, other than the Port of Oakland, and shall coordinate the activities of such Chapters.
- H. Vice President for the South Bay**
1. The Vice President for the South Bay shall be elected from among the Chapters representing employees in the South Bay area, and shall coordinate the activities of such Chapters.
- ~~FI.~~ **Vice President for Membership and Organization**
1. The Vice President for Membership and Organization shall ~~plan~~ coordinate and assist in the Local Union's organizing programs.
 2. The Vice President for Membership and Organization shall oversee the maintenance of all membership records and shall provide periodic reports to the Delegate Assembly on membership gains and losses.
- ~~GJ.~~ **Vice President for Legislative and Political Action**
1. The Vice President for Legislative and Political Action shall ~~assist the President in establishing chair~~ a standing Committee on Political Action ~~and shall serve as the Chair of the Committee.~~
 2. The Vice President for Legislative and Political Action shall monitor legislative and political matters affecting the Local Union's membership.
 3. The Vice President for Legislative and Political Action shall ~~plan and~~ coordinate and assist in activities and events on legislative and political matters affecting the Local Union's membership.
- ~~HK.~~ **At Large Vice President At Large**
1. The ~~duties of the At Large~~ Vice President At Large shall ~~assist the Local Union's Officers in their duties and provided for herein~~ coordinate the activities of all Chapters not otherwise identified in this Article X.
- ~~HL.~~ **Secretary**
1. The Secretary shall keep a ~~correct~~ record of the proceedings of all Delegate Assembly meetings, Executive Committee meetings and Membership meetings of the Local Union.
 2. The Secretary shall provide copies of the minutes of all Delegate Assembly meetings to ~~the Chapter Presidents~~ members of the Delegate Assembly within ~~fifteen (15)~~ sixty (60) days after each Delegate Assembly meeting.

M. **Treasurer**

- ~~1. The Treasurer shall be responsible for all membership records.~~
- ~~2.1. The Treasurer shall be responsible for reviewing collection and disbursement of Local Union funds.~~
- ~~3.2. The Treasurer shall be responsible for deposits of all funds of the Local Union at banks designated by the Executive Committee or the Delegate Assembly in an account or accounts in the name of the Local Union. ~~The funds of any such account or accounts can be drawn out only by a check of the Local Union and all checks must be signed by two of the three persons authorized to withdraw funds in accordance with these By Laws.~~~~
- ~~4.3. The Treasurer shall be one of the three (3) persons authorized in accordance with Section XV. B. to sign checks ~~withdrawing~~ and/or to approve the withdrawal or transfer of funds within accounts of the Local Union which shall include the payment of salaries and all bills and expenditures ~~as directed by the Delegate Assembly in accordance with these Bylaws.~~~~
- ~~5.4. In conjunction with the Executive Director on behalf of the Local Union, the Treasurer is responsible for the preparation and submission of all financial reports.~~

N. ~~Junior~~ **Immediate Past President**

Upon leaving office the President, at his/her option, may serve as an at-large officer of the Local Union for one (1) term as a non-voting member of the Executive Committee. The Immediate Past President need not be a regular member of the Local Union in order to serve in this capacity.

- ~~L. — Except as may be otherwise provided by these By Laws no member shall serve in more than one (1) Local Union office simultaneously. This does not preclude such officer serving as a Chapter officer.~~

XIII ARTICLE XI TRUSTEES

- A. **Appointment.** There shall be three (3) Trustees of the Local Union who shall be members of the Delegate Assembly appointed by the President with approval by the Delegate Assembly, in accordance with Section X. C. 5. In selecting the Trustees, the President shall take into consideration regional diversity. The Trustees shall serve at the pleasure of the President.
- B. **Trustee Duties.** The duties of the Trustees are:
 - A1. To make certain that the President, Vice Presidents, Secretary, Treasurer and Executive Director are properly bonded as required by the ~~International~~ Constitution of the International Union.
 - B2. To make certain that banks are instructed to pay no money nor transfer any funds on account of the Local Union except by a check signed by two of the following persons: President, Treasurer and Executive Director.
 - C3. To review and approve all Executive Director credit card and reimbursed expenses.
 - D4. To inspect the Local Union's financial records and certify the Treasurer's report of income and expenses, and review any audited financial statements of the Local Union.
 - E5. To submit ~~quarterly~~ reports of their inspections to the Delegate Assembly at least two times per year.

XIV — DELEGATES

- A. ~~International convention delegates shall be elected as specified by the International Constitution.~~
- B. ~~Standing delegates, such as Labor and Building Trades Councils, shall be appointed by the President.~~
- C. ~~It shall be the duty of all delegates to regularly attend meetings to which they are delegated, to act in the best interests of this Local Union, and to report anything affecting or of interest to it.~~
- D. ~~When a representative of the Local Union is engaged in activities in the interest of or for the benefit of the Local Union and its members, the Local Union may pay for the expenses incurred thereby, or reimburse the representative upon receipt of itemized vouchers from her/him or the supplier of such services.~~

ARTICLE XII EXECUTIVE DIRECTOR

- A. **Appointment.** The Executive Director shall be appointed by the Delegate Assembly.
- B. **Compensation and Term of Employment.** The compensation and length of term of employment of the Executive Director shall be determined by contract negotiated by the Executive Committee and approved by the Delegate Assembly.
- C. **Duties.** The Executive Director shall have general supervision and direction over the affairs of the Local Union, including but not limited to:
 - 1. Hiring and firing of staff, subject to policies set forth by the Delegate Assembly.
 - 2. Negotiations with staff union(s) subject to the direction of the Executive Committee.
 - 3. Supervision and direction of all staff.
 - 4. Engagement of lawyers, professional consultants, office service providers, and such other special or expert services as may be required for the Local Union.
 - 5. Oversight and execution of all collective bargaining agreements and memoranda of understanding.
 - 6. Fiscal management, subject to the direction of the Executive Committee and the Treasurer.
 - 7. Direction of organizing drives and initiatives by the Local Union.
- D. **Reports.** The Executive Director shall submit an activity report to the Executive Committee at each of its regularly scheduled meetings.
- ~~E.~~ **Financial Authority.** The Executive Director shall be one of the three persons authorized to countersign checks withdrawing funds of the Local Union which shall include the payment of salaries and all bills and expenditures as directed by the Delegate Assembly.

~~**ARTICLE XIII NOMINATION, ELECTION AND INSTALLATION OF OFFICERS AND DELEGATE ASSEMBLY**~~

~~A. The term of office for the officers of the Local Union shall be two (2) years.~~

A. **Eligibility to Hold Office.** Except as provided in Section X. N., only regular members in good standing, in accordance with Section IV. A. of these Bylaws, shall be eligible to run for office, if otherwise qualified under provisions of the Constitution of the International Union. All regular members in good standing shall have the right to be nominated as officers, or to nominate and vote for candidates of their choice.

~~B. All officers shall be elected by means of a secret mail ballot conducted among all members in good standing and by majority vote of those responding. The ballot shall be mailed to the address recorded in the Local Union office as the last known recorded address of the member.~~

B. **Nominations.** At least ninety (90) days prior to the date set for elections in each even-numbered year, the Executive Committee shall appoint a regionally diverse Nominating Committee of seven (7) regular members from seven (7) different Chapters. At least sixty (60) days prior to the election, this committee shall present to the Election Committee a list containing at least one available nominee for each office. The nominees shall be broadly representative of the membership of the Local Union and diverse in ethnicity, race, age, gender, sexual orientation and gender identity. Additional nominations for officers may be made via petitions signed by no less than twenty (20) regular members in good standing. Such petitions shall be filed with the chair of the Election Committee no later than thirty (30) days prior to the date of the election.

~~C. Officers may be removed for cause pursuant to procedures outlined in the International Constitution.~~

~~D.C.~~ **Election Committee**

1. Elections for officers shall be conducted by the Election Committee which shall consist of three (3) regular members in good standing who may shall not be candidates for office in the election. ~~They shall be appointed by the President.~~ The Delegate Assembly shall elect the three members of the Election Committee, in addition to three (3) alternate members, at the Delegate Assembly meeting at which the budget is adopted in the election year. The six (6) members and alternate members of the Election Committee shall be from six (6) separate Chapters.
2. The Election Committee shall adopt all rules and regulations necessary to comply with ~~the applicable laws~~ and to ensure a fair and honest election.
3. The Election Committee may rely on such clerical and technical assistance as necessary to conduct the election and count the ballots.
4. The Election Committee shall hear and adjudicate all claims involving violations of any election rules and regulations, subject to appeal to the Delegate Assembly.

D. Election Procedures

1. Notice of the election, including the procedure for nominations, shall be given in writing to each regular member in good standing of the Local Union at least ~~forty five (45)~~ ninety (90) days prior to the date set for the election.

2. The date for the conduct of the election shall be the date on which ballots are mailed to members and shall be set by the Delegate Assembly of the Local Union for a day during the first two weeks of November. The Delegate Assembly may conduct any election by electronic voting rather than by mail ballot, and may establish the date for any such election.
3. All officers shall be elected by means of a secret ballot conducted among all regular members who are in good standing on the 30th day prior to the date on which ballots are mailed, and by majority vote of those voting. The ballot shall be sent to the address recorded in the Local Union office as the last known recorded address of the member.
- ~~E. At least one (1) month prior to the date set for elections in each even numbered year, the Executive Committee shall appoint a Nominating Committee of seven (7) members from seven (7) different Chapters. This committee shall present a list containing at least one available nominee for each office to the Delegate Assembly. The nominees shall be broadly representative of the membership of the Local Union and diverse in ethnicity, race, age, sexual orientation and gender identity. Additional nominations for officers may be made via petitions signed by no less than twenty (20) members in good standing. Such petitions shall be filed with the chair of the Elections Committee no later than thirty (30) days prior to the date set by the Delegate Assembly for the mailing of ballots for the election.~~
- ~~F. Every member in good standing, in accordance with Article IV of these By Laws, shall be eligible to hold office, if otherwise qualified under provisions of the International Constitution. Any member who is ruled ineligible to run for office may appeal within forty eight (48) hours to the Delegate Assembly, which shall decide such appeal within four (4) days.~~
- ~~G. All members in good standing shall have the right to be nominated as officers, nominate, vote for, or otherwise support candidates of their choice.~~
- ~~H.~~
4. For mail ballots, oOnly those ballots returned to the Election Committee within twenty-one (21) days from the mailing of the ballots shall be considered to have been validly cast and shall be counted. ~~In the event~~ If a member in good standing fails to receive a ballot in the mail, the member may secure a substitute ballot from the Election Committee but shall be required to execute a statement ~~to the effect that the member has not received a ballot and has not cast the same~~ or cast a ballot.
- ~~I.~~
5. The candidate for each office receiving a majority of eligible votes cast by secret ballot for each office shall be declared elected.
- ~~J.~~
6. In the event that no candidate receives a majority of votes, the Election Committee shall conduct a runoff election between the two (2) top vote-getters within thirty (30) days.
- ~~K.~~
7. Each candidate shall have the right to have an observer at the counting of the ballots. Candidates and their observers may challenge the eligibility of voters, and all challenged ballots shall be set aside pending determination of their validity. All such challenges shall be investigated ~~as promptly as possible.~~

~~E.~~ **Installation.** Officers shall take office at the first Delegate Assembly meeting of the year and hold ~~the same office~~ until their successors ~~takes~~ office. Installation of the officers shall be conducted at this Delegate Assembly meeting.

~~M.~~ ~~Delegate Assembly Representatives shall be nominated and elected in accordance with Article VII, C (6) of these By Laws, by their respective Chapters, and by the same procedure as for officers.~~

ARTICLE XIV DUES AND SPECIAL ASSESSMENTS

A. **Regular Dues.** Regular and associate members shall be required to pay dues at rates set in accordance with this Article XIV, and shall tender with their application for membership one month's dues, or provide written authorization of salary deduction.

B. **Dues Rates.** The monthly dues for regular members of the Local Union shall be 0.963% of a member's wage, which rate may be modified by a majority of voting members. The monthly dues for associate members of the Local Union shall be set at a rate adopted by the Delegate Assembly. Dues shall be payable in advance or by payroll salary deduction.

C. **Special Assessments.** Special assessments may be made by vote of the affected members, bargaining units, Chapters or Councils of the Local Union. Notice of a proposed assessment shall be sent to all affected members thirty (30) days before a vote is taken on the proposal, and a majority of all votes cast shall be required to carry the measure.

D. **Inactive Status.** Members on unpaid leave approved by their employers for more than three (3) months may be placed on inactive status, during which time they shall not be required to pay dues or special assessments. Members on inactive status shall not be eligible to vote in Local Union elections or to serve in Local Union office, unless they continue to pay regular dues at the rate in effect prior to their unpaid leave.

E. **Dues Records.** All dues collected by the Local Union shall be reported to the Treasurer of the Local Union. The Treasurer shall keep complete and accurate accounts of all dues received.

F. **Per Capita Taxes.** The Local Union shall pay the per capita tax to the International Union and/or the bodies with which the Local Union is affiliated.

XVI ARTICLE XV FINANCES

A. **Local Union Funds.** The funds of ~~this~~ the Local Union shall be raised by dues and by such other means as the Delegate Assembly of the Local Union may direct. A Chapter may raise additional funds, provided that the methods of collecting such additional funds shall not be in conflict with any policies established by the Delegate Assembly or the Local Union or these ~~By Laws~~ Bylaws or the International Union. Any funds obtained by a Chapter, exclusive of dues, shall be retained by the Chapter to be expended in accordance with the desires of the individual Chapter. All such funds and expenditures shall be reported annually to the Local Union.

~~B. All dues collected by the Local Union shall be transmitted to the Treasurer of the Local Union. The Treasurer shall keep complete and accurate accounts of all dues received regarding the membership of the Local Union. The Local Union shall pay for the per capita tax to the International Federation for any person from whom the Local Union, either directly or through a Chapter, receives dues.~~

- B. **Disbursements.** No payment or other transfer of Local Union funds shall be authorized unless signed or approved in writing by at least two of the following: President, Treasurer, and Executive Director.
- ~~DC.~~ **Financial Reports.** All funds, including income and expenditures by each Chapter as provided for in ~~XVI-A~~, Section XV. A, shall be recorded and the proper financial records shall be maintained by the Local Union Treasurer. The audited annual financial report shall be transmitted to the ~~Delegate Assembly of the Local Union~~ Executive Committee.
- ~~ED.~~ **Records Retention.** All fiscal records shall be kept for a period of ~~six (6)~~ seven (7) years. ~~The Treasurer shall prepare, in accordance and cooperation with an accountant a financial report on a quarterly basis and the report shall be submitted to the Delegate Assembly of the Local Union and to each Chapter. The report shall contain a list of all receipts and expenditures for the period. In accordance and cooperation with the Executive Director, the Treasurer shall prepare and submit to the Executive Committee a monthly financial report and a list of all of all receipts and expenditures for the period. The most recent financial report shall be presented at each meeting of the Delegate Assembly.~~
- E. **Member Requests.** All monthly and annual financial reports maintained by the Local Union shall be made available to members upon request at the Local Union office during regular business hours.
- ~~E.F.~~ **Authority to Incur Obligations.** No Chapter shall have the authority to incur any obligation on behalf of the Local Union or on behalf of the Chapter in excess of its current operating balance, ~~except by approval of the Delegate Assembly or the Executive Director.~~
- ~~F.G.~~ **Annual Budget.** A majority vote of the Delegate Assembly members present and voting ~~in the Delegate Assembly~~ shall be required on financial matters. The Delegate Assembly shall adopt an annual budget for the Local Union prior to the commencement of each fiscal year. In the event that an annual budget is not adopted by the start of the new fiscal year, the previous year's budget will serve as the annual budget until a new annual budget is adopted.

~~XVII EXECUTIVE DIRECTOR~~

- ~~A. The Executive Director shall have general supervision and direction over the affairs of the Local Union subject to the limitations of the Delegate Assembly.~~
- ~~B. The Executive Director shall be responsible for:

 - ~~1. Hiring and firing of staff, subject to limitations set forth by the Delegate Assembly,~~
 - ~~2. Fiscal management, subject to the limitation of the Delegate Assembly.~~~~
- ~~C. The Executive Director shall be one of the persons authorized to sign checks withdrawing funds of the Local Union which shall include the payment of salaries and all bills and expenditures as directed by the Delegate Assembly.~~
- ~~D. The Executive Director shall be appointed by the Delegate Assembly.~~
- ~~E. Compensation and length of term shall be determined by contract.~~

ARTICLE XVI DELEGATES TO OTHER BODIES

- A. **International Delegates.** International convention Delegates shall be elected as specified by the Constitution of the International Union.
- B. **Standing Delegates.** The President, in consultation with the appropriate Regional and Employer Councils, shall appoint standing Delegates to bodies, such as the Labor and Building Trades Councils, who shall serve at the pleasure of the President and such Councils.
- C. **Duties of Delegates.** It shall be the duty of all Delegates to regularly attend meetings to which they are delegated, to act in the best interests of the Local Union, and at the request of the Executive Committee to report anything affecting or of interest to it.

XVIII ARTICLE XVII INITIATIVES AND REFERENDUM REFERENDA

- A. **Initiatives.** An initiative may be originated by submitting to the President of the Local Union a petition signed by at least ten percent (10%) of the regular membership of the Local Union in good standing.
- B. **Referenda.** A referendum may be originated by a majority vote of the Delegate Assembly.
- BC. **Referral to Membership.** Within sixty (60) days aAfter an initiative or referendum has been originated, the Delegate Assembly shall refer the matter shall be referred to the regular membership for a vote by secret ballot.
- C. ~~Any member of the Delegate Assembly of the Local Union may introduce an amendment for consideration by the appropriate committee, the amendment will be voted upon by the Delegate Assembly. If it is approved by a majority vote then it shall be referred to the membership of the Local Union for a vote by secret ballot at the next regular election. It must be approved by a two-thirds (2/3) vote as provided in Article XIX.~~
- D. ~~Special Membership meetings may be called if a petition signed by at least ten percent (10%) of the membership is filed with the Secretary of the Local Union. Such meeting shall be held within ten (10) days of the filing of such petition. Such meeting shall be for specific stated purposes.~~

XIX ARTICLE XVIII AMENDMENTS

~~These By-Laws Bylaws can only be amended by a secret ballot mailed to all regular members who are in good standing on the 30th day prior to the mailing of the ballots. two-thirds (2/3) vote at a representative meeting. Such members shall be notified and provided with the full text of the proposed amendment at least thirty (30) days prior to the vote. All amendments shall require approval of at least two-thirds (2/3) of all votes cast. The Chapters must be notified at least thirty (30) days prior to the consideration of any amendments. Amendments may also be made in accordance with the initiative and referendum procedures of these By-Laws, provided that any amendment shall require a two-thirds (2/3) vote of the members voting.~~

~~All amendments, except through an initiative procedure, shall be referred to a meeting only by a majority vote of the Delegate Assembly of the Local Union.~~

Amendments may be originated by the initiative procedure specified in Article XVII or by the Delegate Assembly. If the latter, a majority vote of the Delegate Assembly is required to refer the amendment to a vote by members.