

By-Laws



Revised 03/08/2020

Local 1005 UAW

5615 Chevrolet Blvd

Parma, Oh 44130

440-884-7979

Fax - 440-884-0008

yl/opeiu 1794aficio

Local 1005, UAW By-Laws

Table of Contents

<u>Article</u>	<u>Page</u>
I Introduction	3
II Powers of Administration	3
III Membership	4
IV Local Union Officers	5
V Duties of Officers	5
VI Nominations and Election of Officers and Delegates	6
VII Election Committee	8
VIII Committeemen	11
IX Local Union Meetings	12
X Quorum	13
XI Committees	14
XII Local Union Expenses	14
XIII Community Action Program Delegates	17
XIV Strikes	17
XV Rules of Order	17
XVI By-Laws Amendments	18
XVII International Policy concerning Per Diem	19

ARTICLE I - INTRODUCTION

SECTION 1.

The name of the Local shall be Local 1005, an amalgamated unit of the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, U.A.W. The Constitution of this organization shall be the Constitution of the International Union, U.A.W., and these By-Laws shall be in all respects subordinate to said Constitution and all applications and interpretations thereof. The fiscal year of this Local Union shall begin on January 1 and end on December 31.

SECTION 2.

Each member in good standing of this Local Union has the right to nominate and vote, express opinions on all subjects before the Local Union, to attend all membership meetings and express views, arguments and opinions on all matters and business, including candidates for office, properly before the meeting; to meet and assemble freely with other members and generally, to participate in the activities of the Local Union. These rights shall at all times be subject to the rules of procedure governing meetings and other uniform rules and regulations contained in the Constitution, By-Laws and other official rules of the Local Union. Violation or abuse of these rights and privileges of membership, or engaging in conduct in violation of this section, shall be considered conduct unbecoming a Union member.

SECTION 3.

Any member of this Local Union 1005 U.A.W., who wishes to challenge any action, decision or penalty of this Local or any official or representative of this Local must, in all cases and procedures where no other limit is specifically set forth by the Constitution, initiate the challenge before the membership of this Local Union within sixty (60) days of the time the challenger first becomes aware or reasonably should have become aware of the alleged action, decision or penalty of this Local Union.

SECTION 3

(a) Appeal Procedure detailed on PAGE 18 of Local Union By-Laws.

ARTICLE II - POWERS OF ADMINISTRATION

SECTION 1.

The membership is the highest authority of this Local Union and shall be empowered to take or direct any action not inconsistent with the Constitution or By-Laws.

SECTION 2.

Between the General Membership meeting, the highest authority shall be the Executive Board of the Local, which shall meet at least twice each month.

SECTION 3.

Between the meeting of the Executive Board, the Administrative Authority of the Local shall be vested in the President of the Local, subject to the approval of the Executive Board and the General Membership. All lost time shall be authorized by the President of the Local.

SECTION 4.

The Executive Board shall have the authority to make disbursements of Local Union funds up to a

maximum of \$500.00. It shall have the power to direct payment of all ordinary bills and expenses of the Local Union. In no case however, shall the board transact any business that may affect the vital interests of the Union until the approval of Membership is secured.

SECTION 5.

The Executive Board shall meet at least twice each month preceding each regular Local Union meeting.

SECTION 6.

The Executive Board shall review each issue of the Local Union Paper, and where necessary, shall take steps to bring the contents and policy of the paper into conformity with the policy of the International Union.

SECTION 7.

No agent or official of the Local Union is authorized to execute a real estate lease, deed, service or maintenance contract or other long term agreement unless the proposed agreement has been reviewed by an outside expert or attorney and approved by the Local Union Executive Board.

ARTICLE III - MEMBERSHIP

SECTION 1.

The Local Union shall be composed of workers eligible for membership in the International Union, United Automobile, Aerospace and Agricultural Implement Workers of America, U.A.W., and over whom the Local is granted jurisdiction by the International Union.

SECTION 2.

Initiation fees shall be fifty dollars (\$50.00) for new members, who do not present acceptable withdrawal cards; five dollars (\$5.00) of which will be set aside for a New Member Orientation Fund. The reinstatement fee shall be fifty dollars (\$50.00), plus the dues for each month of delinquency in dues up to either date of his automatic suspension or the date of his reinstatement, plus the current month's dues.

SECTION 3.

Any Local Union Officer, Shop Committee member or committeeman offered a personnel or labor relations position with management shall secure permission from this Local Union before accepting such position in order to be entitled to an honorable withdrawal transfer card. Members violating this section shall be subject to expulsion from the Local Union.

SECTION 4.

Eligibility for, and acceptance into membership in the Local Union shall be governed by the Constitution of the International Union.

SECTION 5.

The membership card shall be punched at each meeting by the Guide or the Sergeant-at-Arms to indicate that such member has attended such meeting, and they will also sign a register to indicate their presence.

SECTION 6.

It shall be the duty of each member to participate in all Local, State and Federal elections through registration and balloting.

ARTICLE IV - LOCAL UNION OFFICERS

SECTION 1.

The Local Union shall have the following Executive Officers: President, First Vice President, Recording Secretary, Financial Secretary-Treasurer, three Trustees, Sergeant-at-Arms and Guide.

a) The Executive Board shall consist of the above designated Executive Officers, four (4) Executive Board Members-at-Large, the Chairman of the Shop Committee, and a Retiree.

SECTION 2.

All vacancies in the Local Union Executive Offices, except the office of the President, shall be filled promptly by election within forty-five (45) days. The Local Union Executive Board may make a temporary appointment for the period pending the election. a) A vacancy in the office of President shall be filled by the First Vice President for the remainder of the term.

SECTION 3.

All Executive Officers shall be elected for a three (3) year term by secret ballot.

ARTICLE V - DUTIES OF OFFICERS

SECTION 1.

The duties of the Local Union Officers shall be as provided for by the Constitution of the International Union as it now exists, or may hereafter be amended.

a) All local union officers, committee, stewards and other members handling funds or property of the union shall, at the completion of their duties, turn over all papers, documents, funds and/or union property to the properly constituted local union officers.

SECTION 2.

a) All Executive Board Members, Shop, District, and Alternate Committeemen and International Local Appointees, Local Appointees, and Standing Committee Members must attend two out of three General Membership Meetings within a three-month period of time. They must be on time and stay until the meeting is officially adjourned.

b) All Executive Board Members must attend two out of three consecutive Board Meetings. Shop, District and Alternate Committeemen must attend two out of three consecutive committeemen class meetings that the Chairman may hold.

c) The only excuses that are acceptable are:

1. Illness, where it is impossible to attend meetings.
2. Sickness, or an accident in a member's family.
3. Death in one's family.
4. In-town or out-of-town on Union Business.
5. Scheduled work day, or other conditions beyond a member's control.

d) Local Union Membership may determine the validity of any excuse or the membership may delegate that authority to the Local Union Executive Board. Any appeal from the Board's decision may be taken to the next General Membership meeting. The failure of any Executive

Board member, Shop District or Alternate Committeeman to be properly excused from attendance at the above listed meetings shall cause the Union Officer to receive a written warning notice from the Executive Board. A second infraction, within a year, shall cause that removal of the affected member from his or her office.

ARTICLE VI - NOMINATIONS AND ELECTION OF OFFICERS AND DELEGATES

SECTION 1.

Any member shall be eligible as a nominee and candidate for an Executive Office of the Local Union, who has been a member in continuous good standing in the Local Union for one year immediately prior to the acceptance of nomination.

SECTION 2.

Any member shall be eligible as a nominee and candidate for other than Executive office, such as a member of any committee, etc. who has been in good standing in the Local Union for a period of six (6) months immediately prior to the acceptance of nomination.

- a) All candidates must submit a letter of intent indicating office desired and how he/she wants their name to appear on the ballot.

SECTION 3.

All eligible members shall stand nominated for Executive Board Officers, Members at Large, Chairman of the Shop Committee, Shop Committeemen, District Shop Committeemen and Committeemen-at-Large.

- a) All eligible members shall have seven calendar days from posting of notice of nominations to accept posts listed in Article VI, Section 3.
- b) Acceptance of nomination for posts outlined in Article VI, Section 3, shall be made by mail, addressed to the Chairman of the Election Committee, at an address designated by the Election Committee.
- c) Any member who has been in continuous good standing in this International Union for twelve (12) months immediately preceding the first day of the month in which the Convention is held and shall also have been a member of the Local Union electing him for three (3) months immediately preceding the first day of the month in which the Convention is held shall stand nominated for delegate to the International Convention.
- d) Acceptance of Delegates shall be in the same manner outlined in Article VI, Section 3(b).
- e) Eligible members shall be permitted to submit a letter of nomination for only one post, either delegate or alternate delegate

1. Members receiving the highest number of votes in the delegate election shall be the delegates. The number of delegates from each unit of the amalgamated union will be determined by the International Union's Constitutional call letter.

2. Local 1005, an amalgamated unit of the International Union, UAW, will elect alternate convention delegates as per Article 8, Section 8 of the UAW Constitution; therefore Local 1005 will accept nominations for the positions of alternate delegate. The members

receiving the highest number of votes, from each unit of the amalgamated union, in the alternate delegate election will be the alternate delegates to the convention.

3. These delegates will attend the conventions. The number of alternate delegates, from each unit of amalgamated Local 1005, who will attend the conventions can be decided at a General Membership Meeting prior to the conventions.

f) At least seven (7) days shall elapse between the time of nomination of delegates and the date the election shall take place. All members shall be duly notified at least fifteen (15) days in advance, of the time and place of said election and the hours the polls will be open. Polling places must be open a sufficient number of hours on one (1) or more days to allow all members of the Local Union an opportunity to cast their ballots. Each member shall personally cast his vote at the polls. Except delegates to International Convention, all delegates will be elected at Membership Meetings. Delegates to the International Convention will be elected at the Local Union Hall, 5615 Chevrolet Blvd., Parma, Ohio.

g) At least seven (7) days shall elapse between the time of nomination of officers and the date the election shall take place. All members shall be duly notified at least fifteen (15) days in advance, of the time and place of said election and the hours the polls will be open. Polling places must be open a sufficient number of hours on one (1) or more days to allow all members of the Local Union an opportunity to cast their ballots. Each member shall personally cast his vote at the polls. If an election is held at the General Membership Meetings. A specified number of hours will be so stated.

- h)
1. General Elections, and Committeepersons Elections for all Amalgamated Units of Local 1005 will be held on the first or second Thursday of May beginning in May of 2020, and every third year thereafter.
 2. Runoff Elections, when necessary, be held on the third (3rd) or fourth (4th) Thursday of May beginning in May, 2020 and every third (3rd) year thereafter
 3. All the above elections to start on Thursday at 4:00 A.M. and continue for twenty (20) consecutive hours.
 4. The date or dates of all Local Union Elections must be established by membership.
 5. No meetings, hall rentals, or anything except the everyday office business of this Local Union be conducted on the day of the General Election, and Run-Offs, the General Committeeman Election, or the International Constitutional Convention Delegates Election.
 6. A complete list of candidates for the General Elections and International Constitutional Convention shall be printed by the Local Union, in Newsletter or leaflet form for distribution to the entire membership.
 7. Upon introduction of a new Amalgamated Unit, interim elections will be held as soon as possible. These interim positions will be held until the next General Election.

SECTION 4.

Every eligible member in good standing shall be entitled to vote at all Local Union Elections.

- a) All members assigned to the jobs bank on an election day, be assigned to the district they worked in prior to the jobs bank assignment. The jobs bank employees also have the right to vote and/or be candidates in any elections as long as they are members in good standing.
- b) The members of the jobs bank will be represented by a member or members of the Shop Committee.
- c) A member of the jobs bank assigned to a traditional job on a temporary basis will be represented by the District Committeeman where assigned for that temporary period, as outlined in the National Agreement.

SECTION 5.

When none of the candidates for an Executive Office, or Shop Chairperson receives more than fifty percent of the votes cast, there shall be a run-off election between the two candidates who receive the highest number of votes for their respective offices. The date for the run-off election shall be set by the Membership Body, but in no case shall such run-off election be held more than five weeks from the date of the original election. This will not apply to Executive Board Members-at-Large, Committeepersons, Delegates and Alternate Delegates to the International Convention who shall be elected by plurality.

ARTICLE VII - ELECTION COMMITTEE

SECTION 1.

There shall be a permanent Election Committee consisting of nine (9) people, plus nine (9) alternates.

- a) The entire Election Committee shall meet once immediately after election of this committee to elect a Chairman and Co-Chairman and acquaint themselves with the rules set forth in the By-Laws and International U.A.W. Constitution, governing elections.
- b) Once an entire committee has been elected and a member resigns from said committee, the top alternate (vote getter) be moved up to the regular committee.
- c) No further elections shall be held until two (2) months prior to any General Elections or Constitutional Convention Election to fill the vacancies for Alternate to the Election Committee.

SECTION 2.

Permanent Election Committee's term of office shall be for three (3) years, beginning in March, 1993 and every third (3rd) year thereafter expiring in March.

SECTION 3.

The Election Committee shall have complete charge of the election. It shall be responsible only to the Local Union. At the membership meeting preceding the election, the rules for the election drawn up by the Election Committee shall be approved by the membership. In case no quorum is

present at the membership meeting, the rules may be approved by the Executive Board.

SECTION 4.

No candidate in any election shall be a member of the Election Committee having supervision over such election. Any member of the Election Committee wishing to run for office must resign prior to accepting nomination for that office or Delegate to the International Convention.

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

SECTION 5.

No literature shall be passed out or any campaigning be allowed on Union Property during hours of any Local Union Election.

On-site Elections: No campaign literature shall be passed out, nor any campaigning be allowed in the Polling Places and the doorways to the polling places during any election, i.e.: Cafeterias, Satellite Area, Conference Room.

SECTION 6.

No one, except the Election Committee, or those acting under its direction, and those voting or who are waiting to vote and the duly qualified challenger, shall be allowed in the place designated as a voting place, and the counting of ballots for the election. Candidates shall not serve on the election committee or as challenger or observer.

SECTION 7.

Voters who have cast their ballots shall not be allowed to loiter in the voting place.

SECTION 8.

a) Where the difference between a candidate petitioning for a recount and the candidate receiving the highest number of votes is less than 1% of the total votes cast for that office, the Election Committee will grant such a recount providing the petition for a recount is filed with the Election Committee in writing within two (2) days after the Election Committee shall have posted the results of the Election. Any request for a recount by a candidate defeated by 1% or more of the total votes cast for that office must be appealed to Membership, at the first General Membership Meeting following the Election.

b) The Election Committee will also grant a recount if the difference between the candidates receiving the highest number of votes in a Committeeman or Alternate Committeeman Election is five (5) votes or less, provided all other requirements stated in Article VII, Section 8, are complied with.

In the event of a granted recount, only those candidates involved shall be notified of time and place of recount. This is to allow ample opportunity to have a challenger if candidates so deem necessary. Notification shall be by registered mail, receipt requested and sent by the Chairman of the Election Committee.

SECTION 9.

Any voter in the line at the polls at the time of closing will be permitted to vote.

SECTION 10. Copies of Election Regulations shall be placed in a prominent position in each election place and members of the Election Committee shall make themselves acquainted with the same.

a) Means of identification for voting in all elections of Local 1005 UAW are:

1. Employee Identification Card or
2. Retiree Identification Card or
3. Satisfactory Identification to the Election Committee.

SECTION 11.

If ballots are not counted immediately then the majority of the Committee shall place and/or reclaim the sealed ballot boxes in the Parma Police Station left for safekeeping. When voting machines are used, the ballots shall be tabulated immediately upon the closing of the polls.

SECTION 12.

The Election Committee shall be in charge of all ballots. Any ballot which clearly indicates the intention of the voter shall be considered valid; provided, however, that where the ballot bears an identification mark, the ballot shall be void. Where a member has voted for more candidates than are permitted for the office, or if for any reason the member's vote for a particular office is declared invalid, the member's vote for that office shall not be counted. However, this shall not affect the validity of the remainder of the ballot.

SECTION 13.

Time spent on the Election Committee other than time he or she would have spent during their regular scheduled work day in the plant would be on a voluntary basis except that he or she shall receive incidental expense for food, upon receipt, not to exceed ten dollars (\$10.00) a day.

SECTION 14.

Procedure for Limited Absentee Balloting

A member who will be away from her/his Local Union during the entire period of an election of Executive Officers or Convention Delegates on a work assignment for her/his employer or on Local Union business may apply for an absentee ballot by filing with her/his Local Union by mail (registered or certified) or in person, a signed statement that she/he will be away from her/his Local Union for the entire period of the election on a work assignment by her/his employer or on Local Union business. Such statement or request must be filed with the Local Union in sufficient time for the member to secure a ballot and redeposit same with the Local Union prior to the start of the election.

Upon such certified application, the Local Union shall immediately provide the member with a ballot and two envelopes, one return-addressed. The member shall place her/his marked ballot in the unmarked envelope and enclose it in the return-addressed envelope.

The ballot as indicated may then be presented to the Local Union Election Committee Chairman in person or as contained in the return-addressed envelope returned by mail (registered or certified). However, under either circumstance, the ballot must be received by the Local Union Election Committee Chairman before the start of the election.

All ballots of any election shall be retained by the Financial Secretary Treasurer for a period of one (1) year after the election has been held, unless an appeal is pending.

ARTICLE VIII - COMMITTEEMEN

SECTION 1.

Duties of the Committeemen shall be as follows:

- a) To become completely familiar with all the provisions of the collective bargaining agreement and thoroughly investigate all grievances. To receive complaints and grievances of his/her district or zone and to make every effort in conformity with the grievance machinery to satisfactorily adjust and settle all grievances.
- b) To carry out all the duties as prescribed by the International Union, the Local Union Executive Board and the members of his or her district.
- c) Committeemen's Class shall be held once a month when deemed necessary by the Shop Chairman and/or the President of the Local Union.

SECTION 2.

In order to be eligible as a candidate for the offices of District Committeeman, Alternate Committeeman, District Shop Committeeman or Shop Committeeman, the candidate must be a member in continuous good standing with the Local Union for six (6) months and must be a seniority employee with at least one (1) year.

- a) The By-Laws of the Local Union shall at all times be subordinate and subject to the provisions of the Constitution of the International Union, as such Constitution now exists or may from time to time hereafter be altered or amended, and in the event of any conflict, the Constitution of the International Union shall govern.

SECTION 3.

There shall be elected for each District, a District Committeeman and for each Zone, a Shop Committeeman.

- a) District Committeemen and their Alternates shall be democratically elected for a period of three (3) years by the members of their district.
- b) Shop Committeemen and District Shop Committeemen shall be democratically elected for a period of three (3) years by the entire membership. The power to appoint a Committeeman or Alternate Committeeman shall be vested in the Executive Board, such appointments shall be for a period of not to exceed thirty (30) days, after which time there shall be another election held for that district.
- c) Whenever redistricting places two or more committeemen and alternate committeemen in the same district, that an election be held between those committeemen involved in said district so employees in said district can elect a committeeman and alternate committeeman of their choice. In the interim, committeeman and alternate committeeman representation, will be decided by the flip of a coin.

SECTION 4.

A Shop Committeeman, District Shop Committeeman, Committeeman and Alternate Committeeman may be recalled by the members he represents for failure to perform the duties of

his office.

a) A vote on the question of recalling a Shop Committeeman, District Shop Committeeman, Committeeman or Alternate Committeeman may be initiated by a petition setting forth the reasons why the recall is sought and signed by at least twenty-five percent (25%) of the current members working under the jurisdiction of the Shop Committeeman, District Shop Committeeman, Committeeman or Alternate Committeeman.

b) The Recording Secretary must within three (3) days send a copy of reasons for the recall to the member being recalled. The members on recall must be given at least two (2) weeks time to prepare his or her defense, before the Executive Board shall call a meeting.

c) Twenty-five percent (25%) of the current members working under the jurisdiction of the Shop Committeeman, District Shop Committeeman, Committeeman or Alternate Committeeman must be present at the recall meeting to establish a quorum.

d) A two-thirds (2/3) vote of those present and voting is necessary to recall.

SECTION 5.

When a vacancy occurs in the office of District Committeeman, Alternate Committeeman, District Shop Committeeman or Shop Committeeman, his successor shall be elected by his or her constituents within sixty (60) days to fill the unexpired term.

a) When there is a vacancy existing for the position of District Committeeman, District Shop Committeeman, Alternate Committeeman or a member of the Shop Committee, the acceptance of nomination for these positions shall be made by mail, addressed to the Chairman of the Election Committee, at an address designated by the Election Committee.

ARTICLE IX - LOCAL UNION MEETINGS

SECTION 1.

Regular membership meetings shall be held at least once each month. This meeting shall be held on the second Sunday of each month at 10:00 A.M. whenever possible.

a) The Local Union shall follow the following agenda whenever possible. The priority of business, however, may be suspended by a two-thirds (2/3) vote of the membership

- | | |
|-------------------------------------------|-----------------------------------|
| 1. Roll Call of Officers and Committeemen | 7. Committee and Delegate Reports |
| 2. Reading of Previous Minutes | 8. Communications and Bills |
| 3. President's Report | 9. Unfinished Business |
| 4. Oath of Obligation - New Members | 10. New Business |
| 5. Financial Report | 11. Good and Welfare |
| 6. Executive Board Recommendation | 12. Adjournment |

SECTION 2.

Special Membership Meetings may be called when deemed necessary by the Local Union Executive Board. No other business shall be transacted except that business stated in the notice..

SECTION 3.

Members will be notified by posters on union bulletin boards seven (7) days prior to any General Membership Meetings.

a) All By-Laws changes up for adoption (2nd reading) shall be spelled out to the specifics and shall be included or attached to the membership agenda.

SECTION 4.

Special Meetings of the Executive Board shall be called upon request in writing by two-thirds (2/3) of the Executive Board. The President of the Local Union shall be required to call such special meetings within a forty-eight (48) hour period.

SECTION 5 - RATIFICATION PROCEDURE

a) Terms of Local and National Agreements will be voted upon by secret ballot at separate Special Membership Meetings for Skilled and Non Skilled. Ratification meetings will be conducted in accordance with Robert's Rules of Order and only those items pertaining to negotiations will be discussed.

1. All available information relating to the settlement will be conveyed to the Membership attending the meeting. In the event that the Local Agreement is not ratified, and changes or deletions are made to the proposed Local Agreement, this information will be conveyed to the Membership at the Ratification Meeting in addition to posting the changes on all designated Union Bulletin Boards before the next Ratification vote.

b) Local Agreements

1. If either group fails to ratify, a Special Meeting of that group may be called if deemed necessary, to determine the reason for rejection.

c) If the reason concerns a demand that was presented at the bargaining table and pertains exclusively to that group, and the Agreement is rejected, the Bargaining Committee will attempt to renegotiate that portion of the Agreement.

d) If one group rejects for a valid reason which pertains to both groups, but the combined vote shows acceptance by a majority, the Contract is ratified.

e) National Agreements

1. Ratification results are decided by a National Vote Tabulation.

2. No provisions of this procedure will supercede Article 19 and 50 of the Constitution of the International Union.

ARTICLE X - QUORUM

SECTION 1.

Fifty (50) members present at regular or special meeting of the Membership of the Local Union shall constitute a quorum for the transaction of business.

SECTION 2.

A simple majority shall constitute a quorum for meetings for all committees.

ARTICLE XI - COMMITTEES

SECTION 1.

Local 1005 shall have the following standing committees: Constitution and By-Laws, Union Label, Education, Conservation and Recreation, Community Services, Civil Rights, Citizenship & Legislative, Consumer Affairs, Veterans, Women's Committee, Retired Members, Chaplaincy and such other committees as may be deemed necessary to the Local Membership.

SECTION 2.

Minutes shall be kept of all Committee Meetings and a copy shall be submitted to the Executive Board after each meeting.

SECTION 3.

All Standing Committees shall be appointed by the President of the Local Union, subject to the approval of the Executive Board and the membership. Chairmen of the respective committees shall be elected by members of the Standing Committees. All Standing Committees shall be required to meet at least once a month. Special meetings may be called upon request of the Committee Chairman or a majority of the committees, but only with the approval of the President and/or the Executive Board.

ARTICLE XII. - LOCAL UNION EXPENSES

SECTION 1.

Seventy-five cents (\$.75) per capita shall be placed into the Building Fund to be used for Building Maintenance, Taxes, Expansion and Insurance.

SECTION 2.

Expense Expenditure of Union Business Out-of-Town: a) Any member of Local 1005 who performs an approved union duty, as a delegate or other representative of the Local, shall be allowed transportation Second (2nd) Class Air Fare to and from subject destination or mileage, whichever is more economical. It will be the responsibility of the Local 1005 Office for Air Fare, Hotel, Motel, Single Room Accommodations rate or one-half (1/2) of Double Room if shared by another member, plus the current International Executive Board Policy concerning per diem incidental expense monies per day. b) Any member of Local 1005 who performs an approved union duty for one day or more, from one hundred (100) miles to two-hundred seventy-five (275) miles radius of Local 1005 Union Hall, shall be allowed one-half (1/2) day travel time to the destination and one half (1/2) day travel for the return trip. 1. Any distance over two-hundred-seventy-five (275) miles, he shall receive one day travel time to his destination and one day travel time for the return. 2. The Local Union will provide Second (2nd) Class Air Fare to and from designation or mileage expense as per U.A.W. International Policy. The lesser cost of the two will be paid. Mileage expense can only be paid to the driver of the vehicle. 3. International Executive Board Policy concerning Per Diem detailed on Page 19.

SECTION 3.

Expense Expenditures of Union Business Locally:

a) Any member of Local 1005 who shall represent Local 1005 as a delegate or performs approved duties at a called conference or convention within one hundred (100) miles of the Local Union Hall, which is to be considered In-Town Non-Overnight, shall receive the current International Executive Board Policy concerning per diem day for incidental expenses.

b) Any member of Local 1005 whose services are required by the Local Union shall be compensated at his or her regular hourly rate, subject to the following rules:

1. Lost time will be paid only if the member otherwise would have been scheduled to work.

2. No lost time will be paid if the member would have worked only for representation purposes, except the Shop Committeemen and District Committeemen whose regular job under the National Agreement is representation.

3. Lost time will be paid only to the conclusion of the meeting except that those members who choose or are required to go into work will be given 1- hours to return to the plant unless prohibited by the contract.

4. Lost time will be paid for Sunday due to a Regional or International call letter only, providing that the General Fund balance is in excess of \$150,000.00 and if the member otherwise would have been scheduled to work.

5. Saturday lost time will be paid only if the member otherwise would have been scheduled to work.

6. No lost time will be paid for committee meetings unless approved and authorized in advance by the President.

7. No lost time shall be paid to any members bringing charges, witnesses or any other persons required to appear before a Trial Committee of this Local Union.

c) Any member of Local 1005 who shall represent the Local as a delegate or perform a service out-of-town shall be furnished Traveler Insurance through the International Union.

This Insurance shall be arranged for by the Financial Secretary-Treasurer of Local 1005 and shall be his or her responsibility.

The issuance of his insurance shall absolve Local 1005 from further financial responsibility to said member or delegate.

d) A general description of all expenditures involving \$500.00 or more must be posted on the notice of General Membership Agenda at least seven (7) days prior to said meeting. This is in reference to all financial disbursements involving expenditures for any Union activity or purchases for any commodity from any fund of Local 1005. Approval of any expenditures over \$500.00 must be approved by the Local Union Membership.

The only exception to this rule will be made in case of extreme emergency arising before a Special Membership Meeting can be called.

The Executive Board will have the power to act in such situations.

e) Pay rate of the Financial Secretary-Treasurer shall be his or her present rate of pay as in the plant.

All overtime shall be based on the provisions of the National Agreement.

If his/her potential weekly plant earnings would exceed his/her weekly earnings, he/she could then exercise the lost time provision (at his/her option) of the By-Law (Article XII, Section 3(b).

f) The Shop Chairman shall receive an expense allowance of eighty dollars (\$80.00) payable the last Wednesday of each month. This would not affect Article XII, Section 2 and Section 3 (a).

1. The pay rate for the Shop Chairman shall be his or her rate of pay in the plant, per ten hours a day, five days a week. Minus Paragraph (24(a) Time) provided under the National Agreement. This is NOT to circumvent overtime provisions under Article XII, Section 3(b) of Local 1005 UAW's By-Laws.

g) The local shall pay the President's and Shop Chairman's telephone bill up to the cost of private line and unlimited calls for the purpose of union business.

h) The Local shall pay the Shop Chairman's weekly gasoline expense of five dollar (\$5.00) each week.

i) The Local Union shall not be responsible for any of the President's fringe benefits. (Spelled out in the National Agreement).

j) The President shall receive an expense allowance of twenty-five dollars (\$25.00) each week. This would not affect Article XII, Section 2 and Section 3(a).

1) The pay rate for the President shall be his or her rate of pay in the plant, per ten hours a day, five days a week. Minus Paragraph (24(a) Time) provided under the National Agreement. This is NOT to circumvent overtime provisions under Article XII, Section 3(b) of Local 1005 UAW's By-Laws.

k) In the event of a strike or labor dispute where the amalgamated unit is shut down, it is understood no lost time be paid to any member of the affected unit(s).

l) International Executive Board Policy concerning per diem detailed on Page 19.

m) The local shall pay the Financial Secretary's weekly gasoline expense money of ten (10) dollars each week.

n) Transportation expenses for approved Union Business in town locally at Amalgamated Units is to be paid for the actual mode of transportation used. Any mileage will be paid at the IRS rate. Mileage expense can only be paid to the driver of the automobile. All mileage is calculated with respect to the distance from the Local 1005 Union Hall. Parking tolls and other incidental transportation expenses will be reimbursed to the member who incurred the expense by the Local

Union. This shall not supersede the current International Executive Board policy concerning transportation detailed on page 19.

SECTION 4.

Full-time Officers: None

Part-time officers or representatives shall be defined as: Any Local 1005 member who because of their duties and obligations to this union incur lost time.

a) If a member loses vacation or profit sharing because of said lost time, the Local Union shall compensate such members.

1. The formula for the above shall be: The maximum amount payable minus the monies received from the corporation, in which the difference shall be paid by the Local Union.

b) If a member loses retirement contributions in lieu of benefits such as retiree health care and/or pension, etc., because of said lost time, the Local Union shall compensate such member. The Local Union does not have the ability to access and make contributions to the Company accounts, therefore the monetary amount will be included in the lost time payment.

ARTICLE XIII - COMMUNITY ACTION PROGRAM DELEGATES

SECTION 1.

All members shall be eligible as a nominee and candidate as provided for in Article VI, Section 2 of the By-Laws, to be a delegate to the Community Action Programs Council, regardless of the shift any member may be working at the time of the Election of the CAP Council Delegates, further, that Article XII, Section 3(a) and 3(b) of the Local By-Laws will not apply to elected delegates to the C.A.P. Council.

ARTICLE XIV - STRIKES

SECTION 1.

All strikes shall be called or terminated only in strict conformance with Article 50 of the International Constitution.

ARTICLE XV RULES OF ORDER

Rule 1 - The use of profane or ungentlemanly/unladylike language during the meeting of this Local is prohibited as being against the decorum and dignity of this meeting.

Rule 2 - Any member who attends a meeting in an intoxicated condition and/or creates a disturbance or becomes unruly shall lose voice and his right to vote at said meeting. Where necessary to maintain order, the member may be evicted from the meeting by order of the Chairman subject to the challenge of the membership. Flagrant or persistent violation of this section by any member shall be conduct unbecoming to a Union member.

Rule 3 - Sectarian discussion shall not be permitted in the meeting under any circumstances.

Rule 4 - Any conversation by whispering or otherwise, which is calculated to disturb a member while speaking, or hinder the transaction of business, shall be deemed a violation of order.

Rule 5 - The Union shall have the power to declare further rules of order which will tend to increase the decorum and dignity of meetings.

Rule 6 - All questions of a parliamentary nature not provided for in these rules shall be decided by Roberts Rules of Order as revised.

Rule 7 - There will not be any open alcoholic beverages allowed in the hall prior to or during membership meetings.

ARTICLE XVI - BY-LAW AMENDMENTS

SECTION 1.

These By-Laws shall be amended, altered or revised only in conformity with the following procedure:

- a) A resolution or motion, in writing, calling for amendment, alteration or revision, shall be presented and read to the regular membership meeting.
- b) The resolution or motion shall be referred to the By-Laws Committee and shall be reported out by said Committee at the next General Membership meeting, together with the recommendations of the Committee.
- c) A vote shall then be taken on the recommendations of the By-Laws Committee and it shall require a vote of two-thirds (2/3) of those voting for adoption.

SECTION 2.

All Local Union By-Laws and By-Laws changes and/or amendments shall be submitted to the International By-Laws Committee for approval.

ARTICLE I - APPEAL PROCEDURE

SECTION 3 (a)

Article 33 of the International Constitution provides that a member feeling her/himself aggrieved by some action of the Local Union or one of its representatives must initiate her/his complaint or appeal from that action within 60 days of the time s/he is aware of the action or reasonably should have been aware. This provision was inserted because the time limits on appeals in the Constitution do not begin to operate until the Local Union membership has made its decision on a matter. However, it was not possible to handle this matter completely in the Constitution since Local Unions have different methods of internally processing complaints and appeals between the time they are first brought to the Local Union's attention and the time the membership makes its decision.

The International Constitution does, however, require the matter to be initially brought to the Local Union within 60 days as noted. Local Unions should establish an internal appeal procedure in these By-Laws which will set definite time limits in which a member dissatisfied with some lower

level decision of a Local Union, such as a Bargaining Committee, or Executive Board decision, will have to take her/his appeal to the membership.

An example of this would be an article which would provide that any person dissatisfied with the action or decision of the Local Union or any representative thereof, other than the action or decision of the membership of the Local Union shall take her/his appeal or complaint to the Local Union Recording Secretary within 60 days as permitted by Article 33 of the International Constitution.

Such introductory section could, as an example, be followed with the following provisions:

- a) The Executive Board shall refer the matter to the Bargaining Committee (or Stewards Council) if it involves collective bargaining. Otherwise, the Executive Board shall consider the matter itself.
- b) Whichever of these bodies the matter is referred to shall consult with the grievant, permit her/him full opportunity to be heard, and shall reach a decision.
- c) Within 30 days of receiving a notice of such a decision, the grievant, if wishing to appeal further, shall submit her/his appeal to the Recording Secretary in writing for consideration by the earliest possible membership meeting.

The foregoing is just suggestive of the type of procedure that should be established in the By-Laws and which will vary in detail from Local to Local. Some Locals might wish a collective bargaining grievance which has been reviewed by a Bargaining Committee or Steward Council to be further reviewed by the Executive Board prior to being submitted to the membership. There are any number of other variations involving different intermediate bodies in the structure of the Local Union.

These appeal provisions are very important and if properly drafted to conform to the Local Union structure can save the Local Union a good deal of time, trouble and expense when grievances and appeals arise. It is suggested that in working out the details of this structure, the Local Union By-Laws Committee should consult with the Local's Regional Director and Servicing Representative.

Article XVII

International Executive Board Policy Concerning Per Diem OVERNIGHT STAY, TRANSPORTATION & LOST TIME

When Required To Stay Overnight:

Hotel/Motel - single room occupancy rate, or ½ of a double room rate if shared with another member - plus \$__ * __ for meals.

- * Not to exceed \$46.00 per day with hotel receipt.
Not to exceed \$20.00 per day on day of return.
- * When not required to stay overnight, a maximum of \$20.00 for meals if 100 miles from Local Union.
- * Not to exceed the amount allowed by International Executive Board Policy concerning Per Diem.

Transportation:

The actual cost of air fare NOT to exceed coach fare, or ___*__cents per mile, whichever is more economical.

- * Not to exceed amount allowed by International Executive Board Policy concerning mileage expense.

Expense for transportation is to be paid for the actual mode of transportation used. Mileage expense can only be paid to the driver of the automobile.

Lost Time:

The local union shall pay a representative or member lost time only when that representative or member is performing necessary duties for and on behalf of the local union during a time for which she/he would otherwise be compensated by the employer. The amount of lost time should never exceed the amount which the local union representative or member would otherwise have received from his/her employer for the same period of time for which she/he is being compensated by the local union.