

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS®



Constitution

And Rules for Local Unions and Councils Under Its Jurisdiction

As amended at the 36th IBEW® Convention, San Francisco, California, September 2001

Declaration of the

***INTERNATIONAL BROTHERHOOD
OF ELECTRICAL WORKERS®***

Our cause is the cause of human justice, human rights, human security.

We refuse, and will always refuse, to condone or tolerate dictatorship or oppression of any kind.

We will find and expel from our midst any who might attempt to destroy, by subversion, all that we stand for.

This Brotherhood will continue to oppose communism, nazism or any other subversive "ism." We will support our God, our Nations, our Union.

ORDER OF BUSINESS
For Local Unions

1. Opening. (See Ritual.)
2. Roll Call of Officers and Reading of Minutes.
3. Communications and Bills.
4. Reports of Executive Board and Officers.
5. Propositions for Membership.
6. Reports of Candidates.
7. Balloting or Voting for Candidates.
8. Obligation of Candidates. (See Ritual.)
9. Reports of Delegates and Committees.
10. Reports of Accidents, Sickness or Death of Members.
11. Roll Call of Members. (This is optional with Local Unions.)
12. Unfinished Business.
13. New Business. (Under this heading come matters relating
to any Election and Installation of Officers.)
14. Good of the Union.
15. Receipts and Expenses. (Read Constitution.)
16. Closing. (See Ritual.)

OBJECTS

The objects of the International Brotherhood of Electrical Workers are:

- To organize all workers in the entire electrical industry in the United States and Canada, including all those in public utilities and electrical manufacturing, into local unions,
- To promote reasonable methods of work,
- To cultivate feelings of friendship among those of our industry.
- To settle all disputes between employers and employes by arbitration (if possible).
- To assist each other in sickness or distress,
- To secure employment,
- To reduce the hours of daily labor,
- To secure adequate pay for our work,
- To seek a higher and higher standard of living,
- To seek security for the individual,
- And by legal and proper means to elevate the moral, intellectual and social conditions of our members, their families and dependents, in the interest of a higher standard of citizenship.

IBEW® CONSTITUTION

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READY REFERENCE FOR MONTHLY DUES PAYMENTS TO THE INTERNATIONAL OFFICE THROUGH LOCAL UNIONS [OR TO THE INTERNATIONAL SECRETARY - TREASURER] BY MEMBERS HOLDING PARTICIPATING WITHDRAWAL CARD STATUS

Effective January 1, 2001

"A" MEMBERS	"BA" MEMBERS
\$20.30 Monthly	\$9.00 Monthly

Effective January 1, 2004*

"A" MEMBERS	"BA" MEMBERS
\$21.30 Monthly	\$10.00 Monthly

Reinstatement fees are required of all members who fall three or more months in arrears. Reinstatement fees for "A" members are \$30.00, while reinstatement fees for "BA" members are \$3.00.

** Pursuant to Article IX, Section 5, the I.E.C. is authorized to implement this one-dollar (\$1.00) increase before Jan. 1, 2001, if the projected budget for such earlier year will result in deficit spending.*

ARTICLE I

NAME AND CONSTITUTION

Sec. 1. This organization shall be known as the International Brotherhood of Electrical Workers, with jurisdiction over all electrical workers in the United States and Canada as defined in Article XXVI of this Constitution, including all workers in public utilities and electrical manufacturing plants, and shall consist of an unlimited number of local unions acknowledging its jurisdiction and subject to its laws and usages, and it shall not be dissolved while there are five (5) dissenting local unions.

Sec. 2. This organization, in the merging together of all electrical workers in the United States and in Canada, fully recognizes the sovereignty of each of our great nations and the advancement of industry compatible with the laws of each country and the objects of this Constitution.

Sec. 3. This Constitution, and all acts and proceedings which, in the future and in due course may be enacted, shall be absolutely binding on all L.U.'s officers and members. The initials "L.U.'s" as used, throughout this Constitution shall include Railroad Councils, System Councils and other subordinate bodies where applicable.

Sec. 4. The following abbreviations, when used herein, and in reports and other documents, shall mean:

I.B.E.W.	International Brotherhood of Electrical Workers.
I.E.C.	International Executive Council.
I.P.	International President.
I.V.P.	International Vice President.
I.S.T.	International Secretary.
I.R.	International Representative.
I.C.	International Convention.
I.O.	International Office.
L.U.	Local Union.
R.S.	Recording Secretary.
F.S.	Financial Secretary.

Sec. 5. Words used in this Constitution in the masculine gender shall include the feminine.

ARTICLE II

INTERNATIONAL CONVENTION

Sec. 1. The I.B.E.W. shall meet in regular convention every five (5) years on the third Monday in September, at such place as shall be decided upon by the I.E.C.

Sec. 2. The I.E.C. has power to change the date on which an I.C. is to convene, but any change made shall not be for more than ninety (90) days before or after the original date fixed.

Sec. 3. Upon petition filed with the I.S.T. by any twenty-eight (28) L.U.'s in good standing—not more than four (4) L.U.'s from any one I.E.C. district—the question of holding a special I.C. shall be submitted to a referendum; but petitions for a vote must specify the place, time, and date at which this special I.C. is proposed to be held, and the questions must be specified by each of the twenty-eight (28) L.U.'s in good standing before any referendum shall be taken. No special I.C. shall be called except in this manner.

The result of the referendum shall be published in full in the I.B.E.W. official JOURNAL. If a majority vote in favor of a special I.C., the I.S.T. shall issue the call.

Sec. 4. The I.P. shall appoint the following committees, consisting of eleven (11) delegates elected to the I.C., one from each I.V.P. district. The I.P. shall appoint one of the committee members as Chairman and one as Secretary:

1. I.P.'s Report.
2. I.S.T.'s Report.
3. I.E.C.'s Report.
4. Law.
5. Resolutions.
6. Appeals.
7. Any special committees deemed necessary.

These committees shall meet prior to the opening of the I.C. The compensation of members of these committees shall be fifty dollars (\$50.00) per day and reimbursement for actual expenses. This shall cease the day the I.C. opens.

Sec. 5. The I.S.T. prior to the I.C. shall deposit sufficient funds in the convention city to be used to defray expenses of the I.C.

Sec. 6. A quorum for the transaction of business shall consist of one-third of the delegates seated. Immediately after the I.C. is opened, the I.E.C. shall report on credentials and rules. The order of business of the I.C. shall proceed in accordance with the rules adopted by the Convention. The business of the I.C. shall include the following:

1. Call to Order.
2. Presentation of Credentials.
3. Report on Credentials and Rules.
4. Appointment of Committees.
5. Communications and Bills.
6. Resolutions, etc.
7. Reports of Committees.
8. Unfinished Business.
9. Nomination and Election of Officers.
10. New Business.
11. Adjournment.

Sec. 7. No L.U. shall be entitled to representation at an I.C. unless its per capita to the International Union has been paid on its membership for the period six (6) calendar months prior to the first of the month in which the I.C. is held.

Sec. 8. The basis of representation at the I.C. shall be as follows:

Each L.U. shall be entitled to a per capita tax vote on "A" and "BA" members; that is, one (1) vote for each member in good standing three (3) calendar months prior to the first of the month in which the I.C. is held.

Each L.U. shall be entitled to the following:

(a) 1 delegate for the first 250 members, 1 delegate for each additional 250 members or majority fraction thereof:

<i>Membership</i>			<i>Number of Delegates</i>
UP	to	375	1
376	to	625	2
626	to	875	3
876	to	1,125	4
1,126	to	1,375	5
1,376	to	1,625	6

(b) 1 more delegate for each additional 500 members:

<i>Membership</i>			<i>Number of Delegates</i>
1,626	to	2,125	7
2,126	to	2,625	8
2,626	to	3,100	9

(c) 1 more delegate for each additional 3,000 members—maximum 15 delegates:

<i>Membership</i>			<i>Number of Delegates</i>
3,101	to	6,000	10
6,001	to	9,000	11
9,001	to	12,000	12
12,001	to	15,000	13
15,001	to	18,000	14
18,001	and	over	15

Delegates representing only "BA" membership shall not be entitled to discuss, or vote on, matters affecting Article XI.

Sec. 9. For transportation, sleeping and living expenses en route to and while attending the I.C., the I.S.T. will pay each delegate a sum equal to ninety cents (\$.90) a mile, one way, by the shortest practical route.

Each delegate remaining until the close of the Convention shall be reimbursed for expenses in the amount of one thousand dollars (\$1,000.00). L.U.'s may pay their delegates additional sums.

Sec. 10. No member shall be nominated as a delegate or alternate unless he is present or signifies his willingness in writing, nor shall he be eligible to be a delegate or an alternate unless in continuous good standing in his L.U. at least twenty-four (24) months immediately prior to nomination, providing his L.U. has been in existence that long. However, no such member shall be disqualified because his L.U. has been merged or amalgamated with another L.U. or L.U.'s.

The two (2) years membership requirement shall not be applicable to members of L.U.'s affiliated with System Councils, who are employed by a single employer and who transfer between L.U.'s within a System Council, provided, however, that any such member must have been a member in continuous good standing for two (2) years in at least one of the L.U.'s affiliated with the System Council involved.

Where the L.U. Bylaws specify, prior to election to a particular elective office, that one of the functions of said elective office shall include service as a delegate to the I.C. or other body, special election of the officer holding such office to be a delegate is not necessary. In the event a vacancy should occur in the said elective office and it is filled pursuant to Article XVI, Section 16, prior to May in the Convention year, the L.U. shall elect a replacement delegate. The person appointed to fill the particular elective office shall be a candidate for election as a delegate. If, however, the vacancy is filled between May in the Convention year and the holding of the I.C., the person appointed to the

vacancy in the elective office shall serve as delegate, except that, as provided by law, such delegate may not vote in any election for International Officers.

Delegates and alternates shall be elected by secret ballot. Members in good standing in the L.U. shall be given at least fifteen (15) days notice of the time, place and manner of making nominations and of the election, and may participate therein, except for those who may be expressly prohibited by approved provision of the L.U. bylaws. The election of delegates and alternates shall be decided for those receiving the most votes and ballots, and records of the election shall be retained for one (1) year.

Sec. 11. Credentials of the delegate and alternate shall be in the hands of the I.S.T. or in the mail at least sixty (60) days prior to the I.C. Failing to comply with this, the delegate or alternate shall receive no mileage or other payments. (The Credentials Committee shall pass upon whether such delegate or alternate shall be seated.)

Sec. 12. Any International or L.U. officer, or any member, who willfully commits fraud in connection with obtaining or furnishing credentials for delegates to the I.C. - or who is connected with any fraud in voting during the I.C. - shall be tried by the I.E.C. The I.E.C. shall render decision and decide the penalty.

Sec. 13. The I.C. shall elect two (2) delegates to conventions of the American Federation of Labor and Congress of Industrial Organizations; two (2) delegates to the Building and Construction Trades Department; two (2) delegates to the Metal Trades Department; one (1) delegate to the Union Label and Service Trades Department; one (1) delegate to the Maritime Trades Department; one (1) delegate to the Industrial Union Department; and two (2) delegates to the Canadian Labour Congress.

The I.P. shall appoint all other delegates to any conventions at which the I.B.E.W. is entitled to representation. He may appoint a substitute for any delegate who does not desire, or is unable, to attend any convention to which he is elected. All such delegates shall serve a term of five (5) years and be compensated at fifty dollars (\$50.00) a day for time spent in attending, and traveling to and from the convention, and be reimbursed for actual expenses.

ARTICLE III

INTERNATIONAL OFFICERS

Sec. 1. The officers of the I.B.E.W. shall be the International President, International Secretary-Treasurer, eleven (11) International Vice Presidents, International Executive Council Chairman and eight (8) International Executive Council members. The officers shall be nominated and elected, by duly elected delegates, at the International Convention. They shall assume office thirty (30) days after their election, and shall serve for five (5) years or until their successors are elected and qualified.

Sec. 2. No one shall be eligible as an officer except a member having five (5) years continuous good standing in the I.B.E.W. immediately prior to nomination.

Sec. 3. The elections of the International President, International Secretary-Treasurer, and International Executive Council Chairman shall be by secret ballot, per capita tax vote when there is more than one candidate, and shall require a majority of all votes cast to constitute an election. When there are more than two candidates for the same office, at every unsuccessful balloting the one receiving the lowest number of votes shall be dropped, the voting then to continue until one has received a majority over all.

However, the choice for International Vice Presidents, the International Executive Council (except the I.E.C. Chairman) and delegates to other Conventions shall be recommended to the Convention by each district. The Convention shall adopt the district's recommendation as its own action, by the I.S.T. casting one ballot for the district's choice. The choice of each district shall be decided by a majority of the L.U.'s of the district represented at the Convention — and present at the time the choice is made — on the basis of one vote for each L.U., by secret ballot, not by a delegate or per capita tax vote. If the district is unable to determine its choice, then the Convention shall decide any contest by a roll call, per capita tax vote.

The vote of each L.U. shall be decided by a majority of its delegates. If the delegates of a L.U. are equally divided, then the L.U. shall have no vote. When there are more than two candidates for the same office in the district, at every unsuccessful balloting the one receiving the lowest number of votes shall be dropped, the voting then to continue until one has received a majority over all.

(Nothing in this Constitution shall be construed to conflict with the above section.)

Sec. 4. At all elections when it becomes necessary to have an electronic, secret ballot vote, the presiding officer shall appoint an election judge and, if necessary, tellers. He shall announce the names of the candidates in rotation. Each candidate may be present or be represented by a member during the vote tally. All election records shall be preserved for a period of one year.

Sec. 5. The officers shall attend the I.C. and all their expenses shall be paid out of the General Fund. They shall have voice but no vote, and no officer shall be eligible to represent his L.U. as a delegate. The officers, except I.V.P.'s, shall have their reports printed and ready for distribution to the delegates when the Convention is organized.

Sec. 6. Each officer elected shall sign and file in the I.O. the following pledge and oath of office:

"I, _____ (*give name*) _____ do hereby solemnly pledge on my honor, that I will faithfully discharge my duties as an officer of the International Brotherhood of Electrical Workers. I will support by every means within my power its Constitution, and I will enforce it to the best of my ability. At the expiration of my term of office, I shall deliver to my successor all books, papers, money and other property in my possession belonging to the I.B.E.W. or its L.U.'s; and I shall not be relieved from any bond or obligation unless and until I comply with this law."

(Signed) _____

(Witness) _____

Sec. 7. All officers at the expiration of their term shall deliver to their successors all books, papers, money and other property in their possession, belonging to the I.B.E.W. or its L.U.'s, and shall not be relieved from their bonds or obligations until this law is complied with.

Compensation and Benefits

Sec. 8. Salaries of the International President, International Secretary-Treasurer, International Vice Presidents, I.E.C. Chairman, I.E.C. Members, Executive Assistants, Directors, and Senior International Representatives shall be increased annually on October 1. The increase shall be equal to the combined average of the percentage increases negotiated and approved for the members of the Construction, Manufacturing, Telephone, and Utility branches of the I.B.E.W. for the twelve (12)-month period ending August 31 of each year.

All such Officers and Representatives shall be reimbursed for actual expenses when away from home on business of the I.B.E.W. in accordance with rules promulgated by the I.P.

Sec. 9. The services of the I.E.C. Chairman shall be available to the I.B.E.W. in an advisory capacity and for fulfilling other assignments in the interests of the I.B.E.W.

Sec. 10. Members employed by the I.B.E.W. as officers or in any other capacity, who become permanently disabled, while so engaged, shall receive \$500 a month while incapacitated. The period of incapacitation shall not be deducted from service record.

Sec. 11. (a) Members in the I.B.E.W. service, employed by it as officers, representatives or assistants, who have attained the age of sixty-two (62) and have ten (10) or more years service, shall, upon request of the individual, be retired by the I.E.C. The annual rate of compensation payable upon retirement shall be three and three-quarters percent (3.75%) of the average annual salary for the three (3) years during which the highest salary was payable to the individual, multiplied by the number of years of service, not to exceed twenty (20) years, plus one percent (1%) of such average salary, multiplied by the additional number of years of service in excess of twenty (20) years, not to exceed five (5) additional years. This retirement compensation shall be payable monthly.

(b) Officers, representatives, or assistants who have attained the age of fifty-five (55) and have fifteen (15) or more years service, shall, upon request of the individual, be retired by the I.E.C. and shall receive retirement compensation on the same basis as provided in Subsection (a) above.

(c) Officers, representatives, or assistants who become permanently disabled while employed by the I.B.E.W. shall receive retirement compensation on the same basis as provided in Subsection (a) of this Section, or as provided in Article III, Section 10, while incapacitated.

(d) Any officer, representative, or assistant who leaves I.B.E.W. service after completing five (5) or more years of service before becoming eligible for retirement under Subsection (a) above may elect either to have his contributions returned to him or to be granted a vested right to retirement compensation which will entitle him to receive, commencing at age sixty-five (65), retirement compensation on the same basis as provided in Subsection (a) above.

(e) In lieu of the payment of retirement compensation on the basis outlined in Subsections (a), (b), and (d), an officer, representative, or assistant may elect immediate payment of his pension in reduced pension on a joint and survivor basis with payments continuing to his surviving spouse. In each such case the reduced amount of retirement compensation payable under such election shall be actuarially equivalent to the retirement compensation otherwise payable. To be effective, all such elections shall conform to the rules and regulations adopted for such purpose by the I.E.C. The provisions of this Subsection shall not apply to those officers, representatives, or assistants who retired on or before September 14, 1962.

(f) In the event of death of an officer, representative, assistant, or spouse, any unused portion of his 5 percent contribution which was previously required shall be payable in a lump sum to the designated beneficiary.

In the event of death of both - the officer, representative, or assistant and his spouse - any unused portion of the 5 percent contribution which was previously required shall be payable in a lump sum to his beneficiary.

(g) The I.E.C. shall enter into a trust agreement with a reliable and long-established trust company to act as trustee in the handling and disbursement of the retirement pay.

(h) The I.S.T. shall turn over to such trust company from the General Fund the amount necessary to assure that each eligible officer, representative, or assistant shall receive his retirement pay when due.

(i) The I.E.C. is authorized to make such changes or amendments necessary to qualify this plan under Section 401(a) of the Internal Revenue Code.

(j) Any employee of the I.B.E.W. not covered by Section 11, Subsections (a) through (i), shall be covered by a retirement plan, the provisions of which shall be established by the I.B.E.W., consistent with legal requirements including, where applicable, the duty to bargain in good faith with a recognized collective bargaining representative.

(k) The I.B.E.W. shall enter into a trust agreement with a reliable and long-established trust company to act as trustee in the handling and disbursement of the retirement pay of employees covered by Subsection (j).

(l) The I.S.T. shall turn over to such trust company from the General Fund the amount necessary to assure that each eligible employee covered by Subsection (j) hereof shall receive his or her retirement pay when due.

(m) Anyone receiving such compensation must observe this Constitution and the principles it sets forth and shall do nothing directly or indirectly to injure the I.B.E.W. or its members.

(n) The I.E.C. is authorized to make such changes or amendments necessary to qualify this plan under Section 401 (a) of the Internal Revenue Code.

(o) Insofar as Canadian officers and employees of the I.B.E.W. are concerned, the I.E.C. is authorized to make such changes and amendments in the Pension Plan, as it deems appropriate and necessary to provide the minimum benefits required by applicable dominion or provincial laws.

(p) The I.E.C. is authorized to effect such changes and amendments in benefits by rules and regulations.

(q) The I.E.C. is empowered to establish such rules and regulations, as it deems appropriate and to modify same for the effectuation and administration of the provisions of this Article. With respect to the plan for employees not covered by Section 11, Subsections (a) through (i), this power shall be exercised consistent with the provisions of Subsection (j). The I.E.C. is further authorized to make definitions of terms used in this Article and to make interpretations of these constitutional provisions and its rules and regulations, which shall be final and binding. The decisions of the I.E.C. on all questions arising hereunder, including cases of eligibility for and computation of the amount of benefits, shall be final and binding.

(r) In no event shall any officer, representative, or assistant or any other employee of the I.B.E.W. who retires under Article III, Section 11, be paid a monthly pension benefit [as determined before any reduction required by the election of option under Subsection (e)] that is less than he would have received under Section 11 of the Constitution prior to September 30, 1974. The amount paid officers, representatives, or assistants prior to September 30, 1974, shall remain unchanged.

Sec. 12. No candidate (including a prospective candidate) for International Office, and no supporter of a candidate for International Office, may solicit or accept financial support or any other direct or indirect support of any kind (except an individual's own volunteered personal time) from any nonmember of the I.B.E.W. or from any foundation, corporation or other entity whose funds are derived in whole or in part from any person not a member of the I.B.E.W. This rule does not apply to the financing of litigation concerning the legal rights of candidates or other members in connection with elections for International Office.

The I.E.C. shall adopt such regulations as are necessary to implement this provision. The regulations shall provide for the maintenance of such records and the filing of such reports, by candidates and their supporters, as may be necessary for the administration and enforcement of this section.

ARTICLE IV

INTERNATIONAL PRESIDENT

Sec. 1. The I. P. shall be bonded in the minimum amount of \$500,000 for the faithful performance of his duties. Should the amount being handled at any time exceed the amount of his bond, he and the I.E.C. shall have the bond increased accordingly. He shall preside at all sessions of the I.C. When unable to preside he shall select someone else to do so. He shall perform such other duties as are outlined in this Constitution and are necessary to protect and advance the I.B.E.W.

Sec. 2. The I.P. shall see that all other officers perform their duties. In case of non-performance of duties or disability or incompetence of any I.V.P. or the I.S.T., the I.P. has power to remove such officer, with such removed officer having the right of appeal to the I.E.C.

He shall fill all vacancies, including those on the I.E.C., by appointment. Such appointments must be approved by the I.E.C.

Sec. 3. The I.P. is empowered as follows:

(a) To call a meeting of the I.E.C. whenever in his judgment such a meeting is necessary.

(b) To decide all questions of law, dispute or questions in controversy however arising, all his decisions being subject to appeal, including policy decisions, first to the I.E.C. and then the I.C. (Notice in writing of appeal from any decision of the

I.P. must be filed with the I.S.T. and I.P. within thirty (30) days from date of such decision.)

(c) To establish such departments in the organization or in the I.O., as in his judgment are necessary to protect or advance the interests, or to meet the needs of the I.B.E.W.

(d) To employ International Representatives who shall be reimbursed for actual expenses while away from home, and to employ such assistants as, in his judgment, are necessary to carry on the work of the organization, and to decide the compensation to be paid, except as provided elsewhere in this Constitution.

All representatives and assistants shall work under direction of the I.P. and he has power to discharge them.

(e) To employ an attorney or attorneys to act as counsel and give any other legal assistance as he deems necessary.

(f) To authorize in writing any I.V.P. to audit the books and records of any L.U. in his district or to engage an accountant for the purpose, whenever he deems such action necessary for the protection of the L.U. and its members.

(g) To prefer charges through the I.E.C. against any member who, in his judgment, is violating the Constitution or working against the welfare of the I.B.E.W. Any member against whom charges are preferred shall be so notified by the I.P. in writing, and said member shall have the right to appear before the I.E.C. in his own defense.

(h) Either to suspend or revoke the charter of any L.U., or have the I.S.T. reject the per capita tax from any L.U. that fails or refuses to observe the laws and rules of the I.B.E.W.

(i) To take charge of, i.e., impose a trusteeship on, the affairs of any L.U. when in his judgment such is necessary to protect or advance the interests of its members and the I.B.E.W., but for a period not to exceed six (6) months. If the I.P. or his representative cannot or has not adjusted the affairs of the L.U. involved at the end of this period, then he shall refer the entire case to the I.E.C. which shall render a decision at its next regular meeting. The I.P. may suspend any local officer or member who offers interference in such cases.

(j) To remove or suspend any officer, representative, appointee or agent, of a L.U. or System Council for incompetence, or for nonperformance of duties, or for failure to carry out the provisions of this Constitution and the rules herein, or the bylaws and agreements of the L.U. or System Council, or for putting into effect or allowing to be put into effect any practice, rule, agreement, bylaw or policy not having approval of the I.P., or for failure to observe or carry out instructions or decisions of the I.P. When the I.P. removes or suspends any officer, representative, appointee or agent of a L.U. or System Council, then he can fill any such office or position by appointment of others.

(k) To appoint, if he so decides, a referee who may or may not be a member, to take testimony and report to him.

(l) To enter into, or authorize an I.V.P., representative, or assistant to enter into, agreements with any national or international labor organization or association of employers, or with any company, corporation or firm doing an interstate or interprovincial business in electrical work, to cover the entire jurisdiction of the I.B.E.W.

(m) The I.P. or his representatives shall not enter into agreements affecting wages, hours and conditions of employment where local union agreement covering such employment already exists, without first notifying at least thirty (30) days in advance of such agreements, the local unions so concerned or affected, in a district, and then only by procuring consent of a majority of the local unions in the district or the individual local union affected by this agreement.

(n) To edit and publish the I.B.E.W. official JOURNAL and to conduct it as a technical, economic, and trade union publication; to use its obituary section for members only, and at his discretion to publish communications in accordance with policy as defined.

(o) To develop an appropriate I.B.E.W. Honorary Membership Card which may be issued to persons outside of

the regular membership who have contributed to the welfare of the I.B.E.W.

Sec. 4. The I.P. can, in any situation, delegate the powers of his office to an International Representative, Vice President or Assistant.

Sec. 5. Nothing in this Constitution shall be construed to conflict with any of the provisions of this article.

ARTICLE V

IMPERATIVE MANDATE

Sec. 1. If at any time charges are filed against the I.P. and such are forwarded to the I.S.T. with the signatures of the L.U. president and secretary, and under the seal of five (5) percent of the L.U.'s comprising the I.B.E.W., the I.S.T. shall immediately furnish a copy of such charges to the I.P. He shall answer them within ten (10) days. The I.S.T. on receiving the answer of the I.P., shall mail a copy of the charges together with the answer of the I.P., to every L.U., and shall enclose a blank ballot, calling for a referendum vote on the question: "Shall the I.P. be upheld?"

The R.S. of each L.U. shall forward the result to the I.S.T. within sixty (60) days from the date the ballots are mailed. The votes shall be published in full in the I.B.E.W. official JOURNAL. The ballots shall be enclosed in a sealed package and entrusted to the I.S.T. to be delivered to the next I.C. If a majority vote not to uphold the I.P, the charges are thereby upheld; and the I.E.C. shall then declare the office vacant and elect his successor.

ARTICLE VI

INTERNATIONAL SECRETARY-TREASURER

Sec. 1. The duties of the I.S.T. shall be:

To keep correct records of the proceedings of the I.C. and preserve all important papers of I.B.E.W. business; to deposit all funds in a bank or banks approved by the I.E.C., in the name of the I.B.E.W. All deposits and withdrawals shall be subject to the signature of the I.S.T.

To pay all bills and claims legally due, and any disputed items when directed by the I.P, and no item when directed not to do so.

To keep a general roll of all members with the name, age, number of card and date of admission, together with those suspended, expelled, transferred, etc., and also to keep a correct financial account between each L.U. and the I.B.E.W.

To receive all applications for charters, sign and grant them when authorized by the I.P, and retain charge of the seal of the I.B.E.W. and affix same to all official documents.

To receive all petitions for referenda or other votes, and to mail out the same with ballots when approved by the I.E.C., and to prepare for publication in the I.B.E.W. official JOURNAL the results of all votes and all questions submitted to the I.E.C.

To prepare for publication in the I.B.E.W. official JOURNAL each year the annual I.B.E.W. audit by the certified public accountant employed by the I.E.C.

To publish at least once a year a correct directory in pamphlet form of all L.U.'s with names and addresses of the R.S., F.S. and business manager or representative of each L.U.

Sec. 2. The I.S.T. shall, fifteen (15) days prior to the month in which the I.C. convenes, furnish to the I.E.C. a correct record of the convention vote to which each L.U. is entitled.

Sec. 3. The I.S.T. and the I.P. are jointly empowered to make any investment of I.B.E.W. and pension funds and to manage, change, exchange and sell any such investments and to make reinvestments and to borrow money—this power also includes the purchase, transfer, lease or sale of real estate—all subject to approval of the I.E.C.

Sec. 4. The I.S.T. shall perform such other duties as are prescribed by this Constitution, and he shall be bonded in the minimum amount of \$500,000. Should the amount being handled by the I.S.T. at any time exceed the amount of his bond, he and the I.E.C. shall have the bond increased accordingly.

ARTICLE VII INTERNATIONAL VICE PRESIDENTS

Sec. 1. The I.V.P.'s shall work under instructions of the I.P. and shall hold a progress meeting yearly, with the business manager and delegates from each L.U. in their districts.

The I.V.P.'s may hold additional progress meetings if they deem this necessary, with approval of the I.P. The time and place of progress meetings shall be decided by the I.V.P.'s. (The I.P. or his authorized representative shall attend a progress meeting in each district once every two (2) years when possible.) The I.V.P.'s shall perform such other duties as are stated in this Constitution.

Sec. 2. An I.V.P. shall be elected from each of the following districts:

- First: Canada.
- Second: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.
- Third: Delaware, New Jersey, New York, and Pennsylvania.
- Fourth: Kentucky, Maryland, Ohio, Virginia, West Virginia, and District of Columbia.
- Fifth: Alabama, Florida, Georgia, Louisiana, Mississippi, Puerto Rico, and Republic of Panama.
- Sixth: Illinois, Indiana, Michigan, Minnesota, and Wisconsin.
- Seventh: Arizona, Kansas, New Mexico, Oklahoma, and Texas.
- Eighth: Colorado, Idaho, Montana, Utah, and Wyoming.
- Ninth: Alaska, California, Hawaii, Nevada, Oregon, Washington, and Pacific Islands.
- Tenth: Arkansas, North Carolina, South Carolina, and Tennessee.
- Eleventh: Iowa, Missouri, Nebraska, North Dakota, and South Dakota.

ARTICLE VIII INTERNATIONAL EXECUTIVE COUNCIL

Sec. 1. The duties of the I.E.C. shall be:

To meet quarterly; to employ a certified public accountant who shall audit all the books and accounts of the International Officers, on an annual basis, at the end of the fiscal year; to act on all applications for pension, disability, or retirement benefits; to determine all proposed constitutional amendments submitted for referendum vote; and to attend to all business properly brought before it.

Sec. 2. The members of the I.E.C. may vote and transact business by correspondence with the I.S.T., and each other, but five (5) members must concur to make such action valid.

Sec. 3. The I.E.C. shall be the committee on rules and credentials at all regular or special conventions and shall submit its report as such immediately after the Convention opens.

Sec. 4. The I.E.C. shall have the power to try any L.U. or member charged with injuring the interests of the I.B.E.W. by actions in violation of the I.B.E.W. laws or the obligation of the member, and may revoke or suspend charter or membership. (Nothing in this Constitution shall be construed to conflict with this power of the I.E.C.)

Sec. 5. When an appeal from any decision of the I.P. is made to the I.E.C., then the I.E.C. shall render a decision within a reasonable period of time. However, the I.E.C. may, when it feels such is practical, act on an appeal by correspondence.

Sec. 6. Either to suspend or revoke the charter of any L.U.—or have the I.S.T. reject the per capita tax from any L.U.—that fails or refuses to observe the laws and rules of the I.B.E.W. or decisions rendered by proper I.B.E.W. authority.

Sec. 7. To take charge of, i.e., impose a trusteeship on, the affairs of any L.U. when in its judgment such is necessary to protect or advance the interests of its members and the I.B.E.W., and to suspend any local officer or member who offers interference in such cases.

Sec. 8. If at any time the I.E.C. deems a new law necessary, it shall recommend a clause or clauses for the L.U.'s to vote upon, and should a majority vote support the recommendation, it shall become a law.

Sec. 9. In case of a vacancy in the office of the I.P., the I.E.C. shall immediately convene and elect a successor to fill the office for the unexpired term.

Sec. 10. The minutes and report of each I.E.C. meeting shall be published in full in the I.B.E.W. official JOURNAL.

Sec. 11. A member of the I.E.C. shall be elected from each of the following districts, except the chairman who shall be elected at large:

- First: Delaware, New Jersey, New York, Pennsylvania.
- Second: Connecticut, Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.
- Third: Indiana, Kentucky, Michigan, Ohio, and West Virginia.
- Fourth: Alabama, Florida, Georgia, Maryland, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, District of Columbia, Puerto Rico, Republic of Panama.
- Fifth: Colorado, Illinois, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, and Wisconsin.
- Sixth: Arizona, Arkansas, Louisiana, New Mexico, Oklahoma, and Texas.
- Seventh: Alaska, California, Hawaii, Idaho, Montana, Nevada, Oregon, Utah, Washington, Wyoming, and Pacific Islands.
- Eighth: Canada.

ARTICLE IX

DIVISION OF FUNDS AND PER CAPITA TAX

Sec. 1. The receipts of the I.B.E.W. shall be divided into two funds: General Fund and Pension Benefit Fund.

Sec. 2. The monthly per capita tax for each "A" member, and for each "A" member on Participating Withdrawal Card, shall be apportioned as follows:

01-01-01	01-01-04	
\$9.00	\$10.00	And all admission fees and other receipts shall go into the General Fund
\$11.30	\$11.30	Pension Fund
\$20.30	\$21.30	Totals

Sec. 3. Each "A" member shall pay two dollars (\$2.00) to the Pension Benefit Fund upon joining the L.U.

Sec. 4. The monthly per capita tax for each "BA" member shall be apportioned as follows:

01-01-01	01-01-04	
\$9.00	\$10.00	And all admission fees and other receipts shall go into the General Fund

Sec. 5. If the I.E.C. determines, during any fiscal year prior to January 1, 2004, that the projected budget for that year will result in deficit spending, the I.E.C. is authorized to increase the monthly per capita tax for all members by one dollar (\$1.00) at that time. The I.S.T. shall notify all L.U.'s of any such increase in the per capita tax within thirty (30) days of the action taken by the I.E.C., and the increase shall become effective on the first day of the month following the date of the I.S.T.'s notice. Any such increase voted by the I.E.C. pursuant to this resolution shall remain in effect only until January 1, 2004, at which time it shall be replaced and superseded by the one dollar (\$1.00) increase which is to take effect on that date pursuant to Sections 2 and 4 of this Article.

Sec. 6. All money going into the General Fund shall be used for the management of the I.B.E.W. and the payment of all benefits under this Constitution not otherwise provided for.

Sec. 7. Any assessments levied shall be paid within ninety (90) days of the issuance of notice by the I.S.T. and he shall reject the per capita tax of any member failing to pay any assessment within this time, and such member shall stand suspended and without rights of any kind until the assessment is paid.

ARTICLE X

LEGAL DEFENSE

Sec. 1. Requests for assistance involving legal defense may be made to the International President, No disbursements for legal defense shall be made from the General Fund except for the legal defense of Local Unions (on behalf of their members) or for the defense of the I.B.E.W. or an International Officer or Representative whose activity in the interest of the I.B.E.W. and in conformity with its laws results in legal involvement. All requests for legal assistance will be investigated by the I.P. and shall be subject to his approval and review by the I.E.C.

ARTICLE XI

PENSION BENEFIT FUND

Sec. 1. *Retirement Benefits.* An "A" member who retires from the electrical industry after December 31, 2001, shall be entitled to benefits in accordance with the following rules as to eligibility:

(a) *Normal Pension.* An "A" member of the I.B.E.W. in continuous good standing with five (5) or more years immediately preceding his application, who has attained the age of sixty-five (65) years, shall receive pension benefits computed on the basis of three dollars and fifty cents (\$3.50) per month for each full year of such continuous "A" membership earned through 1997, and four dollars and fifty cents (\$4.50) per month for each full year of such continuous "A" membership earned in and after 1998. In no event shall any "A" member retired under this Section 1(a) be paid a monthly pension benefit less than he would have received under the pension benefit provisions of the Constitution prior to January 1, 2002.

(b) *Optional Early Retirement Pension.* An "A" member of the I.B.E.W. in continuous good standing with twenty (20) or more years immediately preceding his application, who has attained the age of sixty-two (62) years, may elect to receive reduced pension benefits as long as he lives, computed on the basis of three dollars and fifty cents (\$3.50) per month for each full year of such continuous "A" membership earned through 1997, and four dollars and fifty cents (\$4.50) per month for each full year of such continuous "A" membership earned in and after 1998, reduced by six and two-thirds percent (6 $\frac{2}{3}$ %) for each year or part thereof the said "A" member was under the age of sixty-five (65) at the date of his retirement. The election of this option must be made on a form prescribed by the I.S.T and will become effective on the date he is placed on pension. The election of this option shall be irrevocable.

(c) *Optional Spouse's Benefit.* Each "A" member retired under Section 1(a), Section 1(b) or Section 2 may, in lieu of the payment of pensions as outlined above, elect to receive a reduced pension as long as he lives, with the provision that after his death one-half of such reduced pension shall continue to be paid to his spouse thereafter as long as such spouse survives him. The amount of such reduced pension payable under this election shall be actuarially equivalent to the pension otherwise payable. This election is effective on the date the member is placed on pension, except in the event the member and the member's spouse are subsequently divorced or in the event the member's spouse subsequently predeceases the member, the benefit payable to the member shall be recalculated and shall be equal to the unreduced benefit which would have been provided under Sec. 1(a), 1(b) or 2, as the case may be. This recalculated benefit shall commence the month of January 2002 for those members who became divorced or whose spouses predeceased them prior to or on December 31, 2001; and for all other members, as of the last day of the month next following either the date of the divorce or the death of the spouse.

Sec. 2. *Disability Pension.* An "A" member of the I.B.E.W. who is totally disabled and has continuous good standing of twenty (20) or more years immediately preceding his application shall receive disability pension benefits, if such application is approved after December 31, 2001, computed on the basis of three dollars and fifty cents (\$3.50) per month for each full year of such continuous "A" membership earned through 1997, and four dollars and fifty cents (\$4.50) per month for each full year of such continuous "A" membership earned in and after 1998.

(a) Benefits will be paid commencing on the first day of the month in which it has been determined that the member became totally disabled, provided that no period of total disability shall be considered to commence before the "A" member has completed twenty (20) or more years in continuous good standing.

(b) The applicant for disability pension benefits must maintain his continuous good standing as an "A" member until the date of approval of his application by the I.E.C. and shall, in the event of such approval, receive a full refund of I.O. dues from the date of commencement of his total disability. The period following the commencement of total disability shall not be counted in computing the amount of disability pension benefit,

Sec. 3. *Vesting.* An "A" member who has completed twenty (20) or more years of "A" membership in continuous

good standing and who ceases being engaged in the electrical industry prior to the attainment of age sixty-five (65) shall, if an application is filed and approved after December 31, 2001, obtain a vested right to pension benefits, but not disability pension benefits or death benefits. This vested right will entitle him to receive, commencing at age sixty-five (65), pension benefits computed on the basis of three dollars and fifty cents (\$3.50) per month for each full year of such continuous "A" membership earned through 1997, and four dollars and fifty cents (\$4.50) per month for each full year of such continuous "A" membership earned in and after 1998, less three dollars and fifty cents (\$3.50) per month for each year or part thereof the said "A" member was under the age of sixty-five (65) at the date his application was received. The applicant for vested pension rights must maintain his continuous good standing as an "A" member until the date of approval of his application by the I.E.C., and shall, in the event of such approval, receive a full refund of I.O. dues from the month following receipt of his application. The period following the receipt of such application shall not be counted in computing the amount of vested pension rights.

Sec. 4. *Death Benefits.* Upon the death of an "A" member, a death benefit shall be payable as follows:

(a) *Benefit Level.* Upon the death, after September 10, 2001, of a nonretired "A" member who then has at least six (6) months continuous and active good standing, the beneficiary to receive the death benefits payable under this Paragraph shall be paid the sum of six thousand two hundred fifty dollars (\$6,250.00) if the said "A" member died from natural causes, or the sum of twelve thousand five hundred dollars (\$12,500.00) if the said "A" member died by accidental means. However, no death benefit shall be payable upon the death of a nonretired "A" member if such member was more than two months in arrears in dues payments, unless it can be demonstrated that the arrearage was not the fault of the member in which case the death benefit shall be reduced by the amount of the arrearage. Upon the death from either natural causes or accidental means of an "A" member after September 10, 2001, who is retired under Section 1 or Section 2, the beneficiary to receive the death benefits shall be paid a sum computed by subtracting from six thousand two hundred fifty dollars (\$6,250.00) all pension benefits paid by the I.B.E.W. Pension Benefit Fund to the retired member. However, in no event shall the amount of the death benefit due as a result of the death of an "A" member retired under Section 1 or Section 2 be less than three thousand dollars (\$3,000.00), except as provided in Section 4(c) below. All death benefits payable under this provision are payable without interest.

(b) *Beneficiaries.* Upon the failure of any member to name an original beneficiary, or to name a new beneficiary after the death or inability to take of one previously named, the death benefit shall be payable to the following individual(s) in the indicated order of priority: 1) member's spouse; 2) member's children; 3) member's parents; and 4) member's estate. Every "A" member shall have the right to name the person or persons, including the member's estate, who are to be the member's beneficiary or beneficiaries under the death benefit provisions of the I.B.E.W. Pension Benefit Fund. Every member shall have the privilege of changing beneficiaries. If the beneficiary entitled to the death benefit (either the beneficiary named by the "A" member or the individual(s) in the indicated order of priority stated above) cannot be located or does not file a claim for the death benefit within ninety (90) days after the date of death, the benefit may be paid to a contingent beneficiary or in the indicated order of priority stated above. If no valid claim is filed, no appropriate beneficiary can be located, and the member has no estate to which the benefit can be paid, the death benefit shall revert to the I.B.E.W. Pension Benefit Fund on the second anniversary of the member's death and no benefit will be paid subsequent to the reversion.

(c) *Set Off of Death Benefit.* If the I.B.E.W. Pension Benefit Fund has sent pension checks payable to the deceased member after the member's death as a result of a failure to notify the Fund of the death of the member, and the recipient of those pension checks has not returned them to the Fund, but retained the pension money, the Fund may set off from the death benefit, and refuse to pay to any beneficiary, the amount equal to the total amount of the pension overpayment.

Sec. 5. *Benefits of "A" members who have retired and/or died on or before December 31, 1991.* The pension benefits of an "A" member of the I.B.E.W., who has retired from the electrical industry and was placed on the pension rolls on or before December 31, 1991, shall be governed by the rules in effect as of the date they were placed on the pension rolls. Those rules are set forth in the I.B.E.W. Constitution as amended at the 33rd I.B.E.W. Convention at Toronto, Ontario, September 1986. The death benefits of an "A" member of the I.B.E.W. who has died on or before December 31, 1991, shall be governed by the rules in effect as of the date of his death, except that the rules relating to reversion of the death benefit to the I.B.E.W. Pension Benefit Fund, set forth in Section 4(b) of this Article, shall apply in the case of death benefits not yet paid on or before December 31, 1991.

Sec. 6. *General Provisions.*

(a) *Continuous Good Standing.* Any period of membership used in determining eligibility or in computing benefits shall include only consecutive years of "A" membership in good standing in the I.B.E.W, except that years of membership when on pension or disability pension shall not be counted. Any member that transfers from "A" membership status to "BA" membership status or who is dropped from membership after six months' delinquency in dues payments or who has accepted honorary withdrawal card status shall not be considered in good standing for purposes of determining eligibility for or in computing benefits under this Article. In addition, a member shall not be eligible for pension approval while such member has an outstanding L.U. trial board assessment. Provided further that, if a member who has been granted a normal pension, an early retirement pension, a disability pension, or a vested pension right returns to the electrical industry and "A" membership, a benefit based on the period of continuous "A" membership after such return shall be added to the amount of his previous normal pension, early retirement pension, disability pension, or vested pension right,

(b) *Waiver.* Any member who desires to waive any portion of his pension, either monthly or yearly, may do so by notifying the I.S.T. Any portion of the pension so waived will not be returned to the pensioner at a later date.

(c) *Per Capita Tax of Members on Pension, Disability Pension or with a Vested Pension Right.* The per capita tax owed by "A" members who are approved for normal, early, disability or vested pension benefits under this Article is hereby waived.

(d) *Prohibition of Work.* It is a condition for admission to pension benefits, including vested pension right and the continuation thereof, that the member shall not perform any work of any kind coming under the I.B.E.W's jurisdiction either for compensation or gratis for anyone, except that a member may work as an instructor in an I.B.E.W. recognized apprenticeship program, or as an Electrical Inspector for a governmental authority where Electrical Inspectors are not covered by an approved I.B.E.W. collective bargaining agreement, A retired member shall be permitted to attend L.U. meetings, and, with the L.U.'s approval, have a voice at such meetings, but shall not have a vote. He shall observe his obligation of membership and show due obedience to I.B.E.W. laws and the bylaws of its L.U.'s.

(e) *Non-Assignment of Benefits.* No member, pensioner or beneficiary shall have the right to assign, transfer, sell, mortgage, encumber or pledge any pension or death benefits, and such assignment, transfer, sale, mortgage, encumbrance or pledge shall be void and of no effect whatsoever. So that such benefits shall not in any way be subject to any legal process, execution, attachment or garnishment or be used for the payment of any claim against any member, pensioner or beneficiary, or be subject to the jurisdiction of any bankruptcy court or insolvency proceedings by operation of law or otherwise, the I.E.C. shall have the right to postpone any payment under this Plan to a pensioner or beneficiary.

(f) *Computation of Pension Benefit.* The period of continuous good standing employed in calculating a member's pension benefit shall be computed as of his anniversary date, which is the first day of the month in which such member is initiated as an "A" member of the I.B.E.W. or in which such member transfers from "BA" membership status to "A" membership status or in which such member returns to "A" membership status from honorary withdrawal status or from vested pension status. A member earns a year of good standing by maintaining membership from one anniversary date up to his next anniversary date.

(g) *Forfeiture.* Members who have been expelled from membership or who have resigned from membership (other than with an approved vested benefit), forfeit all rights in any pension or death benefits payable from the Fund.

(h) *Interpretations, Definitions and Decisions.* The I.E.C. is hereby granted discretionary authority to make definitions of the terms used in this article of the Constitution and to make interpretations of or construe these constitutional provisions and its Rules and Regulations which shall be final and binding. The I.E.C. is also granted discretionary authority to determine eligibility for benefits; and the decisions of the I.E.C. on all questions arising hereunder, including cases of eligibility for, and computation of the amount of, benefits shall be final and binding.

No benefits are authorized other than those expressly stated in the I.B.E.W. Constitution and the Rules and Regulations of the I.E.C.

Sec. 7. Members on participating withdrawal cards who have maintained their continuous good standing in the I.B.E.W. and who make application for pension benefits, shall be governed and their applications handled in the same manner as active members of L.U.'s, except that notice of application shall be given to the L.U. that issued the withdrawal card to the member. Members on honorary withdrawal card status shall not be entitled to a pension or death benefit under this Article.

Sec. 8. Any member violating any of the provisions of this article, or any member aiding or abetting a member to do so, after investigation by the I.E.C. and being found guilty, may be permanently barred from ever participating in these benefits, and may be suspended, expelled, or assessed as the I.E.C. may decide.

Sec. 9. The procedures for applications for benefits and for making determinations thereon shall be as prescribed in the Rules and Regulations of the I.E.C.

ARTICLE XII PAYMENTS TO INTERNATIONAL SECRETARY - TREASURER

Sec. 1. Any L.U. hereinafter organized shall pay to the I.S.T. five dollars (\$5.00) for each "A" member admitted as a charter member. The five dollar (\$5.00) fee shall be divided with three dollars (\$3.00) paid to the General Fund and two dollars (\$2.00) paid to the Pension Benefit Fund.

Any L.U. hereinafter organized shall pay to the I.S.T. one dollar and fifty cents (\$1.50) for each "BA" member admitted as a charter member except as may be otherwise decided by the I. P.

Each such L.U. shall receive free of cost the initial supplies.

The charter of new L.U.'s may be kept open for the reception of additional charter members for sixty (60) days after permanent organization, during which time applicants shall pay the amounts paid by the other charter members.

The charter shall not again be opened except by consent of the I.P. and the admission fee shall be the amount approved by the I.P.

Sec. 2. L.U.'s already organized shall pay to the I.S.T. fifty percent (50%) of the admission fees collected from all new members, but the maximum fee to the I.S.T. shall not be more than sixty dollars (\$60.00).

Sec. 3. Fifty percent (50%) of all money collected by L.U.'s from members of the I.B.E.W. as differences in admission fees shall be sent to the I.S.T., but the maximum fee to the I.S.T. shall not be more than sixty dollars (\$60.00).

Sec. 4. L.U.'s shall pay the I.S.T. one-half of the ten dollar (\$10.00) reinstatement fee collected from "A" members in arrears. "BA" members shall pay a three dollar (\$3.00) reinstatement fee, one-half of which shall be sent to the I.S.T. All members, before reinstatement, shall pay all arrearages to date of reinstatement.

Sec. 5. Each L.U. shall pay to the I.S.T. as per capita tax the amounts set forth in Article IX.

If any member is in arrears for dues to the L.U. and later pays such dues, the per capita tax for each month shall be paid to the I.S.T.

Should a member take out a traveling card, his per capita tax must be paid for the full life of the card at the time it is taken out. This must be sent to the I.S.T. with the next per capita payments sent after the card has been issued.

Withdrawal card members shall pay such amounts as set forth in Article IX.

Sec. 6. All per capita tax collected from members shall be in the hands of the I.S.T. or in the mail on or before the tenth (10th) of the following month.

Sec. 7. Any L.U. three (3) months in arrears in its payments to the I.S.T. may be suspended, and shall be reinstated only upon payment of an assessment, in an amount determined appropriate by a policy developed by the I.S.T, in addition to making its reports and remittances in full to the I.S.T.

Sec. 8. Payments due the I.S.T. shall be held in the treasury as a standing appropriation and do not require any vote of the L.U. to be sent to the I.S.T.

Sec. 9. A system of bookkeeping approved by the I.S.T. shall be used in all L.U.'s and the books and supplies shall be furnished at cost by the I.S.T.

Sec. 10. Any member holding good standing immediately prior to the first of the month in which the member enters the military service for the first time or is recalled to such military service, under the laws of the United States or Canada, shall be issued a Military Service Card by the ES. of his L.U. on application by such member.

One designated portion of the card shall be forwarded to the I.S.T. by the F.S. of the L.U. with the next per capita report filed on behalf of the L.U.

The member receiving such a card, upon being released or discharged from military service, shall within sixty (60) days thereafter deposit it with the F.S. of the L.U. that issued the card and resume payment of local union dues and per capita tax. Any member who fails to deposit such card and resume payment of local union dues and per capita tax within the time specified above shall no longer be entitled to the privileges set forth in this Section.

All members on participating withdrawal cards who enter military service shall be covered by this Section, except that the Military Service Card shall be issued to them by the I.S.T.

Any member, who remains in or reenters military service, without being required to do so, shall not be entitled to retain the Military Service Card nor shall such member be issued a new one in such circumstances.

During the period that any member holds a valid Military Service Card, such member shall not be required to pay dues or per capita tax, but shall retain all membership privileges, including, but not limited to, eligibility to be a candidate for L.U. office or for International Convention delegate. In addition, all "A" members holding a valid Military Service Card shall maintain their continuous good standing and entitlement to all "A" members' benefits provided by the Pension Benefit Fund.

When a L.U. provides local benefits, it shall decide whether any member issued a Military Service Card shall continue to be covered by such benefits. However, the I.B.E.W. shall in no manner be held responsible regarding the payment or nonpayment of local benefits.

ARTICLE XIII

LOCAL UNION CHARTERS

Sec. 1. A L.U. may be organized by not less than ten (10) electrical workers or employees coming under the I.B.E.W.'s jurisdiction. The I.S.T. shall grant a charter when authorized by the I.P.

Sec. 2. The type of work and the territory or jurisdiction covered by a charter must be defined in approved local union bylaws. The I.P. has the right and power to divide or change the territory or jurisdiction covered by any L.U., or to take charge of and direct certain jobs or projects in or passing through any territory, when in the judgment of the I.P. such should be done.

Sec. 3. The I.P. has the right and the power to merge or amalgamate L.U.'s in any community or section where the facts, developments or conditions—in the judgment of the I.P.—warrants such action, also to decide the terms or

details of any merger or amalgamation when the L.U.'s involved cannot or do not agree.

Sec. 4. When a L.U. does not—in the judgment of the I.P.—organize or protect the jurisdiction or territory awarded it, then its charter may be suspended or revoked by the I.P. and a new L.U. established, or the jurisdiction or territory awarded to another L.U. or L.U.'s.

Sec. 5. When there is more than one branch of workers under I.B.E.W. jurisdiction represented in a L.U., the members of each branch shall define their own scale of wages, hours and working conditions.

(However, this section shall not apply when different branches, divisions or classifications come under one blanket agreement. When these come under one agreement they shall vote as a group.)

Sec. 6. Units may be established within a L.U. by provision in the L.U. bylaws when its jurisdiction covers more than one city, town or community, or includes in its membership, employees engaged in several of the branches, divisions or classifications of the electrical industry.

A unit is to assist the L.U. in giving service to the membership and shall have no power or duties not provided in the L.U. bylaws. All unit officers and committees shall be under the supervision of the L.U. and its executive board.

Sec. 7. "A" and "BA" members may transfer from one type of membership to another in accordance with the bylaws of a L.U. but must retain such changed membership for not less than twelve (12) consecutive months, except when change is made necessary on account of transferring to a different type of work.

Sec. 8. The I.P. is empowered to authorize L.U.'s to cover such "A," "BA," or "A" and "BA" types of membership as, in his judgment, the progress of the I.B.E.W. demands. The authorized coverage shall be stated in the L.U. bylaws.

Sec. 9. Any employee engaged in work coming under the jurisdiction of I.B.E.W. charters, as above indicated and as interpreted by the I.P., may become a member of any L.U. subject to all the provisions of the Constitution.

Sec. 10. "BA" members shall not participate in the funds or benefits established and maintained under Article XL.

ARTICLE XIV

RAILROAD COUNCIL CHARTERS

Sec. 1. Railroad System Councils shall be formed and composed of Railroad L.U.'s of the I.B.E.W., as conditions require and as decided by the I.P.

Sec. 2. Each council must be chartered by the I.P. The I.S.T. shall grant such charters when authorized by the I.P. The type of work and the territory or jurisdiction covered by a charter must be defined in the approved bylaws. The I.P. has the right and power to divide or change the territory or jurisdiction covered by such charter when in his judgment such should be done to advance the interests of the I.B.E.W. on railroads.

Rules for Railroad Councils

Sec. 3. The method of representation in Railroad Councils shall be determined by the L.U.'s affiliated therewith. However, each delegate to the council shall be elected in the same manner as are the officers of the L.U. he represents.

Sec. 4. Such councils shall charge a per capita tax for their support and for proper handling of their business on railroads, and such per capita tax shall not be less than one dollar (\$1.00) a month from the members of Railroad L.U.'s.

Sec. 5. The secretary of each council shall furnish to its L.U.'s and to the I.S.T. a quarterly financial report showing all

receipts and disbursements.

Sec. 6. Each council shall adopt bylaws and rules to meet the needs of, or to protect and advance the interests of the I.B.E.W. on railroads. Such bylaws or rules shall in no way conflict with this Constitution. Where any doubt appears this Constitution shall be supreme. All bylaws, amendments or rules, all agreements, jurisdiction, etc., of any and all kinds, shall be submitted in duplicate form to the I.P. for his approval.

Sec. 7. No such council shall put into effect, nor shall its officers, general chairman or representative put into effect or allow to be put into effect, any bylaw, amendment, rule, or agreement of any kind without first securing approval of the I.P. All these shall be null and void without such approval, and the I.P. has the power to correct bylaws, amendments, rules and agreements to conform to this Constitution and the policies of the I.B.E.W.

Sec. 8. Each council shall cooperate in the manner directed by the I.P. with such organizations as he may decide.

Sec. 9. When the I.P. deems it necessary to protect or advance the interests of I.B.E.W. members on railroads, or to organize or protect their jurisdiction, the I.P. is empowered to require such councils to employ a full-time general chairman, or a sufficient number of assistant general chairmen to cover the jurisdiction or territory involved.

Sec. 10. The general chairman of each such council shall be held responsible to the council and to the I.P. for results in organizing his territory, for establishing friendly relations with representatives of the railroads, and in protecting the jurisdiction of the I.B.E.W. He shall attend all meetings of the Executive Board of the council. It shall be his responsibility to keep accurate statistics—or to see that such statistics are kept—as required by the I.P., and to cooperate fully with the Research and Technical Services Department of the I.B.E.W.

Where a council has more than one general chairman, or representative, one shall be elected to be in full charge. He shall appoint any additional general chairmen, representatives or assistants, and these shall work directly under him and be subject to his authority. He may discharge them at any time. When a representative or assistant is dismissed by the general chairman in charge, he shall not be reemployed or paid by the council in any capacity during the term of office of the general chairman in charge without his consent.

Sec. 11. The officers, general chairmen, and representatives of such councils shall be guided and governed by the same rules—where such apply to them—which guide and govern the officers and representatives of the L.U.'s of the I.B.E.W.

Sec. 12. The I.P. has the power at any time to enter any situation or controversy involving a council, and his decision shall be accepted by such council and its officers, subject to appeal to the I.E.C. and I.C.

ARTICLE XV

RULES FOR LOCAL UNIONS

Sec. 1. No L.U. shall meet more than twice monthly unless specifically called. Special meetings may be called only by the business manager, railroad general chairman, or the L.U. Executive Board.

Sec. 2. Each L.U. shall adjourn its meetings not later than 11 p.m. prevailing time, and no other meetings shall be held on the same day or night. Any action taken after this hour shall be null and void. Anyone presiding over the meeting shall be held personally liable and subject to penalty from the I.P. for permitting violation of this provision. (When a L.U.'s members are engaged in operations of a continuous nature, and it is impossible or impractical to comply with the above provision, the I.P. may grant special dispensation in such cases.)

Sec. 3. Any L.U. failing to hold a regular meeting for a period of one month shall forfeit its charter, unless it shows good cause for not doing so. Seven (7) members in good standing shall constitute a quorum provided the L.U. has a

membership of seventy-five (75) or more. If the L.U. has less than seventy-five (75) members, then five (5) shall constitute a quorum.

Sec. 4. L.U.'s shall affiliate, or shall not affiliate, with state, provincial, central or trades councils or bodies, as decided by the I.P.

Sec. 5. No L.U. shall allow any member who becomes an electrical employer, or a partner in an electrical employing concern, to hold office in the L.U. or attend any of its meetings, or vote in any election of a L.U. The L.U. shall allow such a member to continue his membership in the L.U. or take a withdrawal card for deposit in the I.O.

Sec. 6. L.U.'s are empowered to make their own bylaws and rules, but these shall in no way conflict with this Constitution. Where any doubt appears, this Constitution shall be supreme. All bylaws, amendments and rules, all agreements, jurisdiction, etc., of any kind or nature, shall be submitted in duplicate form to the I.P. for approval. In the case of agreements, however, additional copies are required by the I.O. Therefore, six (6) signed copies of construction trades agreements or amendments and five (5) signed copies of all other agreements or amendments shall be submitted to the I.P. No L.U. shall put into effect any bylaw, amendment, rule or agreement of any kind without first securing such approval. All these shall be null and void without I.P. approval. The I.P. has the right to correct any bylaws, amendments, rules or agreements to conform to this Constitution and the policies of the I.B.E.W.

Approval of L.U. collective bargaining agreements by the I.P. does not make the International a party to such agreements unless the I.P. specifically states in writing that the International is a party to any such agreement.

Sec. 7. This Constitution and the rules herein shall be considered a part of all L.U. bylaws and shall be absolutely binding on each and every L.U. member.

Sec. 8. All L.U. bylaws or rules in conflict with this Constitution and the rules herein are null and void.

Sec. 9. Except when decided otherwise by the I.P., agreements between L.U.'s and employers must contain a condition that the L.U. is part of the I.B.E.W. and that a violation or annulment of agreement with any L.U. annuls all agreements entered into with the same employer, corporation or firm and any other L.U. of the I.B.E.W.

Sec. 10. All L.U.'s shall be compelled to live up to all approved agreements unless broken or terminated by the other party or parties, which fact shall first be ascertained by the I.P. No agreement of any kind or nature shall be abrogated without sanction of the I.P.

Sec. 11. No L.U. shall allow its members to work for any employer in difficulty with it or any other L.U. of the I.B.E.W., or directly with the I.B.E.W, providing the I.P. has recognized such difficulty.

Sec. 12. No L.U. shall cause or allow a stoppage of work in any controversy of a general nature before obtaining consent of the I.P. The I.P. or his representative, has the power at any time to enter any situation or controversy involving a L.U. or any of its members, and the decision of the I.P. direct or through his representative, shall be accepted by the L.U. and its officers, subject to appeal to the I.E.C. and I.C.

Sec. 13. No L.U.'s shall by any action, law, rule, agreement or understanding, refuse to furnish members to, or prevent their members working for, outside employers who have work within their jurisdiction, under the same working conditions and wages that the L.U. members work for local employers, provided that such outside employers recognize the I.B.E.W. as the collective bargaining agency on their other work.

Sec. 14. Each L.U. has power to adopt, or subscribe to, an apprenticeship system, training program, or helper rules, as the conditions may require. However, such shall not conflict with applicable standards or policies of the I.B.E.W. or to which it is a party.

After such an apprentice has worked one year in the jurisdiction of the L.U., he shall be admitted into the I.B.E.W. through the L.U. without further action by the L.U.

Apprentices, helpers and groundmen may or may not have a voice and vote at L.U. meetings or elections as the L.U. decides and as provided in the L.U. bylaws.

Sec. 15. Each L.U. shall have a safety and health committee which shall: investigate and report serious accidents and fatalities; cooperate with the I.O. on safety and health matters; promote safety and health; and cooperate with safety and health organizations as determined by the L.U. and as directed by the I.O. Nothing in this section, or in the activities of the safety and health committee, is intended to create any right or obligation enforceable by individual members or employees against the L.U., the I.B.E.W. or members of the committee.

Sec. 16. Each L.U. shall establish the amount of its admission fee subject to approval of the I.P. Such fees must be stated in the L.U. bylaws; and in case of a dispute, the fees recorded in the bylaws shall be conclusive of the correct amount.

Sec. 17. In no case shall a L.U. charge any member of the I.B.E.W. an examination fee.

Sec. 18. No L.U. shall send out, or approve the sending out of, financial appeals of any kind without first having consent of the I.P. No L.U. shall recognize or pass upon any financial appeals, etc; it may receive without such appeals having received approval of the I.P.

Sec. 19. Whenever the I.P. deems it necessary to protect or advance the interests of a L.U. and the I.B.E.W, or to organize and protect its jurisdiction, the I.P. may require the L.U. to employ a sufficient number of representatives to cover the jurisdiction or territory involved.

Sec. 20. Railroad L.U.'s shall join Railroad System Federations and System Councils where such are formed. Railroad L.U.'s must contribute to the support of and conform to the laws of Railroad Councils where such are formed. Railroad L.U.'s shall cooperate in the manner directed by the I.P.

Sec. 21. L.U.'s outside the railroad industry may form System Councils for bargaining purposes, with approval of the I.P, and shall do so when directed by the I.P. Where formed, the L.U.'s affected or involved shall affiliate, and remain so, and shall pay for the support of, and conform to the approved bylaws of, such System Councils.

The I.S.T. shall grant a charter to such System Council when authorized by the I.P. The type of work and the territory or jurisdiction covered by the charter must be defined in the approved bylaws. Each delegate to the System Council shall be elected in the same manner as are the officers of the L.U. he represents.

Such System Councils, and their officers and representatives, shall be subject to and be governed by the same rules and laws (where such apply to them) as appear in this Constitution for L.U.'s.

Sec. 22. No L.U. shall withdraw from the I.B.E.W. or dissolve as long as five (5) members in good standing object thereto. Before withdrawal, written notice must be given to the I.P, and all books, papers, charters, funds and all property are to be forwarded to the I.S.T.

Sec. 23. L.U.'s, Railroad Councils or System Councils whose charters have been revoked or suspended for violation of this Constitution, or for noncompliance with decisions rendered by proper International authority, shall have no right or power to take any action, except actions necessary to comply with the Constitution or decisions rendered by proper I.B.E.W. authority. After such action has been taken, no further action can be taken until notice from the I.P. is received that revocation or suspension has been terminated.

Sec. 24. No L.U., or its officers, employees or representatives, is authorized to act on behalf of the I.B.E.W., or shall be deemed an agent of the I.B.E.W, except upon specific authorization granted by the I.P.

Parliamentary Rules

1. The chairman may save time in deciding certain questions by asking if there are any objections. If there are none,

he shall declare an action adopted.

2. He shall not allow any member of the L.U. to speak more than once on the same subject until all members desiring the floor have spoken, and not more than twice, and not more than seven minutes at any one time, except those making reports.

3. Sectarian discussions shall not be permitted under any circumstances.

4. When members desire all talk or debate stopped and a vote taken, they may call for the previous question. When this is done it shall be put to a vote at once in this form: "Shall all debate be closed and the main question voted upon?" If this carries by a majority vote, then a vote shall be taken at once on the question before the meeting.

5. An appeal may be taken at the meeting on any ruling of the chairman, but not when a question of law is involved. When an appeal is taken to the meeting, the chairman shall state it in these words: "Shall the decision of your chairman be upheld?" The member making the appeal shall then state his grounds and the chairman shall give the reason for his decision. The vote shall then be taken without further debate.

6. A question can be reconsidered only at the same meeting or at the next regular meeting. If reconsidered at the same meeting, a majority vote is sufficient. If reconsidered at the next meeting, a two-thirds vote is required. A motion to reconsider must be made and seconded by two members who voted with the majority.

7. A motion can be amended only twice.

8. If a motion has been amended, then the amendment shall be voted upon first. If more than one amendment has been offered, then the vote shall be first on the amendment to the amendment; next on the amendment to the motion; and last on the original motion.

9. Motions to lay on the table, or to read a paper or document, or to adjourn, are not debatable.

10. All resolutions and resignations must be submitted in writing.

11. All other parliamentary questions not decided in these rules shall be decided by Robert's Rules of Order, Newly Revised.

ARTICLE XVI

OFFICERS OF LOCAL UNIONS

Sec. 1. Each L.U. shall have a president, vice president, recording secretary, financial secretary, treasurer, and Executive Board of not more than seven (7) nor less than three (3) members, provided that where deemed necessary for better representation in L.U.'s, the Executive Board may, with the consent of the I.P., have more than seven (7) members and, if the L.U. so decided, an Examining Board of not more than five (5) nor less than three (3) members.

Sec. 2. L.U.'s requiring a local business representative or representatives, shall elect one person to be known as a business manager. He shall appoint any and all other representatives or assistants. These shall work directly under him and be subject to his authority. He may discharge them at any time. When a representative or assistant is discharged by the business manager, he shall not be reemployed or paid by the L.U. in any capacity during the term of office of such business manager without his consent. However, this does not disqualify any discharged assistant or representative from running for office at the next election. The business manager shall be the principal officer of the L.U. and all other L.U. officers shall cooperate with the business manager and shall not work in conflict with him.

Sec. 3. Each L.U. shall also have a press secretary, registrar and as many inspectors and door foremen as the L.U. president deems necessary. These shall not be considered officers and shall be appointed by the president. They shall

perform such duties as he directs. He may remove any of them and appoint others at any time.

Sec. 4. No other local offices shall be created without consent of the I. P.

Sec. 5. No L.U. shall combine the office of financial secretary and treasurer unless by special dispensation from the I.P.

Sec. 6. In each L.U. whose members participate in the Pension Benefit Fund, no member shall be eligible to serve as F.S. unless he is also a participant in the Pension Benefit Fund, unless this requirement is waived by the I.P.

Sec. 7. No L.U. shall allow dues to officers or appointees for services rendered, but the L.U. may fix such salaries for them as it decides.

Sec. 8. The officers shall serve three- or four-year terms as the L.U. bylaws may provide, or until their successors are qualified.

Sec. 9. Nominations for officers shall be held in the month of May of election year as provided in the L.U. bylaws. However, the I.P. may grant special dispensation to hold the nominations in a different month when he is satisfied good cause is shown. Where such change is to continue, the month shall be stated in the L.U.'s bylaws. Any member nominated can withdraw his name any time prior to the election, either by announcement at the meeting of the L.U. or by notifying the L.U. president in writing.

Sec. 10. No member shall be nominated for office unless he is present or signifies his willingness in writing, nor shall he be eligible for any office unless he has been a member in continuous good standing at least two (2) years in the L.U. immediately prior to nomination, providing the L.U. has been in existence for this length of time. When it is impracticable or impossible for a L.U. to elect officers with the required standing, the I.P. may grant special dispensation.

The two (2)-year membership requirement shall not be applicable to members of L.U.'s affiliated with System Councils, who are employed by a single employer and who transfer between L.U.'s within a System Council, provided, however, that any such member must have been a member in continuous good standing for two (2) years in at least one of the L.U.'s affiliated with the System Council involved.

Sec. 11. The L.U. shall decide the manner in which the nominations and election shall be held, and such shall be stated in the L.U. bylaws. This shall not conflict with the I.B.E.W. Constitution. There shall be one judge and as many tellers as are required. These shall be selected as the L.U. decides. The number of tellers and the method of selection shall be stated in the L.U. bylaws.

Sec. 12. Elections of officers shall be held in the month of June of election years as provided in the L.U. bylaws. However, the I. P. may grant special dispensation to hold the elections in a different month and to extend the time for conducting the elections when he is satisfied good cause is shown. Where such change is to continue, the month shall be stated in the L.U.'s bylaws. Each L.U. shall set a definite date and time for the elections.

All elections shall be decided for the candidate receiving the most votes, unless the local union bylaws provide otherwise.

However, election to the L.U. Executive Board or Examining Board shall be decided for the candidates receiving the most votes. Where a majority of the votes cast is required and no candidate receives such majority, a run-off election will be held between the two candidates receiving the highest number of votes. The time for holding a run-off election shall be stated in the L.U. bylaws, where a majority vote is required.

Sec. 13. The installation of officers shall occur at the first meeting held in July following the elections. However, the I.P. may grant special dispensation for a different time for the installation of officers when he is satisfied good cause is shown. When such dispensation is granted, the time shall be stated in the L.U.'s bylaws.

Sec. 14. Any officer failing to discharge the duties of his office for two (2) consecutive meetings, unless satisfactory excuse is given in writing, shall have his office or position declared vacant by the L.U. president, and the Executive Board shall then fill such vacancy until the next regular election.

Sec. 15. When it is decided by proper authority, and in accordance with these laws, that any L.U. officer shall be suspended or removed from office, then the L.U. president shall at once declare such office vacant. If this applies to the president, then the vice president shall declare his office vacant.

Sec. 16. Vacancies occurring in any L.U. office shall be filled by the L.U. Executive Board until the next regular election, except when filled by the I.P. The eligibility requirements for election to the office shall apply. Vacancies in the position of press secretary, registrar, door foreman, or inspector shall be filled by the L.U. president.

Sec. 17. During the temporary absence of any officer, the president shall appoint a member to serve pro tern. In the absence of the president, the vice president shall automatically perform his duties. In the absence of both the president and the vice president, the recording secretary shall call the L.U. meeting to order and the L.U. shall name a temporary chairman. (This does not apply to the business manager.)

Sec. 18. All officers, at the expiration of their terms of office, shall deliver to their successors all books, papers, money and other property in their possession belonging to the I.B.E.W. or the L.U. and shall not be relieved from their bond or obligation until this has been done.

Sec. 19. All officers, appointees or employees shall turn over all books, papers and property of the L.U. in their possession to the I.P. or his representative upon his demand.

Sec. 20. No officer of a L.U., Railroad Council or System Council shall improperly use, or allow anyone to improperly use, the mailing list of members to communicate with them regarding union politics or candidates for union office. Any officer having such a list shall be held personally liable for its misuse.

ARTICLE XVII

DUTIES OF LOCAL UNION OFFICERS

President

Sec. 1. The L.U. President shall be held responsible for the strict enforcement of this Constitution and the rules herein and the L.U. bylaws. He shall be held personally liable and subject to penalty by the I.P. for failure to conduct orderly meetings or failure to carry out the responsibilities and duties imposed upon him herein.

He is empowered and shall do as follows:

(a) Preside at all meetings of the L.U. and see that each meeting is promptly adjourned not later than 11 p.m. prevailing time. When he deems it necessary to preserve order, he shall appoint members to aid him in doing so and in carrying out his rulings.

(b) He shall promptly have removed from the meeting room any intoxicated member, any disturber, or anyone not conducting himself in an orderly way, or anyone who disturbs the harmony or peace of the meeting, or who fails promptly to abide by his rulings or the action of the meeting. He shall suspend from attendance at any meeting any member who commits any of these offenses, for the balance of such meeting, and he shall see to it that such member shall not be allowed to reenter the meeting for the remainder of the meeting. He may repeat the sentence of suspension at any subsequent meeting at which an offender persists in such conduct.

(c) He shall decide all questions of order according to the parliamentary rules stated herein, and have the deciding vote in case of a tie, and see that all assessments are paid and all penalties enforced.

(d) He shall appoint all committees, act as an ex-officio member of all committees, appoint all delegates to central, trades, and political councils or bodies, with which the L.U. is affiliated. Where the L.U. has a business manager, then he and any of his assistants shall be named by the president as delegates to the Building and Construction Trades Council and to the Metal Trades Council; and he shall appoint the registrar as delegate to conferences of bodies on political education and activity with which the L.U. is affiliated. The president shall consult and cooperate with the business manager (where the L.U. has one) on all appointments.

(e) He shall see that all committees perform the duties assigned to them within a reasonable time. He shall promptly remove any committee member not performing his duties and appoint another.

He shall see that the registrar promotes political education and activity as determined by the L.U., keeps such records as are found to be necessary to encourage all members to register and vote, and keeps the membership informed on candidates worthy of support and pending legislation of vital importance to the country, the community, and the members of the L.U.

(f) He shall either appoint an auditing committee of three members, or he or the L.U. Executive Board, as the L.U. decides, shall employ a public accountant to audit the books and accounts of the L.U. every three months, and he shall inspect the bank book or books of the treasurer to see that L.U. moneys turned over to the treasurer have been properly and promptly deposited in the name of the L.U.

(g) He shall see that all funds of the L.U. are deposited in a reputable bank or banks in the name of the L.U., subject to withdrawal by check signed in the name of the L.U. and countersigned by the president and treasurer, and see that no disbursements are made except on an order countersigned by the R.S. and himself after action of the L.U. However, no action of the L.U. is necessary to pay regular or standing bills such as rent, salaries, and payments due the I.S.T.

(h) He shall notify in writing any bank, or all banks, in which the L.U. makes deposits, that the L.U. empowers the I.P. to stop withdrawal of any L.U. funds when in the judgment of the I.P. such action is necessary to protect the L.U. and its members. He shall notify such bank or banks that they are to honor and abide by any notice from the I.P. to stop withdrawals should the occasion arise. He shall send to the I.S.T. a copy of such letter or notice to any bank or banks to be made a matter of record.

(i) He shall see that the amount of bonds on the L.U. officers and employees is sufficient to protect the L.U. against any loss. The minimum bond shall be \$5,000, and the bonds are to be made through the I.O.

(j) He shall cooperate with the business manager of the L.U., if the L.U. has one, and shall not work in conflict with him. Where the L.U. has no business manager, the duties normally performed by the business manager shall be performed by the president, who is then both president/business manager. The president shall keep accurate statistics, or see to it that such statistics as required by the I.P. are kept by the F.S. or person designated, and shall cooperate fully with the Research and Technical Services Department of the I.B.E.W.

He shall perform such other duties as are prescribed herein, or may be assigned to him by his L.U. when such duties are not in conflict with this Constitution and these rules.

Vice President

Sec. 2. The vice president shall assist the president in the discharge of his duties and shall fill his place in case of the president's absence and perform such other duties as are required by this Constitution and the bylaws of the L.U.

Recording Secretary

Sec. 3. The R.S. shall keep correct minutes of each meeting of the L.U., answer all correspondence in accordance with instructions given him by the L.U. or the president, make out all orders on the treasurer for the payment of authorized bills, notify the I.S.T. of all changes in officers giving names and addresses, and perform such other duties as are directed by the president or required by this Constitution and the bylaws of the L.U.

Financial Secretary

Sec. 4. The F.S. shall keep such books and records, and issue such receipts, as are required or approved by the I.S.T. He may, when necessary and when approved by the L.U., employ an assistant or assistants. He shall be responsible for all moneys collected by the L.U. until such funds are turned over to the treasurer or deposited in the L.U.'s bank account without delay. When he deposits any L.U. funds, he shall furnish the treasurer with the bank record of all such deposits not later than the close of the month. He shall make known to the L.U. the receipts received at such time as the L.U. decides. He shall mail to the I.S.T. the per capita report, and the money due, by the 10th of the month, unless special arrangements with the I.S.T. are made. (The L.U. shall be responsible to the I.S.T. for such payments.) If the F.S. fails to do this as required, the L.U. may be assessed an amount determined appropriate by a policy developed by the I.S.T. He shall keep a record of each member, the full name and address, and notify the I.S.T. of all suspended or expelled members.

Sec. 5. The F.S. of each Railroad L.U. shall also collect all moneys and fees due Railroad System Councils, and forward these to the council secretary on or before the tenth (10th) of the month. He shall make reports on official triplicate forms provided by the I.S.T, sending one to the council secretary, one to the I.S.T, and keeping one for the L.U. records. He shall also send on or before the tenth (10th) of the month, a list giving the complete standing of members, showing members admitted, those leaving with traveling cards, suspended, expelled or dropped from the rolls, and those not working.

Sec. 6. The F.S. shall submit his books and records for inspection or audit when called upon by the I.P., the I.S.T, the L.U. president, or Executive Board.

Treasurer

Sec. 7. The treasurer shall receive from the F.S. all moneys collected or the bank record of money deposited in the L.U.'s bank account and give proper receipt for the same. He shall deposit all L.U. moneys turned over to him by the F.S. in a bank or banks designated by the L.U. in the name of the L.U. He shall make no disbursements without sanction of the L.U., except for payments of regular or standing bills such as rent, salaries and payments to the I.S.T. which do not require a vote of the L.U. and upon an order or warrant signed by the president and the R.S. He shall make an itemized statement to the L.U. as and when required by the L.U. or the president. He shall submit his books and records for inspection or audit when called upon by the I.P., the I.S.T, the L.U. president or Executive Board.

Business Manager

(Where a Local Union has one)

Sec. 8. The business manager shall be the principal officer of the L.U. and shall be held responsible to the L.U. and to the I. P. for results in organizing his jurisdiction, for establishing friendly relations with employers, and for protecting the jurisdiction of the I.B.E.W. It shall be his responsibility to keep accurate statistics, or to see that such statistics as required by the I.P. are kept, and shall cooperate fully with the Research and Technical Services Department of the I.B.E.W. The business manager or his designee shall serve as a permanent member of the negotiating committee and serve as a trustee on all trust funds of the L.U. provided for in the collective bargaining agreements. He shall attend all meetings of the L.U. Executive Board and have a voice but no vote. He shall have such authority and perform such other duties as are provided in this Constitution or may be provided for in the L.U. bylaws.

Executive Board

Sec. 9. The L.U. Executive Board shall meet between regular meetings of the L.U. It shall have the power to take any action that the L.U. can take, and which should be taken prior to the next regular meeting of the L.U. Matters referred to the board by the business manager, or any of his assistants, or the general chairman of a Railroad Council, shall take precedence over all other matters before the board.

Sec. 10. A quorum of the board shall consist of the majority of its members.

Sec. 11. The board shall see that all members, officers, or others who are not entitled to remain in the board meetings, shall retire after they have been heard and submitted their business to the board. When a board member is directly interested or involved in any case before the board, he shall retire.

No board member shall sit in a case which affects his own employer, or which involves a member working for the same employer. In such case the board member shall be disqualified and the president of the L.U. shall appoint a substitute or substitutes. If the president is a member of the board and is disqualified, then the vice president shall appoint a substitute or substitutes. If the vice president is also disqualified, then the substitute or substitutes shall be named by the remaining board members. That portion of this Paragraph which refers to an employer shall not apply to those L.U.'s where at least seventy-five percent (75%) of the membership is in the employ of one employer.

Sec. 12. The Executive Board shall act as the trial board, hear all charges, and try all members, except officers and representatives of L.U.'s, Railroad Councils, and System Councils, for any violation of this Constitution, or the bylaws and working rules of the L.U. (See Article XXV.)

The board may reopen and reconsider any case or cases when it feels the facts or circumstances justify doing so, any time within thirty (30) days from the date decision was rendered, and it shall do so when directed by the I.V.P. or I.P.

Sec. 13. The board shall submit a report of its actions and findings to each regular meeting of the L.U. for approval, except that no approval or disapproval is to be made or action taken by the L.U., nor is any discussion to be allowed when the board reports on the cases of members charged with violations of this Constitution, or the bylaws and working rules of the L.U.

Sec. 14. The Executive Board shall cooperate fully with other officers and the representatives of the L.U. to the end that the interests of the L.U. and its members may be properly protected and advanced. The board shall perform such other duties as are outlined in this Constitution or as may be provided for in the bylaws of the L.U.

Examining Board

Sec. 15. The Examining Board is to examine all applicants for membership to determine their qualifications for the trade, except for those selected as apprentices under provisions of the collective bargaining agreement. They shall examine such qualifications of members as provided in Article XIX of this Constitution.

The Board shall meet at least quarterly for the examination of applicants when there are applicants to be examined. The Board shall retain all records of examinations given for at least two years.

The report on the results of all examinations shall be furnished to the Executive Board and the L.U. by the Examiners.

ARTICLE XVIII

DUES - ASSESSMENTS - FUNDS

Sec. 1. L.U.'s shall collect dues from members either monthly or quarterly in advance. The L.U. monthly dues shall be not less than fifty cents (\$.50) in addition to applicable per capita and assessments due the I.O.

Sec. 2. All assessments imposed shall be charged by the F.S. against the member as regular dues and must be paid within the time required to protect the member's continuous good standing and benefits.

Sec. 3. No assessment shall be levied by the L.U. except by a majority vote of the members present, and no assessment can be ordered upon the night of its introduction, but must be laid over for at least two weeks for consideration.

Sec. 4. All disbursements must be on an order drawn on the treasurer signed by the president and recording secretary. However, no action of the L.U. is necessary for payment of regular or standing bills such as rent, salaries, and payments to the I.S.T.

Sec. 5. The funds and property of a L.U. shall be used only for such purposes as are approved by the I.P., or as are specified in this Constitution and as may be necessary to transact, properly manage and conduct its business.

Sec. 6. The funds and property cannot be divided among the members individually, except in the form of such benefits as may be provided by the L.U. after approval of the I.P.

Sec. 7. The funds and property are for the legitimate purposes of the L.U. while five (5) members remain therein. Should a L.U. finally dissolve, its charter, books, papers and funds shall at once be forwarded to the I.S.T.

ARTICLE XIX

QUALIFICATION OF MEMBERS

Sec. 1. Any worker coming under the I.B.E.W.'s jurisdiction, of good character, not less than sixteen (16) years of age, is eligible to membership, provided he passes a satisfactory examination when required to do so by the L.U.

Sec. 2. If, after being admitted to membership, it is later found upon investigation that a member is not sufficiently acquainted with the branch or type of work on which he is engaged to earn or command the established wages, then a L.U. can, through its Executive or Examining Board or an especially appointed committee, require such member to revert to the proper apprentice grade and pay rate, to attend electrical study classes or devote time toward becoming a competent, properly informed electrical mechanic or employee.

ARTICLE XX

ADMISSION OF MEMBERS

Sec. 1. No L.U. can admit an applicant who does not reside in, or who is not employed at the trade, in the jurisdiction of the L.U., unless the L.U. is directed to admit him by the I.P.

No L.U. can admit any applicant who formerly was a member of the I.B.E.W., or who was suspended or expelled by, or indebted to any L.U., without consent of the I.S.T. and without first consulting the last L.U. of which the applicant was a member in regard to his character and record. The I.P. shall decide any case in dispute.

Sec. 2. Each applicant for membership shall fill out an application blank furnished or approved by the I.S.T., and answer all questions. The original application or a copy must be sent to the I.S.T.

Sec. 3. The acceptance of an application for membership, and the admission of the applicant into any L.U. of the I.B.E.W., constitutes a contract between the member, the L.U. and the I.B.E.W., and between such member and all other members of the I.B.E.W.

Sec. 4. Each applicant admitted, shall, in the presence of members of the I.B.E.W., repeat and sign the following obligation:

"I, _____ (*give name*) _____ in the presence of members of the International Brotherhood of Electrical Workers, promise and agree to conform to and abide by the Constitution and laws of the I.B.E.W. and its local unions. I will further the purposes for which the I.B.E.W. is instituted. I will bear true allegiance to it and will not sacrifice its interest in any manner."

Sec. 5. The obligation card signed by the applicant shall be sent to the I.S.T.

The L.U. shall have each applicant, except as provided in Section 10 of this article, take the obligation before a regular meeting or outside the regular meeting in the presence of the president or the vice president or the business manager or the business manager's designated representative or the recording secretary.

Sec. 6. Each applicant shall pay the admission fee fixed by the bylaws of the L.U. to which he applies, or such fee as approved by the I.P. and ten percent (10%) or more of such fee must accompany the application. Admission must be completed within ninety (90) days after application is made.

Sec. 7. The names of all applicants shall be read or posted at a regular meeting of the L.U. The president shall appoint a committee to pass and report upon the applications, or the Executive Board may perform this function as the L.U. may decide.

Sec. 8. If the applicant or applicants are reported upon favorably, a ballot or vote may be taken as the L.U. may decide, except as provided in Article XV. If an applicant(s) is rejected, his or their names shall not again be proposed for membership for six (6) months, and the admission fee shall be returned to the applicant. If an applicant is rejected for membership and the reasons for rejection are found to be without just cause, the L.U. shall be directed by the I.P. to immediately accept the applicant into membership.

Sec. 9. Any candidate failing to present himself for admission within one (1) month after his election and notification thereof, unless he gives good and sufficient reasons, forfeits his admission fee and cannot again be proposed for six (6) months.

Sec. 10. Any worker or employee coming under the I.B.E.W.'s jurisdiction and residing where there is no L.U., who can qualify according to this Constitution, may become a member by filling out a regular application and sending it to the L.U. having jurisdiction; and if accepted, he shall sign the obligation card and send it to the L.U.

The I.S.T. may accept such an applicant directly if he feels there are good reasons for doing so.

Sec. 11. In the case of an organizing campaign, Sections 7, 8 and 9 of this Article may be waived by the I.P.

ARTICLE XXI

MEMBERS IN ARREARS

Sec. 1. No member is entitled to notice of the monthly or quarterly dues of his L.U., nor of arrearages, but must take notice when payments are due.

Sec. 2. When a member's working card has expired, he at once, without notice, stands suspended from all L.U. benefits.

Sec. 3. Any member indebted to his L.U. for three months' dues, or having any past due indebtedness to the I.B.E.W. for dues or assessments, shall stand suspended, and the L.U. may refuse to accept dues from any member who is indebted to it. Such member cannot be reinstated until all indebtedness has been paid, unless waived by the L.U. However, dues cannot be waived.

(However, when any "BA" member is working under an agreement requiring monthly payment of dues, a grace period of only twenty-one (21) days—after the first of the month following the indebtedness—shall be allowed unless the grace period is extended by the L.U. involved.)

Sec. 4. Any member indebted to his L.U. for six (6) months' full dues shall be dropped from membership by the F.S.

and cannot become a member in good standing again in the I.B.E.W. except by joining as a new member.

(However, when any "BA" member is working under an agreement requiring monthly payment of dues, a grace period of only twenty-one (21) days—after the first of the month following the indebtedness—shall be allowed before being dropped from membership, unless the grace period is extended by the L.U. involved.)

Sec. 5. Members who are suspended forfeit all rights and previous standing in the I.B.E.W., including any pension or death benefits payable from the Pension Benefit Fund.

ARTICLE XXII

REINSTATEMENT OF MEMBERS

Sec. 1. Any member suspended for being in arrears for three (3) months, but less than six (6) months, may apply for reinstatement.

Sec. 2. Any member in arrears, if eligible for reinstatement, shall pay his L.U. all arrearages and assessments, and reinstatement fees. "A" members shall pay a reinstatement fee of ten dollars (\$10.00) and "BA" members shall pay a reinstatement fee of three dollars (\$3.00). Half of all such fees are to be sent to the I.S.T. In addition, all "A" members shall pay a pension reinstatement fee of twenty dollars (\$20.00), all of which shall be forwarded to the I.S.T. for the Pension Benefit Fund. Reinstated members shall retain (heir former card number. Any reinstated applicant shall be subject to the limitations imposed by this Constitution.

Sec. 3. A reinstated member shall not be entitled to any L.U. benefits until six (6) months after reinstatement.

Sec. 4. Reinstated members' standing in the I.O. shall be (he same as that of new members except as provided in Section 5 of this Article.

Sec. 5. For pension purposes only, an "A" member suspended because of an arrearage in his dues who is reinstated pursuant to the provisions of the Constitution, shall be restored to the continuous good standing he enjoyed prior to his suspension.

ARTICLE XXIII

TRAVELING CARDS

Sec. 1. Any member working in a different L.U.'s jurisdiction shall be admitted to its meeting, provided that he presents his official receipt for dues showing he is a member in good standing and he identifies himself as the rightful owner of such receipt, but he will have no voice or vote al such meeting, except as required by law.

Any member visiting a different L.U. may be admitted to its meeting at the option of the L.U., provided that he presents his official receipt for dues showing he is a member in good standing and identifies himself as the rightful owner of such receipt, but he will have no voice or vote at such meeting.

Sec. 2. Any member desiring to transfer his membership may apply to the F.S. for a traveling card for a stated time not to exceed three (3) months. This card shall be null and void unless deposited in some L.U. or renewed by the L.U. granting it on or before the date of its expiration. No fraction of a month shall be recognized, and all cards must date from the first day of the month and expire on the last day of the month.

Sec. 3. If a member is in continuous good standing and not under charges, the F.S. shall grant the card without a

vote of the L.U. upon payment of all dues in advance for the full time for which the card is granted.

Sec. 4. The L.U. issuing the card shall pay the I.S.T, the per capita for the time the card holds good. The L.U. shall be held liable for any unpaid per capita, premiums, assessments or other items due the I.O. and which the F.S. neglected to collect.

Sec. 5. Traveling cards may not be deposited in any L.U., which does not include the type of membership for which the card was issued, unless the member transfers to a type of membership covered by the L.U. In such case he shall be given credit for the last initiation fee he paid. Nor may a traveling card be deposited in a L.U. by a member of another L.U. wishing to transfer his membership, until and unless that member has been accepted by the L.U. into which he wishes to transfer. Each L.U. shall have full autonomy to accept or reject all requests for transfers. (Except as provided in Section 10.)

Sec. 6. No member shall work in the jurisdiction of another L.U. until his traveling card has been accepted, or he receives a working card, except by consent of the I.P. in special cases, and except in cases where L.U.'s allow their members to work by agreement or understanding in the jurisdiction of each other.

Any member violating this provision is subject to assessment at the discretion of that L.U., but the assessment shall not exceed the wages earned by such member while the violation continued. However, any member violating the working rules of another L.U. shall be subject to such punishment as decided by the L.U.

Sec. 7. When a member is away and sends dues to his home L.U., the F.S. of the home L.U. shall notify the L.U. of the same branch of the trade in whose jurisdiction the member is located, giving his name, address and card number.

Sec. 8. A member not having five (5) years continuous good standing in the I.B.E.W. shall pay any difference in admission or initiation fee to the L.U. to which he applies. No L.U. shall require a member to pay any such difference at a greater rate than one dollar (\$1.00) a day for each day he works. The L.U. may require him to pass its examination.

Sec. 9. No member of the same branch of trade with five years or more continuous good standing shall be required to take any examination or pay any difference in admission fee, except when he changes his classification within the same branch, if the L.U. so decides. (This applies within a L.I L or when transferring to another L.U.) No member with live (5) years or more continuous good standing—transfer-ling to a different branch of the trade—shall be required to pay any difference in admission fee. However, he shall pass a practical examination if the L.U. so decides.

Sec. 10. No L.U. shall refuse to accept promptly the card (if and readmit any member into his home L.U. provided he has maintained his continuous good standing in the I.B.E.W. while absent from the L.U. The L.U. where a member was originally admitted into the I.B.E.W. shall be considered his home L.U. Where a L.U. or any part thereof has been amalgamated into another L.U. that L.U. shall be considered the home L.U.

No L.U. shall be required to accept the card of a member who was admitted by the L.U. when the member has changed his classification during his absence.

No L.U. shall collect any difference in admission fee from a member who was admitted by the L.U. and who has maintained his continuous good standing in the I.B.E.W. during his absence from the L.U., except in cases where the L.U. permits a change of classification on his return to the L.U., and the L.U. has established a difference in fees between the two classifications.

Sec. 11. The member's dues shall begin the first of the month after acceptance of his card. Any dues paid in advance of this date shall be returned to him by his former L.U. less the per capita.

Sec. 12. Any member leaving the jurisdiction of a L.U. owing just debts to it shall be required to pay up to the rate of not less than one dollar (\$1.00) for each day worked and shall pay up within six (6) months of notice or be dropped from membership. The indebtedness shall be collected by the F.S. of the L.U. in which the member has deposited his card. In no case shall a new traveling card be issued to such member until his indebtedness is paid.

Sec. 13. A member admitted on a traveling card shall not vote on questions of agreement, trouble or wages, until six (6) months after his card has been accepted, nor shall he be permitted to vote in the L.U. election unless he has been a member in that L.U. sixty (60) days prior to the election.

This section shall not be applicable to members of L.U.'s affiliated with Railroad Councils or System Councils who are employed by a single employer and who transfer between L.U.'s within the council, provided, however, any such member must have been a member in continuous good standing in one of the L.U.'s affiliated with such council for six (6) months or sixty (60) days specified above.

ARTICLE XXIV

WITHDRAWAL CARDS – PARTICIPATING AND HONORARY

Sec. 1. Any member who becomes a general manager or superintendent, or who retires from his trade, may apply to the F.S. for a withdrawal card. It shall require a majority vote at a meeting to grant such card. But the L.U. has the right to require such a member to take out a withdrawal card if it so decides.

Sec. 2. Any member receiving a participating withdrawal card and desiring to maintain his standing in the I.B.E.W. shall deposit the duplicate portion of the withdrawal card in the I.O. and pay his per capita in advance to the I.S.T., as well as any I.O. assessments, and he shall be entitled to all benefits of the I.B.E.W. as long as he complies with its laws and maintains his continuous good standing. The participating withdrawal card shall not entitle the holder to any L.U. benefits or admittance to any L.U. meeting. Upon returning to the trade, the recipient of this card shall deposit it in the L.U., which issued it. No member on participating withdrawal card is entitled to notice of any payments due the I.O.

Sec. 3. Any member not desiring to maintain his standing who retires from the trade or is unemployed, or in such other cases as may be decided by the L.U., may be issued an honorary withdrawal card provided dues are paid for the previous month or the current month if the application is made after the 15th of such month.

Upon returning to the trade, or again becoming employed, and having complied with this article, he shall deposit his withdrawal card in the L.U. that issued it and continue membership by paying the current month dues. No new initiation fee is necessary, except that any "A" member shall pay the two dollar (\$2.00) fee as required in Article IX.

Sec. 4. "BA" members not employed under the jurisdiction of the L.U. for at least a month can be shown as on honorary withdrawal without actual issuance of the card, unless the L.U. bylaws provide otherwise. Officers of the L.U. are not entitled to withdrawal status without forfeiture of their office.

However, a "BA" member, shown as on honorary withdrawal or on honorary withdrawal card not exceeding two (2) months, may retain his continuous good standing in the L.U., and eligibility for local union office and as delegate to the I.C., by paying dues for the months of unemployment before becoming indebted to his L.U. for three (3) months dues had he been employed.

Sec. 5. The validity of any withdrawal card shall be dependent upon the good conduct of the member. It can be annulled by any L.U. or by the I.P. for violation of the laws of the I.B.E.W., or the bylaws and rules of any L.U., or for working with or employing nonmembers of the I.B.E.W. to perform electrical work, or for any action of the holder detrimental to the interests of the I.B.E.W. Membership in the I.B.E.W. is automatically terminated upon annulment of any withdrawal card.

A member on a withdrawal card may be subject to charges, trial and appropriate penalty in accordance with provisions of this Constitution.

ARTICLE XXV

MISCONDUCT, OFFENSES AND PENALTIES

Sec. 1. Any member may be penalized for committing any one or more of the following offenses:

(a) Violation of any provision of this Constitution and the rules herein, or the bylaws, working agreements, or rules of a L.U.

(b) Having knowledge of the violation of any provision of this Constitution, or the bylaws or rules of a L.U., yet failing to file charges against the offender or to notify the proper officers of the L.U.

(c) Obtaining membership through fraudulent means or by misrepresentation, either on the part of the member himself or others interested.

(d) Engaging in activities designed to bring about a withdrawal or secession from the I.B.E.W. of any L.U. or of any member or group of members, or to cause dual unionism or schism within the I.B.E.W.

(e) Engaging in any act or acts which are contrary to the member's responsibility toward the I.B.E.W. or any of its L.U.'s, as an institution, or which interfere with the performance by the I.B.E.W. or a L.U. with its legal or contractual obligations.

(f) Working for, or on behalf of, any employer, employer-supported organization, or other union, or the representatives of any of the foregoing, whose position is adverse or detrimental to the I.B.E.W.

(g) Wronging a member of the I.B.E.W. by any act or acts (other than the expression of views or opinions) causing him physical or economic harm.

(h) Entering or being present at any meeting of a L.U., or its Executive Board, or any committee meeting while intoxicated, or drinking intoxicants in or near any such meeting, or carrying intoxicants into such meeting.

(i) Disturbing the peace or harmony of any L.U. meeting or meeting of its Executive Board, using abusive language, creating or participating in any disturbance, drinking intoxicants, or being intoxicated, in or around the office or headquarters of a L.U.

(j) Making known the business of a L.U., directly or indirectly, to any employer, employer-supported organization, or other union, or to the representatives of any of the foregoing.

(k) Fraudulently receiving or misappropriating any moneys of a L.U. or the I.B.E.W.

(l) Causing or engaging in unauthorized work stoppages or strikes or other violation of the laws and rules of the I.B.E.W. or its L.U.'s.

(m) Willfully committing fraud in connection with voting for candidates for L.U. office, or for delegates to conventions.

(It shall not be considered an offense when a L.U. mails out—or posts in a conspicuous place—a sample of the official ballot to be used in any L.U. election. However, the sample shall not carry any markings of any kind—except that the word "SAMPLE" shall appear prominently across the face of the ballot. The sample shall otherwise be an exact duplicate of the official ballot to be used.)

(1) Notwithstanding the above, and in addition to the sample ballot, a L.U. may distribute an official publication which shall list all candidates for L.U. office, together with a factual record of activities within the L.U., committee assignments performed, offices held and experience gained for and in behalf of the L.U. This publication shall be prepared under the supervision of the duly designated L.U. Election Board.

(2) The distribution of this official L.U. publication, properly prepared as set forth above, shall not be in violation of Article XVI, Section 20.

(n) Soliciting advertising for yearbooks, programs, etc., when the name of a L.U. or the I.B.E.W., or the names or pictures of L.U. or International Officers appear in such matter without consent of the I.P. Any member, any officer or representative of any L.U., or other organization coming under the I.B.E.W.'s jurisdiction, shall be held liable for allowing

individuals or agencies to solicit such advertising without consent of the I.P. or for in any way violating this provision.

(o) Failure to install or do his work in a safe, workmanlike manner, or leaving work in a condition that may endanger the lives or property of others, or proving unable or unfit mentally, to learn properly his trade.

(p) Causing a stoppage of work because of any alleged grievance or dispute without having consent of the L.U. or its proper officers.

(q) Working for any individual or company declared in difficulty with a L.U. or the I.B.E.W., in accordance with this Constitution.

(r) Willfully committing fraud in connection with obtaining or furnishing credentials for delegates to the I.C. or being connected with any fraud in voting during the I.C.

(s) Allowing another person to use, or altering in any manner, his membership card, receipt, or other evidence of membership in the I.B.E.W.

Any member convicted of any one or more of the above-named offenses may be assessed or suspended, or both, or expelled.

If an officer or representative of a L.U. is convicted of any one or more of the above-named offenses, he may be removed from office or position, or assessed or suspended, or both, or expelled.

Charges and Trials

Sec. 2. All charges, except against officers and representatives of L.U.'s, shall be heard and tried by the L.U. Executive Board which shall act as the trial board in accordance with Article XVII. A majority vote of the board shall be sufficient for decision and sentence.

(This section shall not be construed to conflict with power of the I.P. or the I.E.C. to take action in certain cases as provided in Articles IV and VIII.)

Sec. 3. All charges against a member or members must be presented in writing, signed by the charging party, and specify the section or sections of this Constitution, the bylaws, rules or working agreement allegedly violated. The charges must state the act or acts considered to be in violation, including approximate relevant dates or places.

Sec. 4. Charges against members must be submitted to the R.S. of the L.U. in whose jurisdiction the alleged act or acts took place within sixty (60) days of the time the charging party first became aware, or reasonably should have been aware, of the alleged act or acts. The charges shall be read out but not discussed at the next regular meeting of the L.U. following the filing of the charges. The R.S. shall immediately send a copy of such charges to the accused member at his last known address together with written notice of the time and place he shall appear before the trial board.

Sec. 5. The trial board shall proceed with the case not later than forty-five (45) days from the date the charges were read at the L.U. meeting or Executive Board meeting. The board shall grant a reasonable delay to the accused when it feels the facts or circumstances warrant such a delay. The accused shall be granted a fair and impartial trial. He must, upon request, be allowed an active I.B.E.W. member in good standing to represent him.

Sec. 6. When the trial board has reached a decision, it shall report its findings, and sentence, if any, to the next regular meeting of the L.U. Such report or action of the board shall not be discussed or acted upon by the L.U. The action of the trial board shall be considered the action of the L.U., and the report of the board shall conclude the case, or cases, except for the accused having the right to appeal to the I.V.P., then to the I.P., then to the I.E.C. and then to the I.C. However, the board may reopen and reconsider any case or cases when it feels the facts or circumstances justify doing so any time within thirty (30) days from the date decision was rendered. The board shall reopen any case or cases when directed to do so by the I.V.P. or the I.P.

Sec. 7. If the accused willfully fails to stand trial—or attempts to evade trial—the trial board shall proceed to hear and determine the case just as though the accused were present.

Trials of Officers and Representatives

Sec. 8. All charges against an officer or representative of a L.U. must be presented in writing, signed by the charging party, and specify the section or sections of this Constitution, the bylaws, rules or working agreement violated. The charges must state the act or acts considered to be in violation, including approximate relevant dates and places, and must be made within sixty (60) days of the time the charging party first became aware, or reasonably should have been aware, of the alleged act or acts.

Such charges must be filed with the I.V.P. in whose district the L.U. is located where the alleged act or acts took place, or as directed by the I.P., should more than one district be involved.

(This section shall not be construed to conflict with power of the I.P. or the I.E.C. to take action in certain cases as provided in Articles IV and VIII.)

Sec. 9. The I.V.P. shall pass upon and determine such cases, with the accused having the right of appeal to the I.P., then to the I.E.C., then to the I.C. Any such appeal, to be recognized, must be made within thirty (30) days from the date of the decision appealed from. No appeal from the I.V.P. shall suspend operation of any decision.

Sec. 10. The I.V.P. may require that all evidence, testimony, or statements be submitted to him in writing for review, decision and sentence (if any) or he may hear the case in person. If he so decides, he may appoint a referee, who may or may not be a member, to take testimony and report to him.

Sec. 11. The I.V.P. may reopen any case or cases when there is new evidence or testimony, facts or circumstances, which he feels are sufficient to justify such being done.

Appeals

Sec. 12. Any member who claims an injustice has been done him by any L.U., trial board, or by any System Council, may appeal to the I.V.P. any time within forty-five (45) days after the date of the action of the L.U., trial board or System Council.

A copy of any appeal must be filed with the L.U., or with the System Council, as the case may be.

Sec. 13. No appeal for revocation of an assessment shall be recognized unless the member has first paid the assessment, which he can do under protest. When the assessment exceeds fifty dollars (\$50.00), payments of not less than forty dollars (\$40.00) in monthly installments must be made until the assessment is paid or until a final decision on the appeal is made, whichever occurs first. The first monthly installment must be made within fifteen (15) days from the date of the decision rendered and monthly installments continued thereafter or the appeal will not be considered.

Sec. 14. When a decision has been rendered by the I.V.P. it shall become effective immediately.

Sec. 15. No appeals from decisions of the I.V.P., or from the I.P., or from the I.E.C., shall be recognized unless the party or parties appealing have complied with the decision from which they have appealed. However, this section may be waived by the party making the decision if good and sufficient reasons are furnished and he is requested to do so.

Sec. 16. Appeals to the I.P. and to the I.E.C., and to the Convention, to be considered, must be made within thirty (30) days from the date of the decision appealed from. (Appeals to the I.E.C. and to Conventions must be filed with the I.S.T.) If no appeal is made within thirty (30) days from the date that any decision is rendered, such decisions shall be considered final.

Sec. 17. Any member penalized or otherwise disciplined for an offense may appeal.

Sec. 18. When an appeal is taken above the I.V.P., only the evidence submitted in the original case of appeal shall be considered.

In cases where parties claim they have new and important evidence affecting a case in which decision has been rendered, they may submit this within thirty (30) days to the authority who rendered the first decision, with a request that the case be reopened. Such authority shall decide whether the matter submitted justifies reopening the case.

ARTICLE XXVI

JURISDICTION

Sec. 1. The charter issued this organization by the American Federation of Labor states that it was granted "for the purpose of a thorough organization of the trade."

There must be a systematized knowledge of the science of electricity in all of its various applications of electron transfer and electromagnetism. This requires a thorough understanding of the many means of production, transference, control and utilization of electricity and of the foundation or preparatory work to be performed. It is quite necessary,

therefore, that the jurisdiction of the I.B.E.W. be recognized as one covering:

(a) The manufacture, assembling, construction, installation or erection, repair or maintenance of all materials, equipment, apparatus and appliances required in the production of electricity and its effects.

(b) The operation, inspection and supervisors of all electrical equipment, apparatus, appliances, or devices by which the energy known as electricity is generated, utilized and controlled.

(c) The manufacture, assembling, construction, installation or erection, repair or maintenance of all materials, equipment, apparatus and appliances required in the transmission of data, voice, sound, video and other emerging technologies (including fiber optics, high speed data cable, etc.).

Sec. 2. Electrical workers shall be organized under five general branches of the I.B.E.W., namely: Outside and Utility Workers; Inside Electrical Workers; Communications Workers; Railroad Electrical Workers; and Electrical Manufacturing Workers.

Sec. 3. Keeping in mind progress for the I.B.E.W, and that all electrical work be done by its members, it is impractical to classify or divide jurisdiction of work in every detail between the various branches in this organization to meet all situations in all localities. Therefore, the classifications and divisions outlined below are necessarily of a general nature, and L.U.'s whose jurisdiction with other L.U.'s of the I.B.E.W, or whose agreements are harmonious and conducive to the progress of the I.B.E.W, shall not be disturbed. But when harmony and progress do not prevail, or when disputes arise, the I.P. shall determine what L.U. will do certain work or jobs, consistent with the progress and best interests of the I.B.E.W. in obtaining and controlling the work in question.

Outside and Utility Workers

Sec. 4. These shall include: Foremen, linemen, electrical rail grinders, groundmen and helpers. Outside electrical inspectors, cable splicers, technicians, trimmers, maintenance men, and clerical workers. Aerial and underground cable men and combination trouble men working for distributing companies. Load dispatchers, metermen, station attendants and switchboard operators in lighting and power stations. Telephone switchboard operators and trouble men working for distributing companies. Fire and police operators, maintenance and battery men, signalmen and electrical layout men. Operators of electrical apparatus when generating, furnishing or supplying electricity.

All employees of utility employers generating or producing or transmitting or distributing electricity, gas or water.

They are to have jurisdiction over the following:

The operation, maintenance and repair of equipment owned or operated by utility employers. All electrical construction work outside of isolated plants and the property lines of any given property, but not electric signs, and not street electrical decorations, except when messenger or guy wire is necessary for support and when fed and controlled from the street.

Series arc lamps and wiring when fed and controlled from the street. All line work consisting of wood, concrete or metal (or substitutes therefor), poles or towers, including wires, cables or other apparatus supported therefrom. Line work in public, private or amusement parks.

All work necessary to the assembling, installation, erection, operation, maintenance, repair, control, inspection and supervision of all electrical apparatus, devices, wires, cables, supports, insulators, conductors, ducts and raceways when part of distributing systems outside of buildings, railroads and outside the directly related railroad property and yards. Installing and maintaining the catenary and trolley work on railroad property, and bonding of rails. All underground ducts and cables when they are installed by and are part of the system of a distributing company, except in power stations during new construction, including ducts and cables to adjacent switch racks or substations. All outdoor substations and electrical connections up to and including the setting of transformers and connecting of the secondary buses thereto.

Renewable electrical energy sources such as solar photovoltaic, geothermal, wind, biomass, wave, etc., and other distributed energy installations such as fuel cells, micro-turbines, etc.

Inside Electrical Workers

Sec. 5. These shall include: Wiremen, technicians, fix-lure men, crane men, crane repair men, signal men, load dispatchers, trouble men, switchboard operators and erectors, operators of electrical apparatus when generating, supplying or furnishing electricity for other than distributing companies. Inside cable splicers, picture machine operators when the machines are used for educational or advertisement purposes other than theatrical.

Inspectors, shop men, bridge operators, crane operators, meter testers and installers, inside battery men, fire and burglar alarm installers and repair men, marine electrical workers, glass tube benders and pumpers.

They shall have jurisdiction over the following:

All electrical signs, all street electrical decorations when no messenger or guy wire is necessary for support. Installation, construction, inspection, operation, maintenance and repair of all electrical work in isolated plants and within property lines of any given property, and beginning at the secondary side of the transformer, except line work consisting of poles and towers, including wires or cables and other apparatus supported there from and except all outdoor substations as defined in Sec. 4 hereof.

When aerial wires or cables are used to provide electric current for buildings or structures within the property lines of any given property, the inside men's jurisdiction shall start immediately after the first point of attachment of such aerial wires or cables to such buildings or structures.

Renewable electrical energy sources such as solar photovoltaic, geothermal, wind, biomass, wave, etc., and other distributed energy installations such as fuel cells, micro-turbines, etc.

Communications Workers

Sec. 6. These shall include the following divisions and classifications:

(a) Radio, television and recording engineers, technicians, operators, installers, inspectors, maintenance and repairmen and service men, engaged in the application of electricity to the transmission and transference of voice, sound and vision for commercial, educational and entertainment purposes, excepting employees of common carrier companies.

They shall have jurisdiction over the following work:

The installation, operation, inspection, maintenance, repair and service of radio, television, recording, voice, sound and vision production and reproduction apparatus, equipment and appliances used for domestic, commercial, educational and entertainment purposes.

(b) Telephone and other workers, employed by common carrier communications companies, engaged in the erection, installation, operation, maintenance, repair and service work associated with telephone, and intercommunication electrical apparatus used in the transmission, transference production and reproduction of voice, sound and vision in the public or private communications services supplied by common carriers.

They shall have jurisdiction over the following work:

The erection, installation, operation, maintenance, repair and service of such telephone, and intercommunication facilities, beginning at the first point of distribution or the first terminal inside of building or property lines.

Railroad Electrical Workers

Sec. 7. Railroad electrical workers are those employed by railroad companies, including wiremen, technicians, fix-lure men, armature winders, meter men, electrical inspectors, switchboard operators, generator, motor and substation attendants, electric crane operators, cable splicers, signal men and signal maintainers, power, telephone linemen and repairmen, ground men, electrical rail grinders, rail bonders, electrical bridge operators, battery men and all electrical workers employed by railroad companies.

They shall have jurisdiction over all electrical work on the property of the railroad companies.

It is hereby provided, however, that under no circumstances shall they do any construction or reconstruction work where building trades mechanics are doing work in connection with it. Any dispute will be referred to the I.P. for a decision.

Electrical Manufacturing Workers

Sec. 8. These shall include: All employees of companies engaged in the manufacture of products, components, equipment, apparatus, machines, devices and appliances used in the production, transmission, conversion, control, distribution, measurement and utilization of electricity. They shall have jurisdiction over the following: All work performed by such employees in the manufacture, testing, rebuilding and repair of these products on the premises of the company.

Sec. 9. All government workers may be organized under any of the above general branches of the I.B.E.W., as stated in Section 2.

ARTICLE XXVII

AMENDMENTS TO THIS CONSTITUTION

Sec. 1. This Constitution and the rules herein can be amended in three ways:

(a) By referendum, on petition of fifteen (15) L.U.'s of which no two (2) L.U.'s may be from the same state or province. Petitions may be submitted at any time, however, in Convention years, all petitions for referendum must be received prior to March 1st. All petitions must be submitted to the I.S.T. Proposed amendments, before being submitted by the I.S.T. for vote, must have the approval of the I.E.C. A vote on any proposal taken by referendum shall be returned to the I.S.T. by each L.U. voting, within sixty (60) days from the date submitted. A majority of those voting shall be necessary to sustain any proposal. (L.U.'s may cast the vote of their members, if they so decide.) After receiving from the L.U.'s a record of votes cast for or against any proposal, the I.S.T. shall prepare for publication in the next issue of the I.B.E. W. official JOURNAL a report of the exact votes for and against the proposed amendment. Amendments adopted by referendum shall become effective thirty (30) days after adoption.

(b) If the I.E.C. deems an amendment is necessary, it may have the I.S.T. submit the same to the L.U.'s for vote.

(c) By the majority vote represented at a regular session of the I.C., amendments adopted by the I.C. shall become effective thirty (30) days after adoption.

Sec. 2. The I.P. shall appoint a Law Committee consisting of eleven (11) delegates elected to the I.C., at least one from each I.V.P. District. These shall meet in the I.O. fifteen (15) days prior to the opening of the I.C. This committee shall consider all proposed amendments to be submitted to the I.C., and the committee shall have a printed report ready for the first day's session of the I.C.

Only proposed amendments and resolutions approved by L.U.'s and recommendations of International Officers shall be considered. All these must be submitted to the I.S.T. forty-five (45) days prior to the opening of the I.C.

The compensation of members of the Law Committee shall be fifty dollars (\$50.00) a day and reimbursement for actual expenses. This shall cease the day the I.C. opens.

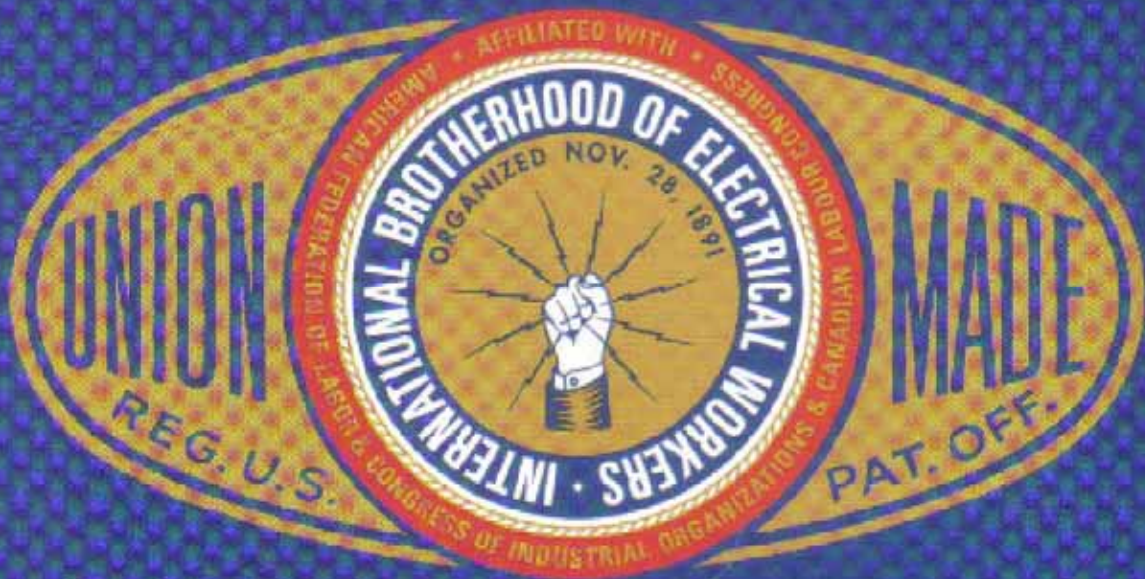
Sec. 3. If any section of this Constitution or part thereof should be held inoperative or invalid by a tribunal of competent jurisdiction, the remainder of this Constitution, or the application of said section or part thereof to persons and circumstances, other than those to which it has been held invalid, shall not be affected thereby.

The I.E.C. shall have the authority to suspend the operation of such invalid section or part thereof in the event it is declared inoperative or invalid by a tribunal of competent jurisdiction. It is further authorized in those circumstances to substitute an appropriate and legal section for the invalid or inoperative section. The said revised section shall be reported to the next succeeding Convention for its approval or disapproval.

The I.E.C. is also empowered to direct the I.S.T. in his compilation and editing of the new Constitution to make such changes as are necessary to correlate the subject matter.

Sec. 4. This Constitution was adopted at St. Louis, Mo., Nov. 1891. It was amended: Chicago, Ill., Nov. 1892; Cleveland, Ohio, Nov. 1893; Washington, D.C., Nov. 1895; Detroit, Mich., Nov. 1897; Pittsburgh, Pa., Oct. 1899; St. Louis, Mo., Oct. 1901; Salt Lake City, Utah, Sept. 1903; Louisville, Ky., Sept. 1905; Chicago, Ill., Sept. and Oct. 1909; Rochester, N.Y., Sept. 1911; Boston, Mass., Sept. 1913; St. Paul, Minn., Sept. and Oct. 1915; by referendum in Feb. 1916; Atlantic City, N.J., Sept. 1917 and by referendum in April 1918 and in March 1919. It was again amended at New Orleans, La., Sept. 1919; St. Louis, Mo., Sept. and Oct. 1921; Montreal, Quebec, Aug. 1923; Seattle, Wash., Aug. 1925; Detroit, Mich., Aug. 1927; Miami, Fla., Sept. 1929; and by referendum in March, 1930. It was altered, amended and revised at Washington, D.C., in July 1930; amended by referendum, April 1931; March 1933; March 1935; May 1935; July 1935; March 1937; Dec. 1940. It was amended at St. Louis, Mo., Oct. 1941; by referendum Sept. 1943 and Dec. 1943. It was amended at San Francisco, Calif., Sept. 1946, and by referendum April 1947 and July 1947. It was again amended at Atlantic City, N.J., Sept. 1948, and at Miami, Fla., Oct. 1950, and by referendum June 1951, Jan. 1952, and Oct. 1952. It was further amended at Chicago, Ill., Aug. and Sept. 1954, and by referendum July 1955, November 1955, and August 1957. It was amended at Cleveland, Ohio, Sept. and Oct. 1958. Amended March 1959 by the Executive Council as authorized by the 1958 Convention. It was amended at Montreal, Quebec, Sept. 1962; at St. Louis, Mo., Sept. 1966; and at Seattle, Wash., Sept. 1970. Amended June 1972 by the Executive Council as authorized at Seattle, Wash., Sept. 1970. Amended Sept. 1974 at Kansas City, Mo. Amended Oct. 1978 at Atlantic City, N.J.; amended April 1981 by the Executive Council; amended Sept. 1982 at Los Angeles, Calif.; amended June 1985 by the Executive Council. Amended Sept. 1986 at Toronto, Ontario; amended June 1988 by the Executive Council. Amended Oct. 1991 at St. Louis, Mo. Amended Sept. 1996 at Philadelphia, Pa. Select Committee recommendations adopted by referendum March 1998. Amended Sept 2001 at San Francisco, Calif.

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