

LOCAL UNION
CONSTITUTION AND BYLAWS
OF THE

OFFICE AND PROFESSIONAL
EMPLOYEES
INTERNATIONAL UNION

LOCAL UNION NO. 32

JUNE 2016

CERTIFICATION

This certifies that the membership of this Local Union did regularly adopt and the President of the Office and Professional Employees International Union did grant to this Local Union approval of this Constitution and Bylaws with the modifications contained herein as of the date indicated below and that this is a current and correct copy of said Constitution and Bylaws.

Attested to this _____ day of
_____, 20 ____.

(LOCAL UNION SECRETARY-TREASURER)

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CONSTITUTION AND BYLAWS

FOR OPEIU LOCAL UNION NO. 32

ARTICLE I

Preamble

This Local Union declares for its objectives and aspirations the following: to organize all unorganized professional, technical, office and clerical employees; to secure terms and conditions of employment for its members consonant with ideals of fair wages and benefits; to promote and encourage harmonious relations between ourselves and our employers; to render all possible assistance to our fellow members in the American Federation of Labor and Congress of Industrial Organizations (AFL-CIO) and to have, in general, the same aims and purposes as the Office and Professional Employees International Union (International Union or OPEIU) provides for in its Constitution in the interest of all professional, technical, office and clerical employees.

ARTICLE II

Name

This organization, located at Newark, New Jersey shall be known as the Office and Professional Employees International Union, (OPEIU), Local Union No. 32. This Local Union shall be and remain a chartered Local Union of the International Union affiliated with the AFL-CIO.

ARTICLE III

Existence

This Local Union cannot be dissolved while there are fifty (50) dues-paying members therein who desire to continue its existence. When this Local Union ceases to represent employees of any employer, the International Union Executive Board may suspend the charter of this Local Union and order it dissolved. Upon the dissolution of this Local Union, all its properties and assets, including its funds, books and records, shall become the property of the International Union, to be held by the International Union in trust for a period of one (1) year, during which time such property shall be returned to this Local Union if it is reconstituted. After such one (1) year period such properties and assets shall become the property of the International Union, and the funds will be placed in the International Union Treasury to be used by the International Union for its general purposes.

ARTICLE IV

Jurisdiction

Section 1. This Local Union shall embrace within its membership employees in any phase of professional, technical, office, clerical and related work in the commonly accepted sense of those terms working within its jurisdiction established under the Constitution of the International Union.

Section 2. This Local Union recognizes the right of the International Union Executive Board to determine jurisdiction between Local Unions and to settle all controversies respecting jurisdiction between OPEIU Local Unions.

ARTICLE V

Membership

Section 1. No person shall be admitted to membership in this Local Union who advocates principles or lends support to organizations or movements whose purposes and objectives are contrary to the policies of the International Union. No person based upon employment with the same employer shall simultaneously hold membership in this Local Union and another Local Union of the International Union. No person may transfer membership from another Local Union of the International Union to this Local Union without written approval of the President of the International Union, unless such a transfer is the result of a change in employment from one bargaining unit or another OPEIU Local Union to another such unit represented by this Local Union.

Section 2. Members shall hold membership in this Local Union through the bargaining unit where they are employed or were last employed, except for members employed by the International Union or one of its subordinate bodies, this Local Union or any Council or other federation of Local Unions, who shall hold membership in this Local Union as may be determined by the President of the International Union. Where a member works within the jurisdiction of this Local Union and another Local Union of this International Union at the same time, such member shall hold membership in this Local Union if such member worked under the jurisdiction of this Local Union first; provided, however, that where such member is employed under the jurisdiction of another Local Union first, such member shall hold membership in that Local Union and shall pay a fee equal to the applicable dues to this Local Union and this Local Union shall pay a fee equal to the applicable per capita tax to the International Union.

Section 3. All officers and full-time paid representatives of the International Union shall be ex officio members of this Local Union with the privilege of participating in this Local Union's meetings but not voting; provided, however, such officers and organizers shall retain and may exercise full rights of participation in this Local Union if they hold active membership in this Local Union.

Section 4. *MEMBERSHIP CLASSIFICATIONS.*

Membership classifications shall be active, non-active and associate. No member shall simultaneously hold membership in more than one classification. A person who is: suspended or expelled; loses their basis for membership due to an election; is no longer employed by the International Union or one of its subordinate bodies, a Local Union or any Council or other federation of Local Unions; has resigned their membership; or any other person who is not a member in accordance with one of the membership classifications provided for in this Article; shall not be considered a member for any purpose, except as may be directed by the President of the International Union. Provided, however, in the event that a decision deprives a person of the basis upon which he/she holds membership, and that decision may be appealed to anybody other than the Convention of the International Union, that person shall maintain membership until the ruling on the appeal by the membership of this Local Union or the Executive Board of the International Union upholds the deprivation of the basis upon which membership is held.

Section 5. *ACTIVE MEMBERSHIP.*

(a) An individual is eligible to be an active member in this Local Union if that individual is: employed within a collective bargaining unit represented by this Local Union; an employee or officer of the International Union or one of its subordinate bodies; an employee or officer of this Local Union or any Council or other federation of Local Unions who has not retired from the position that made them eligible for active membership.

(b) Receipt by this Local Union of the current dues and the required initiation or reinstatement fee, or any installment established by this Local Union for payment of such fee, is required for an eligible individual to become an active member. Continued payment of dues, and if applicable, any remaining installments of the required initiation or reinstatement fee, is required to maintain active membership.

(c) An active member who is not actively working due to layoff, illness, disability, or a contractually provided leave of absence, and has applicable recall, reemployment or other employment rights which have not expired under the collective bargaining agreement, or who has been discharged or indefinitely suspended and has a grievance pending under the collective bargaining agreement may elect (1) to continue to pay dues and maintain active membership for the period for which said recall, reemployment or other employment rights are valid or said grievance is pending, (2) to apply for another classification of membership provided for in this Article, if eligible, or (3) to apply for a withdrawal card.

(d) Any member of this Local Union who secures employment under the jurisdiction of any other union affiliated with the American Federation of Labor and Congress of Industrial Organizations not under the jurisdiction of this International Union, who is thereby required to become a member of such other union may retain his/her membership in this Union.

(e) Active members shall enjoy all rights and privileges of membership in this Local Union and in the International Union including, without limitation, the right to vote at all meetings and in all elections or referenda, to be nominated for and hold any office, and to be elected a delegate to the International Union Convention, if otherwise qualified under this Local Union's Constitution and By-Laws and this Constitution and the Constitution of the International Union.

Section 6. *NON-ACTIVE MEMBERSHIP.*

(a) An individual is eligible to be a non-active member if that individual is a former active member of this Local Union, including an individual who has retired from the position which made them eligible to be an active member, who desires to maintain membership in this Local Union. Receipt by this Local Union of whatever dues or fees it may establish for non-active members that are currently due is required for an eligible individual to become a non-active member. Continued payment of such dues and fees is required to maintain non-active membership. One-half of any such dues or fees shall be paid to the International Union at the same time that per capita is due, but not in excess of the applicable per capita.

(b) Non-active members may attend and address meetings of this Local Union at the discretion of the Local Union President. Such person shall have no voice or vote in International Union or Local Union affairs, nor shall they be nominated for or hold an International Union or Local Union office or Executive Board position, or be elected a delegate to the International Union Convention.

Section 7. ASSOCIATE MEMBERSHIP.

- (a) This Local Union may establish an associate membership classification which is consistent with any action concerning an associate membership classification taken by the Executive Board of the International Union.
- (b) Associate members may attend and address Local Union meetings at the discretion of the Local Union President. Such person shall have no voice or vote in Local Union affairs, nor shall they be nominated for or hold a Local Union or Executive Board position, or be elected a delegate to the International Union Convention.
- (c) Associate members must pay the monthly dues as established by this Local Union.

Section 8.

- (a) Any action or decision by this Local Union, its officers or committee of the Union concerning membership status can be appealed to the International Union Executive Board after the matter has been addressed by the Local Union Executive Board and Local Union membership. Persons wishing to appeal the ruling of the Local Union to the International Union Executive Board can receive a copy of the appeal procedure by contacting the Secretary/Treasurer of the International Union.
- (b) In the event any member becomes a supervisor within the meaning of existing applicable legislation in the United States, Canada or the Commonwealth of Puerto Rico, and does not make application for and receive a withdrawal card, such member shall not be eligible to participate or have a vote in any of this Union's proceedings which affect the wages and conditions of employment of the employees in the establishment where he is employed as supervisor.
- (c) In the event any member becomes a supervisor within the meaning of existing applicable legislation in the United States, Canada or the Commonwealth of Puerto Rico, and does not make application for and receive a withdrawal card, such member shall not be eligible to be a candidate for office nor eligible to hold an office, nor shall he/she be eligible to represent this Union in any official capacity whatsoever.

Section 9. Whenever any member, if totally and permanently disabled and/or reaches retirement age and ceases active employment, he/she may apply to his/her Local Union to be placed on retirement member status, in the event the Local Union establishes such retirement member status. Retired members shall be required to pay dues of one dollar (\$1.00) per month, shall have the right to attend meetings and participate in deliberations. Local Unions shall not be obligated to pay per capita tax for retired members.

ARTICLE VI

Membership Meetings

Section 1. Regular meetings of the membership of this Local Union shall be held on the third Thursday during the months of January and May at a time and place designated by the Executive Board, unless such day shall fall on a legal holiday, in which event the meeting shall be held on the fourth Thursday of such month.

- (a) Fifteen (15) members in good standing shall constitute a quorum for any regular or special membership meeting. No meeting shall be called to order unless such quorum is present

Section 2. A special meeting of this Local Union may be called by the Executive Board if it deems such action necessary or a special meeting of this Local Union may be called upon a request submitted to the President by not less than ten percent (10%) of the members in good standing, but said meeting shall not take place on the day of adjournment of any regular meeting.

Section 3. The Recording Secretary shall notify members of any special membership meeting, stating the purpose for such meeting, at least seventy- hours before it convenes. Such notice may be sent by e-mail to those members for whom this Local Union believes it has valid and active email addresses. The Local Union shall mail written notice of a special membership meeting to those members for whom this Local Union does not have email addresses. No other business shall be transacted at such special membership meeting other than as stated in the notice sent by the Recording Secretary.

Section 4. No action of the membership shall be deemed valid or binding unless such action is taken by the membership at a regular or special membership meeting held pursuant to the provisions of this Constitution and Bylaws.

Section 5. Only members fulfilling the requirements of Articles V and XX of this Constitution and Bylaws shall be eligible to attend membership meetings of this Local Union and to participate to the extent set forth in those Articles; except that invited guests invited by the Executive Board or of this Local Union may attend and participate to the extent of the purpose for which they are invited but shall not vote.

ARTICLE VII Officers and Duties

Section 1. (a) This Local Union shall have the following officers: President, Vice President, Secretary-Treasurer, Recording Secretary, three (3) Trustees. The President, Vice President,

Secretary-Treasurer and Recording Secretary shall, by virtue of their election, serve as delegates to the OPEIU Convention.

(b) All officers, stewards and employees of this Local Union shall be bonded under a bond approved by the Secretary-Treasurer of the International Union.

(c) Every officer and employee of this Local Union, other than an employee performing exclusively clerical or custodial services, shall file with the Secretary of Labor, U.S. Department of Labor, a signed report, where necessary conforming in all respects to the requirements of Section 202 of the Labor-Management Reporting and Disclosure Act of 1959 and all pertinent rules and regulations thereunder.

Section 2. *President.*

The President shall preside at all general membership meetings and Executive Board meetings; shall preserve order during deliberations at such meetings; sign all checks drawn on the treasury; appoint all committees not otherwise ordered; transact such other business as may pertain to this office of the President and which may be necessary to the proper functioning of this Local Union; and shall have such other powers and duties as are provided for in this Constitution and Bylaws. The President shall appoint a Sergeant-at-Arms whose duties shall be to assist the President in maintaining order.

Section 3. *Vice President.*

(a) The Vice President shall perform the duties of the President in the absence of that officer, and, in the case of resignation, or death of the President, shall perform the duties of the President until such vacancy is filled by the next regular election as provided for in this Constitution and Bylaws. The Vice-President shall also preside when called upon by the President and at times when the President may be temporarily unable to discharge the duties of vested in the office. The Vice-President shall also be chairperson ex officio of all standing committees and shall have such other powers and duties as are provided for in this Local Union's Constitution and Bylaws.

(b) The Vice-President shall act as Chairperson of the Trustees and is required to call no less than quarterly meetings of the Trustees. The Vice-President shall have the right to require the presence of all necessary officers at such meetings including the Secretary-Treasurer.

Section 4. *Secretary-Treasurer.*

(a) The Secretary-Treasurer shall keep all financial accounts of this Local Union and shall maintain correct and proper accounts of all its members. The Secretary-Treasurer shall collect

initiation and reinstatement fees, dues, assessments and fines from members of this Local Union. The Secretary-Treasurer shall make all disbursements for this Local Union as provided for in Article XIII of this Constitution and Bylaws. The Secretary-Treasurer shall keep a correct record of all moneys received and expended by this Local Union; and prepare financial statements by calendar months to be submitted to the Secretary-Treasurer of the International Union monthly, and to the next regular membership meeting of this Local Union.

(b) 1. The Secretary-Treasurer shall deposit all funds of this Local Union in a bank recommended by the Trustees. The Secretary-Treasurer shall submit all books and records to the Trustees for audit and approval whenever called upon to do so, and, upon the expiration of term of office, turn over to the successor all properties and assets, including funds, books and records of this Local Union. Before turning over such properties and assets to the successor, the Secretary-Treasurer must see to it that such successor is properly bonded. The Secretary-Treasurer shall turn over all properties and assets, including funds, books and records to the Secretary-Treasurer of the International Union or the duly authorized representative when properly called upon to do so.

(c) The Secretary-Treasurer shall transmit monthly to the Secretary-Treasurer of the International Union all financial obligations owing to the International Union not later than the fifteenth (15th) day of the following month. The Secretary-Treasurer shall follow such accounting and reporting procedures as shall be formulated by the Secretary-Treasurer of the International Union. The Secretary-Treasurer shall be required to make monthly reports to the Secretary-Treasurer of the International Union of all dues-paying members on forms prescribed by the Secretary-Treasurer of the International Union.

(d) The Secretary-Treasurer shall be required to include in each monthly report the name, address and social security number of all newly initiated and reactivated members, members who have withdrawn, died, or have been suspended, including members automatically suspended after (3) months delinquent in dues, or expelled, and the names of all persons to whom working permits were issued during the month.

(e) The Secretary-Treasurer shall sign each collective bargaining agreement negotiated by representatives of this Local Union.

(f) A petty cash fund may be established by the Executive Board and shall be maintained by the Secretary-Treasurer to pay immediate necessary petty cash demands upon this Local Union. Replenishment of this fund shall be by check, at least once monthly, the amount being the total paid-out vouchers for prior disbursements.

(g) The Secretary-Treasurer shall be properly bonded by a bonding company and under a bond approved by the Secretary-Treasurer of the International Union.

(h) The Secretary-Treasurer shall, check the requirements of Section 201 (a) of the Labor Management Reporting and Disclosure Act of 1959 to ascertain whether any changes have occurred which will cause the information required to be filed and to be reported to the Secretary

of Labor, U.S. Department of Labor, at the time of filing annual financial reports as required in subsection i. of this Section and as required by Section 201(b) of the Labor-Management Reporting and Disclosure Act of 1959.

(i) The Secretary-Treasurer shall file annually with the Secretary of Labor, U.S. Department of Labor, a financial report containing the following information in such detail as may be necessary to accurately disclose this Local Union's financial conditions and operations for its preceding fiscal year:

1. Assets and liabilities at the beginning and end of the fiscal year;
2. Receipts of any kind and the sources thereof;
3. Salary and other direct or indirect disbursements (including reimbursed expenses) to each officer and also to each employee who, during the fiscal year, received more than Ten Thousand Dollars (\$10,000.00) in the aggregate from this Local Union.
4. direct and indirect loans made to any officer, employee or member, which aggregated more than Two Hundred and Fifty Dollars (\$250.00) during the fiscal year together with a statement of the purpose, security, if any, and arrangements for repayment;
5. direct and indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and arrangements for repayment; and
6. Other disbursements made by this Local Union including the purposes thereof; all in such categories as the Secretary of Labor, U.S. Department of Labor, may prescribe.

(j) The Secretary-Treasurer shall make available the information required to be contained in the above-described report to all of this Local Union's members.

(k) The Secretary-Treasurer shall preserve all records in accordance with the provisions of Section 206 of the Labor-Management Reporting and Disclosure Act of 1959 which have been turned over to him until these records are at least five (5) years old.

(l) On January 1st and July 1st of every year the Secretary-Treasurer shall provide to the International Union Secretary-Treasurer a current listing of its active, retired and associate members in good standing including names, home addresses, and if known to this Local Union, home telephone numbers and e-mail addresses.

(m) The Secretary-Treasurer shall keep copies of all collective bargaining agreements at the Union Office (if one exists) so that they will be available for inspection by a member or employee whose rights are directly affected.

(n) The Secretary-Treasurer shall file a copy of all collective bargaining agreements entered into by this Union with the President of the International Union.

Section 5. Recording Secretary.

- (a) The Recording Secretary shall keep the minutes of all meetings and proceedings of this Local Union and the Executive Board, and shall send out all meeting notices.
- (b) The Recording Secretary shall keep copies of all collective bargaining agreements at the Local Union office (if one exists) so that they will be available for inspection by any member or employee whose rights are directly affected.
- (c) The Recording Secretary shall file a copy of all collective bargaining agreements entered into by this Local Union with the President of the International Union.

Section 6. Trustees.

Section 1. There shall be three (3) Trustees and they shall be elected at the General Election for a term of three (3) years. The Trustees shall periodically (at least quarterly and at the end of each fiscal year) audit all the books and vouchers and other financial records of this Local Union and shall report each such audit to the Union and to the Secretary-Treasurer of the International Union, or if the Local Union so chooses, it may, as an alternative, have the audit conducted semiannually by a Certified Public Account and have such audits reported to this Local Union and to the Secretary-Treasurer of the International Union. They shall meet at the designated time with the Vice President of the Union who will act as Chairman of the meeting. They shall also have such powers and duties as provided for in this Constitution and By-Laws.

Section 2. The Trustees shall prepare a report after each audit and submit same to the Executive Board and to the Secretary-Treasurer of the International Union. Following the submission of the Trustee's report to the Executive Board, the same shall be read at the next regular membership meeting and shall be posted on the bulletin board in the office of this Local Union for the ensuing two (2) weeks or in lieu of posting, the report can be stated in the Local Union's newsletter.

Article VIII *Executive Board*

Section 1. The Executive Board shall consist of the President, Vice President, Secretary-Treasurer, Recording Secretary, and additional Executive Board Members shall be elected by their respective groups as specified in this Article.

Section 2. Each member of the Executive Board shall have one (1) vote except the President of this Local Union. The President shall act as Chairperson and shall have a voice but not vote, except in the event of a tie vote by the Executive Board, in which event the President shall have a vote.

Section 3. A majority of the members of the Executive Board shall constitute a quorum, and such quorum shall have power to transact all business of the Executive Board. Regular meetings of the

Executive Board shall be held on the first Monday during the months of September through June at 5:00 PM. In January and May special meetings of the Executive board may be called by the President and must be called by the President upon the request of a majority of the members of the Board. All members of the Executive Board shall be given reasonable notification by the Recording Secretary of any special meeting of the Board.

Section 4. The Executive Board shall conduct the affairs of this Local Union in the intervals between general membership meetings. The Executive Board is empowered to authorize and perform all acts for the conduct of this Local Union's business between such membership meetings.

Section 5. The Executive Board may engage legal counsel and determine the compensation for such services.

Section 6. The Executive Board may appoint temporary organizers for a period of time to be determined by the Executive Board but not to exceed the term of the Executive Board and determine the compensation for such services.

Section 7. The Executive Board shall add to the Executive Board representatives from large units of 100 members or more that are organized during their term of office. Such groups shall elect their Executive Board representatives among their membership

- (a) A group of 100 or more members shall be entitled to one (1) Executive Board Member to be elected from their group. Only those members employed in that unit shall be eligible to be nominated and elected.
- (b) Should the Bargaining Unit strength of a unit described in this Section fall below 100 at the end of an Executive Board member's term that Board member's seat shall be declared vacant at the end of the term and no election shall be held for that seat unless Bargaining Unit strength grows to 100 employees or more.

Section 8. In addition to those Executive Board members elected pursuant to Section 7 and 7 (a), there shall be three (3) Executive Board members to be elected by members who work in bargaining units having less than 100 employees. Those eligible to serve in this three (3) seats shall be employed in and shall be elected by the members of the following geographic units:

- (a) Two (2) members to be elected from bargaining units of employers located in the states of Pennsylvania and Delaware and in the eight southernmost counties of the State of New Jersey (Burlington, Ocean, Camden, Gloucester, Atlantic, Salem, Cumberland and Cape May counties).
- (b) One (1) member to be elected from bargaining units of employers located in the thirteen northern counties of the State of New Jersey (Monmouth, Mercer, Middlesex, Somerset, Hunterdon, Warren, Sussex, Morris, Passaic, Essex, Union, Hudson, and Bergen counties).

Section 9. The Executive Board shall act as the Trial Board of this Local Union.

Section 10. The Executive Board shall authorize employment of such clerical assistance or professional assistance as it deems necessary for the proper conduct of this Local Union's business and shall determine the compensation for such employees.

Section 11. The Executive Board shall determine compensation for all officials of this Local Union.

Section 12. The number of stewards for each employer and their apportionment among the various departments shall be determined by the Executive Board.

Section 13. Any officer or member of the Executive Board as enumerated in Section 1 of this Article who fails to attend three (3) successive meetings, without being excused from such attendance by the Executive Board, shall be deemed to have forfeited such office, and the Executive Board, pursuant to Article XXII, may appoint a successor for the balance of the unexpired term; provided, however, that if the office of the President is thus declared vacant the Vice President shall perform the duties of the President until such vacancy is filled by an election as provided in Article IX.

Article IX ***Elections***

Section 1. It shall be the aim of this Local Union to elect to the Executive Board the most capable members of the various groups comprising the membership of this Local Union.

- (a) No person who has been convicted of, or served any part of a prison term resulting from the conviction of robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury; or a violation of Title II or III of the Labor Management Reporting and Disclosure Act of 1959, or conspiracy to commit any such crimes shall serve as an officer, trustee, member of the Executive Board or similar governing body, business representative, business manager, organizer, or other employee (other than as an employee performing exclusively clerical or custodial duties) of this Local Union during or for the period of thirteen (13) years after such conviction or after the end of such imprisonment, unless prior to the end of such five (5) year period, in the case of a person so convicted or imprisoned, (1) the citizenship rights, having been revoked as a result of such conviction, have been fully restored, or (2) the Board of Parole of the United States Department of Justice determines that such person's service in any capacity referred to in the above clause would not be contrary to the purposes of the Labor Management Reporting and Disclosure Act of 1959.

Section 2. The officers and Trustees of this Local shall be elected by the membership and shall hold office for a term of three (3) years and be elected by the membership for the above term at the election of this Local Union to be held in March 1990, and every three years thereafter.

- a) Executive Board Members described under Article VIII, Section 8, shall initially be elected in 2007 to serve terms ending when the terms of those officers currently in office expire, and therefore, at the time the regular election of Officers takes place. The term of office of Executive Board shall be three (3) years.

Section 3. The nominations shall be declared open at the regular membership meeting to be held in the month of January 1990, and every three (3) years thereafter. All persons nominated shall indicate their acceptance or declination (1) verbally if present at the meeting, otherwise (2) in writing within five (5) days after such nomination. Notice of such meeting shall be given to all active members in not less than fifteen (15) days prior to the date of such meeting.

- a) All nominations for office must be made by an active member and seconded by three (3) active members, each of whom must be an employee in separate and distinct collective bargaining units represented by the Local Union.

Section 4. The elections designated under Section 2 shall take place at the March meeting. Notice of such meeting shall be given to all members in good standing not less than fifteen (15) days prior to the date of such meeting.

Section 5. No member of this Local Union shall be permitted to vote unless he or she is an active member in good standing in this Local Union.

Section 6. No person shall be elected or appointed to an Executive Board member of this Local Union unless such person has been an active member of this Local Union in continuous good standing for at least the preceding twelve (12) months.

Section 7. No member shall hold more than one (1) of the offices specified in Section 1 a. of Article VII at one and the same time.

Section 8. The names of all candidates may be placed on the ballot by slate designation for each office. However, a duly nominated candidate will have the right to run as an independent candidate.

Section 9. The candidate(s) receiving the greatest number of votes for the respective offices shall be declared elected.

Section 10. No votes for any member who is not duly nominated and listed on the ballot may be counted. (No sticker or write-in candidates.)

Section 11. There shall be no voting by proxy or mail ballot, except that in circumstances where geographic location may cause difficulties in following the usual election procedures, and upon submission to the International Union President of an approved voting plan, mail balloting may be allowed.

Section 12. All officers and Executive Board members shall be inaugurated at the next regular membership meeting of this Local Union to be held following the election and shall assume office immediately after such inauguration. Before entering upon the duties of their respective offices, the newly elected officers shall subscribe to the following installation obligation: "*I, _____, do solemnly pledge my word and honor before these witnesses that I will, to the best of my abilities, perform the duties of my office. At the close of my official term, I will turn over to my successor all books, records, and all other properties, including funds, of this Local Union, that may be in my possession. I will also deliver all such properties to the International Union upon lawful demand. I will at all times devote my efforts to further the objectives and best interests of my Union.*"

Section 13. The Secretary-Treasurer of this Local Union shall be required to mail notices to the membership in good standing, to their last known address, of nomination and election of officers; such notices to be mailed not later than fifteen (15) days preceding such nominations or election.

ARTICLE X

Election Board

Section 1. An Election Board shall be appointed with the approval of the membership at the regular membership meeting after nominations for the regular officers have been closed. No candidate for office shall serve on the Election Board.

Section 2. The Election Board is charged with the duty of conducting the election of officers and Executive Board members of this Local Union. It shall make such regulations as shall assure the members a fair and honest election. Any candidate shall have the right to have an observer at the polls and at the counting of the ballots.

Section 3. The Election Board shall have the duty of enforcing the members' right to vote and shall see that such right of franchise is not interfered with or hindered by anyone.

Section 4. The Election Board shall examine the membership status of all members before permitting them to vote, and shall compare the said status with lists to be supplied by the Secretary-Treasurer.

Section 5. After an election has been held and a report of the Election Board has been rendered, all election records and ballots shall be turned over to the Secretary-Treasurer for safekeeping among the records of this Local Union for not less than one (1) year. The election records cannot be opened unless authorized by the Local Union membership.

Section 6. (a) A recount may be ordered upon presentation to the Executive Board of a petition signed by seventy-five (75) members of this Local Union in good standing. The petition must be presented to the Executive Board within fourteen (14) days after the election, and this petition shall enumerate the reasons why such members believe a recount should be held. If the Executive Board rules that recount should be held, it shall proceed to appoint a Recount Committee of disinterested members of the Union to conduct the recount. If the Executive Board denies the petition, it shall make a report of its ruling to the next regular membership meeting. It shall require a majority vote of those present to reverse Executive Board's decision. Upon receipt of a recount petition, the President shall call a special meeting of the Executive Board to consider such petition.

(b).The installation of all newly elected officers, Trustees, and Executive Board members shall not be held until a final disposition has been made on the petition for a recount and/or an actual recount.

(c) If the membership meeting reverses the Executive Board's decision, the matter shall revert to the Executive Board and it will appoint a Recount Committee. No candidate elected or defeated shall be eligible for membership on the Recount Committee, but any candidate shall be permitted to attend all meetings of the Recount Committee as an observer. The committee shall report its findings to the membership at the next regular or special meeting. If a report of the committee declares that their tabulation shows that a defeated candidate has actually been the recipient of the greatest number of votes cast for that office, and if the committee's report is accepted by a plurality of the members present at the meeting, the candidate actually receiving the greatest number of votes shall be declared elected.

Section 7. Any member may appeal the ruling of the Recount Committee or Election Committee concerning any election related issue. Copies of the Appeal Procedure are available through the Secretary-Treasurer of the International Union.

ARTICLE XI

Election Offenses

Any member found guilty by the Trial Board of tampering with ballots, illegal voting, committing fraud, violence, coercion, or other conduct not included in the foregoing, which in any manner interferes with a member's right of Franchise, shall be subject to expulsion, suspension or fine by the Trial Board.

ARTICLE XII

Finances

Section 1. (a) The regular dues of the membership of this Local Union shall be (\$____. __) per month.

- (b) The initiation fee shall be determined by the Executive Board from time to time, but not to exceed the amount prescribed by the International Constitution.

Section 2. Any former member of a union affiliated with the AFLCIO not under the jurisdiction of the International Union who accepts employment under the jurisdiction of this Local Union shall, if he so elects (providing that his/her former union has a reciprocal plan of accepting withdrawal cards from Local Unions of the International Union in lieu of an initiation fee), upon application for membership and irrevocable surrender of an honorable withdrawal card, or evidence of honorable termination of membership in those instances where unions do not issue withdrawal cards, and upon payment of one (1) month's dues in advance, if accepted in this Local Union, be inducted into this Local Union, without the payment of any initiation fees (the Secretary-Treasurer of this Local Union, to forward such evidence to the Secretary-Treasurer of the International Union in lieu of initiation fee on such applicant); and provided further that

- (a) When, in the judgment of the President of the International union, it shall be deemed to be in the best interests of the International Union to waive initiation or reinstatement fees in whole or in part in connection with any particular organizational campaign, the President of the International Union shall be empowered to waive such fees if the Union shall so request.

Section 3. Any member who becomes three (3) months arrears in dues payments shall be classified as a "suspended" member, and not in good standing. Such suspended member must pay a reinstatement fee of \$10.00, together with all dues up to and including the current month before he/she can regain good standing in the Local Union.

Section 4. (a) All proposals for assessments and increases of dues must be presented to the Executive Board. If the Executive Board approves of an assessment or such increase of dues, the motion shall be incorporated in its minutes to be read at the next membership meeting. There can be no vote or discussion on the subject of the assessment or dues increase at the meeting, but it shall be held over until the succeeding membership meeting. The meeting notice for the succeeding meeting shall contain a statement informing the members of the nature of the proposal and that a vote will be taken at that membership meeting. A majority vote, by secret ballot shall be required to constitute acceptance of the proposed assessment or dues increase. Notice of such meeting shall be given to all members in good standing not less than fifteen (15) days prior to the date of such meeting.

- b) This Union shall not assess its members more than one dollar (\$1.00) per member per month, or more than four dollars (\$4.00) per member in any fiscal year, except that in emergency situations this Union may make additional assessments with the permission of the President of the International Union.

- c) All assessments are subject to the approval of the President of the International Union in advance of being levied.

Section 5. No initiation fee shall be required by this Local Union of any person involuntarily inducted into the armed services of the United States or Canada or entering such services during emergency periods as determined by the International Union Executive Board, if such person applies for membership within a period of one (1) year after being discharge, provided it has been other than a dishonorable discharge and provided same is initial employment following such service.

ARTICLE XIII

Use of Funds

Section 1. The funds of this Local Union cannot be divided in any way among individual members and can be utilized only for valid Union purposes.

Section 2. The general fund shall be used for the payment of expenses incurred by this Local Union on behalf of its membership, primarily for organizing, defense, service and contract administration, and as a depository for its moneys.

Section 3. All disbursements shall be made by checks drawn on the general fund, and shall be signed by either the President or Vice President of this Local Union and the Secretary-Treasurer.

Section 4. The fiscal year of this Local Union shall be the twelve (12) month period ending with the last day of the month of March of each year.

Section 5. The per capita tax, initiation fees, reinstatement fees, Strike Benefit and Defense Fund, Convention Fund, Education Fund, Scholarship Funds, AFL-CIO State Federation per capita tax and other obligations owed by this Local Union to the International Union shall constitute a preferred claim and must be paid promptly by this Local Union each month prior to the payment of any other obligation of this Local Union.

ARTICLE XIV

Offenses and Penalties

Section 1. This Local Union may discipline its members or officers only as permitted by federal law and the OPEIU Uniform Disciplinary Procedure, for violation of the International Union or this Local Union's Constitution and/or By-Laws, or for engaging in any activity or course of conduct which is deemed to be contrary or detrimental to the welfare of best interest of this local Union. Such procedure including rights of appeal to insure full compliance with applicable law, are available to any member upon request to the Secretary-Treasurer of the International Union.

Section 2. Any member may be penalized for committing any one or more of the following offenses:

- (a) Publicizing or giving information about this Local Union's affairs to persons not entitled to such information;
- (b) Working for an employer against whom this Local Union has declared a strike or whom this Local Union has declared to be unfair unless permission has been granted by proper officers of this Local Union;
- (c) Working for less than the rate of pay provided for by the contract with this Local Union;
- (d) Permitting any other member to use or work on his membership book;
- (e) Failure to appear before this Local Union's Executive Board or the Trial Board when ordered to do so;
- (f) Obtaining membership through fraudulent means, or by misrepresentation;
- (g) Violation of the oath of membership, or oath of office if an officer;
- (h) Working in the interests of any organization or a dual union opposed to the interests of this Local Union;
- (i) Being present or entering a meeting of members or of the Executive Board while intoxicated, or disturbing the peace of any such meeting by creating or participating in disturbances, or of similar conduct in and about the headquarters of this Local Union;
- (j) Causing or participating in a stoppage of work because of any alleged grievance or dispute without the authorization of this Local Union or its proper officers;
- (k) Any acts of misconduct which are detrimental to the best interests of this Local Union; or of conduct unbecoming a member of this Local Union; or of violation of any of the provisions of the Constitution and Bylaws of this Local Union or of the Constitution of the International Union.

Section 3. Any member who has been found guilty of any of the above offenses or for violation of this Constitution or the International Union Constitution he/she may appeal the decision of the Trial Board using the procedure set forth in the International Union Appeal Procedure. Copies of such procedure are available upon request to the office of the Secretary-Treasurer of the International Union.

Section 4. In any case involving disciplinary action, there shall be no resort to a court of law until such relief within this Local Union under its Constitution and Bylaws, and within the International Union under its Constitution or other governing documents, has been exhausted.

Section 5. None of the foregoing provisions of this Article, including by not limited to the provisions of the OPEIU Uniform Disciplinary Procedure, is applicable to any matter involving delinquency or failure to pay dues.

ARTICLE XV

Applicants

Section 1. No applicant shall be barred from membership in this Local Union because of race, color, creed, religion, disability, age, marital status, military or veteran status, national origin, gender, sexual orientation, gender identity or gender expression.

Section 2. All applicants shall take the following oath:

"I, _____, pledge my honor before these witnesses to faithfully comply with the Constitution and Bylaws and all amendments thereto of Office and Professional Employees International Union, Local No. 32, and of the International Union Constitution."

ARTICLE XVI

Trial Board Procedure

Section 1. Any member or officer of this Local Union or of the International Union may bring charges against a member or officer of this Local Union in accordance with the procedure outlined below.

- a) Two or more members may be jointly charged if they participated in the same charged activity of course of conduct. Two or more members may join in the filing of a charge. In this Disciplinary Procedure, the singular terms "member", "party", and "charge" shall include the plural terms "members", "parties", and "charges".
- b) A charge must be filed with the Secretary-Treasurer of this Local Union within sixty (60) days from the time when the charging party became aware of, or should have become aware of, the alleged offense. A charge shall be deemed filed when received by the Secretary-Treasurer. If the Secretary-Treasurer is a charged party in the charge, that charge shall be filed with the first of the following officers who is not a charged party: Business Manager, President, Vice President, and Recording Secretary. If all of those officers are charged parties, the charge shall be filed with

the International Secretary-Treasurer. If the charge is filed with an officer other than this Local Union Secretary-Treasurer, the officer with whom the charge is filed shall assume the duties of this Local Union Secretary-Treasurer required by the Disciplinary Procedure.

- c) The charge must be in writing, and shall contain the name, home address, telephone numbers, and employer of the charging party; the name (address, telephone numbers, and employer, if known) of the charged party; citation of the provisions of any constitution or by-laws violated; and set forth in detail the activities or conduct protested, including the events, dates, times, names of persons involved, names of witnesses and identification of any relevant documents or other evidence.

Section 2. Notice of Charge and Right to Reply.

- a) Within ten (10) days of receipt of the charge, the Secretary-Treasurer shall forward copies of the charge, the International Union Constitution, the Constitution and By-Laws of this Local Union, this Disciplinary Procedure, and the International Union Appeal Procedure to the charged party at the charged party's last known address.
- b) The copy of the charge sent to the charged party shall also be accompanied by a letter informing the charged party that he/she may provide the Trial Board of this Local Union with a written reply to the charge, but such reply must be received by the Trial Board within ten (10) days of the charged party's receipt of the charge.
- c) Within ten (10) days of receipt of the reply or within ten (10) days after the last day upon which the reply could be received, whichever is earlier, the Secretary-Treasurer shall send copies of the reply to the charge, if any, the International Union Constitution, the Constitution and By-Laws of this Local Union, this Disciplinary Procedure and the International Union Appeal Procedure to the charging party.

Section 3. Trial Board

a). The charge shall be tried before the Executive Board of the this Local Union, or a committee consisting of an off number of at least three (3) members of the Executive Board appointed by the Business Manager of this Local Union. The entire Executive Board, or this committee, shall serve as the Trial Board, except that no member of the Executive Board who has filed the charge, is a charged party, or is a witness, shall participate in any Executive Board discussions, deliberations, votes, or other activity concerning that charge.

b). The Business Manager of the this Local Union shall appoint a replacement to the Trial board for any Executive Board member disqualified by the provisions of Section 3, (a).

c). If any party states in a written objection to the Trial Board that any member of the Trial Board should not serve on the Trial Board, such objection shall be decided by the Trial Board before or at the beginning of the trial of the charge. A member of a Trial Board should be removed only for strong and compelling reasons. If the Trial Board removes any of its members, the Business Manager of this Local Union shall select another Local Union member as a replacement.

d). If the Business Manager of this Local Union is a charging party, a charged party, or will be a witness in the trial of a charge, the Executive Board shall appoint the committee to serve as a Trial Board, or replace the Business Manager on the Trial Board with another member of this Local Union. If the Business Manager is the subject of a written objection to the Trial Board and is removed by the Trial Board, the Executive Committee shall select another member of this Local Union to replace the Business Manager on the Trial Board. If all members of this Local Union Executive Board are charged or charging parties or witnesses in the trial of a charge, then a Trial Board consisting of an odd number of at least three (3) other members of this Local Union shall be appointed by the International President. The Secretary-Treasurer of the Local Union shall immediately inform the International President if such a charge has been filed.

Section 4. Pre-Trial Procedures.

- a) Within ten (10) days after the time limit for the written reply of the charged party as expired, the Trial Board shall review the charge and the reply. At its discretion, the Trial Board may appoint a member or members to investigate the charge and pursue settlement short of trial. The Trial Board shall dismiss the charge where it determines that:
 - 1.) The charge was not timely filed under Section 1. (c) above;
 - 2.) The charge does not specify the nature of the offense or offenses as required by Section 1. (d) above.
 - 3.) The conduct alleged does not constitute a subject for discipline as specified in the International Union Constitution or the Constitution and By-Laws of the this Local Union;
 - 4.) The Charge is frivolous on its face; or
 - 5.) The undisputed facts warrant dismissal.
- b) When the Trial Board determines that dismissal of the charge is warranted, it shall, within seven (7) days of such determination, send a written notice to both parties setting forth the reasons for the dismissal. Any such dismissal shall be appealable to the membership of this Local Union under the procedures set for in Sections 6. (c) through (h) below for appeal of a Trial Board decision.
- c) If a charge is dismissed for lack of specificity under (a). 2 above, the charging party shall be granted seven (7) days to refile an amended charge, however no further amendment of the charge shall be permitted. Any such amended charge shall be processed and considered by the Trial Board as if it were a newly filed charge, except

that the sixty (60) day period for filing a charge under Section 1. (c) shall not be applied.

- d) When the Trial Board determines that a trial is warranted, it shall set a trial date and provide the parties with notice of this trial date, which shall be no less than twenty-one (21) and no more than forty-two (42) days from the receipt of the trial notice; provided, however, that upon request and for good cause shown, the Trial Board may extend the trial date for a maximum of thirty (30) additional days.
- e) If the conduct which is the subject of the charge seriously threatens the interests of this Local Union or the International Union, the charged party may be temporarily suspended without pay pending trial from any elective or appointive position in this Local Union by a two-thirds (2/3) vote of the Trial Board. Any officer or official so suspended who is found innocent, shall be immediately reinstated and made whole for the period of suspension.

Section 5. Trial of the Charge

- a) At the trial of the charge before the Trial Board, both the charging and charged parties shall have the right to present evidence, call witnesses, cross-examine witnesses, and to obtain production of relevant union documents, subject to reasonable limitations approved by the Trial Board. All parties shall have the right to be present at the trial. The burden of proof shall lie with the charging party who shall present his/her case first. Immediately after the conclusion of the presentation of the evidence, both parties shall be entitled to present oral or written closing statements.
- b) The charged party shall have the right to refuse to testify. If the charged party does not appear at the trial and present no good cause for not attending, the trial shall proceed in his/her absence.
- c) Any party may be represented at the trial by one other Local Union member. Both parties shall have the right to consult with an attorney-at-law, but no attorney-at-law shall be permitted to attend or participate in the trial, except as a member.
- d). The trial Board shall have the right to determine whether persons other than the parties and their representatives, and witnesses while testifying, shall be permitted to attend the trial.
- e) One Member of the Trial Board shall be selected to make and maintain an accurate, detailed record of the testimony given at the trial and retain copies of any other evidence presented.
- f) This Local Union shall assume the costs, if any, required for the trial facility, and any other costs the Trial Board deems reasonably necessary. Charging and charged parties shall pay all costs of expenses incurred on their behalf in any trial or other portion of a disciplinary proceeding.
- g) After the close of the trial, the Trial Board shall deliberate and vote on

whether the party is guilty of the charged offense or offenses. A majority vote of the Trial Board members is required for a finding of guilty. If the Trial Board finds the charged party guilty, it shall then, by majority vote, determine the proper penalty, which may include reprimand, fine, suspension, prohibition for running for office, and/or expulsion.

Section 6. Notice of Decision and Right of Appeal

- a) Within fifteen (15) days after the close of the trial, the Trial Board shall provide the parties with a statement of its decision, including the finding, the penalty, if any, and the reasons supporting the finding and penalty. The decision of the Trial Board shall become effective upon issuance, unless stayed pending appeal by a majority vote of the Trial Board.
- b) If the Trial Board does not consist of the entire Executive Board, its decision may be appealed by any party to the Executive Board by a written notice of appeal received by the Secretary-Treasurer within fifteen (15) days after the party receives the Trial Board's decision. If there is an appeal, the Executive Board shall sustain, modify, or reverse the findings and penalty or penalties, if any, imposed by the Trial Board at its next regular meeting or at a special meeting called to consider the appeal, and notify the parties of its decision within seven (7) days of the date the decision is made.
- c) The Trial Board statement, or the Executive Board notification, as applicable, shall inform the parties that they may appeal the finding and/or penalty to the next regular membership meeting of this Local Union which is scheduled to occur at least thirty (30) days from the party's receipt of the notice of the Trial Board decision or the Executive Board notification. The statement or notification shall state the time, date, and place of that meeting. The Trial Board statement or the Executive Board notification shall also inform the parties that if they wish to appeal, they must send a notice of appeal to the Secretary-Treasurer of this Local Union to be received within fifteen (15) days from the party's receipt of the Trial Board statement or the Executive Board notification. It shall be the responsibility of the Trial Board or the Executive Board to ensure that the parties receive the required amount of advance notice of the membership meeting.
- d) At the membership meeting which the appeal is considered, the Trial Board shall present a report of the trial, its deliberations, and decision to the membership. The report shall include a summary of the testimony, and a statement of the reasons supporting the decision. At the conclusion of the report, the Trial board shall grant the parties equal periods of time in which to make statements in support of or opposition to the decision of the Trial Board or the Executive Board.
- e) The membership shall sustain, modify or reverse the findings and penalty or penalties, if any, imposed by the Trial Board or the Executive Board.
- f) Any member may request that any finding made and/or penalties imposed in relation to any specific charge be voted upon separately.
- g) All votes of the membership required or permitted by this Disciplinary Procedure shall be by secret ballot. All issues shall be decided by a majority of the members present and voting.

- h) The action of the membership on a Trial board or Executive Board finding and/or penalty, including any membership disposition of an appeal of a dismissal of a charge by the Trial Board or Executive Board, may be appealed through the procedure set forth in the International Union Appeal Procedure, but shall become effective immediately, unless stayed pending appeal by majority secret ballot vote of the members present and voting, or by order of the International President.
- i) In the event a defendant does not appear for trial, the trial shall proceed upon proof that sufficient notice of the time and place set for the trial was given to the defendant. The defendant shall be notified of the verdict.
- j) Any member or officer of this Local Union may bring a charge against an International Union Officer in accordance with Section VIII of the Uniform United States Disciplinary Procedure, copies of which may be obtained through the Secretary-Treasurer of the International Union.

Article XVII

Procedure at Meetings

Section 1. The President of this Local Union shall act as Chairperson at all regular or special meetings of the Membership and Executive Board. Except as otherwise provided in this Constitution and Bylaws, the current edition of “Robert’s Rules of Order Newly Revised” shall apply at all meetings of this Local Union.

Section 2. It is provided further that any member requesting the floor from the Chairperson shall, when recognized, state their name and place of employment.

ARTICLE XVIII

Removal of Officials

Section 1. In order to commence impeachment proceedings against any official of this Local Union, a petition must be filed with the Executive Board, signed by twenty-five percent (25%) of the active members in this Local Union. The petition shall state the specific offense(s) with which the official is charged, as well as a brief statement sufficient to apprise the signatories of the charged are proffered.

Section 2. The Executive Board shall act as the Trial Board in all proceedings under this Article. Any official under charges by virtue of any impeachment petition shall be automatically barred from acting as a member of the Trial Board.

Section 3. The Trial Board shall follow the same procedure as provided for the Uniform United States Disciplinary Procedure. Copies of the Procedure are available upon request from the office of the Secretary-Treasurer of the International Union.

Section 4. Any official who has been found guilty of any of the following offenses shall be removed from office, and in addition may be expelled from membership; or be forever barred from holding any office in this Union:

- a) Dishonesty in the conduct of such office, fraud, corruption, accepting any bribes or intimidation of any members.
- b) Abuse of office or gross negligence in the conduct of such office.
- c) Conduct unbecoming an official of this Union.

Section 5. All officers, Trustees, Executive Board members, and all members of all standing committees of this Local Union are deemed "officials" within the purview of this Article.

Section 6. Any official found guilty of violating any provision of this Article shall have the right to appeal to the International Union Executive Board at its next meeting in accordance with the OPEIU Appeal Procedure. Pending any decision of such appeal, the determination of the Trial Board shall be final unless its decision is reversed in the manner provided for in the International Union Appeal Procedure. Copies of the Procedure are available by contacting the office of the Secretary-Treasurer of the International Union.

ARTICLE XX

Withdrawal and Military Service Cards

Section 1. a) Any member of the Union leaving the jurisdiction of this Local Union or the International Union may apply to the Executive Board for a withdrawal card. However, no withdrawal card can be issued unless the member has paid dues up to and including the month during which the withdrawal card is requested, and provided further, that such member is in good standing with this Union and the International Union.

b) A withdrawal card shall be issued by this Local Union to any member requesting same who is leaving the jurisdiction of the International Union.

c). Whenever any member is not in the employment of any employer who bargains with this Local Union or the International Union, the Local Union shall issue a withdrawal card to such member, subject to the provisions of this section. This subsection shall not apply to any member who holds office in, or is employed by, the International Union, any of its Local Unions or councils, any federation or council of labor organizations with whom the International Union or any of its Local Unions is affiliated, or any member entitled to benefits under any health, welfare, or pension plan whose continued coverage is conditioned upon Union membership, or to any member who, in the regular course of employment has become retired, or to any unemployed member seeking dispatch to a Union job through the facilities of the Local Union.

Section 2. Upon deposit of a withdrawal card, eligibility to vote or to run for office shall be the same as provided for in Article V and IX governing the rights and privileges of members.

Section 3. Any person bearing a withdrawal card shall not be entitled to participate in the operation of this Local Union. A person bearing a withdrawal card who has complied with the conditions of same, shall, upon resuming and commencing work within the jurisdiction of this Union, deposit such card and shall be admitted to membership in this Union without the payment of any initiation or other fee.

Section 4. Withdrawal cards shall be issued by the Secretary-Treasurer of this Local Union and monthly reports of all such cards issued, deposited or canceled shall be made to the Secretary-Treasurer of the International Union.

Section 5. Members entering the armed services of the United States or Canada during emergency periods as determined by the Executive Board of the International Union and who are in good standing with all obligations to the International Union and this Local Union paid, including the month in which they entered the armed services, shall be issued military service cards which shall continue their membership without the payment of dues or other fees for the period of the service required by such emergency periods and for an additional ninety (90) day period or until they again resume work within the jurisdiction of this Local Union, whichever occurs first, except that such persons shall only accrue rights to benefits to the extent determined by this Local Union.

Section 6. All withdrawal and military service cards shall be secured by this Local Union from the Secretary-Treasurer of the International Union.

ARTICLE XXI

Strikes

Section 1. This Local Union shall not call a strike against an employer or employers unless the active members of a bargaining unit of this Local Union employed by such employer or employers conduct a secret-ballot vote to call a strike, which must be approved by a majority vote of those active members held within thirty (30) days prior to the scheduled day of the strike. Prior to taking a strike vote, the members shall be fully informed of and consider the most recent bargaining position of the employer and this Local Union. After the members vote to call a strike, the Executive Board of this Local Union must vote to grant strike sanction of such strike, and the approval of the President of the International Union shall be obtained.

If this Local Union is or becomes a member of a Council as organized under **Article XXIII** of the International Union Constitution, the International President shall consider the option of the Council as to whether or not a strike shall be sanctioned by the International Union.

Section 2. Strikes against any employer, or employers, may be terminated if a majority of the members of this Local Union employed by such employer, or employers, so request by secret ballot.

ARTICLE XXII *Vacancies in Office*

In the event any vacancy is created by the death, disability, resignation, or removal of an official except the President as provided for in Article VII, Section 3 of this Union, the Executive Board shall be empowered to appoint a successor to fill the balance of the unexpired term no later than at its next regular meeting or if the regular meeting is not scheduled within ten (10) days, then a special meeting called within thirty (30) days of the death, disability, resignation, or removal. Such appointee shall hold office until the next regular election for that office.

ARTICLE XXIII *Limitations on Committees*

Section 1. In addition to other committees and boards established by this Constitution and Bylaws, this Local Union shall provide for such other standing committees, and, from time to time such special committees, as may be proper and necessary to conduct the business of this Local Union.

Section 2. In establishing such other committees, the duties of the committee, the extent of its authority, and the permissible amount of expenditures that may be made by such a committee must be made a part of the minutes. In any event, such committees shall not be permitted to exercise functions belonging to other committees or boards; shall not make or authorize expenditures without the prior approval of the Executive Board; and shall not exceed the authority granted to them by the membership. The Vice President shall be an ex officio member of all committees.

ARTICLE XXIV *Affiliations and Delegates*

Section 1. This Local Union shall be affiliated with the Educational Conference embracing its geographical jurisdiction as designated by the International Union Executive Board.

Section 2. This Local Union may be affiliated with central labor organizations, councils, departments or federations chartered by or affiliated with the AFL-CIO and/or the International Union.

Section 3. Delegates to the aforesaid central labor organizations, councils, departments or federations shall be appointed by the Executive Board.

Section 4. Each delegate or alternate to a Convention of the Office and Professional Employees International Union must have been in continuous good standing in this Local Union for at least twelve (12) months prior to the convening of the Convention. Each delegate shall be elected by a secret ballot vote of this Local Union unless this Local Union Constitution provides that they are delegates to a Convention of the Office and Professional Employees International Union by virtue of their office. Notice of such meeting shall be given to all member in good standing not less than fifteen (15) days prior to the date of such meeting.

Section 5. Delegates shall attend the meetings or sessions of the body or assembly to which they have been delegated, faithfully represent this Local Union and protect its interests, and properly present and support its declared policies and instructions. They shall report to this Local Union the proceedings of the organization to which they were delegates and perform such other duties as pertain to their office.

ARTICLE XXV

International Constitution

The Constitution of the International Union shall be the paramount law applying to the government of this Local Union, and all provisions of said International Union Constitution insofar as the same are or may be applicable to the affairs and activities of this Local Union are hereby, by reference thereto, incorporated into and made a part of this Constitution and Bylaws, and any provision contained herein which is contrary to or in conflict with the provisions of the International Union Constitution shall be inoperative and of no effect except as the International Union President may otherwise specifically approve.

ARTICLE XXVI

General Provisions

Section 1. Copies of all collective bargaining agreements entered into by this Local Union shall be filed at International headquarters, and all such agreements, together with such information as may be necessary for a proper understanding of the agreement, shall be submitted to the President of the International Union. Whenever possible, this information shall be provided in electronic format. The International Union assumes no responsibility for any agreement to which it is not an actual party.

Section 2. The International Union assumes no responsibility for acts or actions of this Local Union, its officers or members not expressly directed or authorized by the International Union or its duly authorized representatives.

Section 3. If any provision of this Constitution is held to be illegal or invalid in a final judgment of a court of competent jurisdiction, the remaining provisions shall remain in full force and effect.

ARTICLE XXVII

Amendments

Section 1. A proposed amendment to this Constitution may be introduced by the Executive Board, or by a petition containing the proposed amendment which has been signed by at least twenty-five (25%) of the members in good standing. Such petition must be presented to the Executive Board before it can be considered by the body.

Section 2. The Executive Board shall include the proposed amendment in its minutes to be read at the next membership meeting. There can be no vote or discussion on the subject of the amendment at that meeting, but it shall be held over until the succeeding membership meeting.

Section 3. The meeting notice for the succeeding meeting shall contain a statement informing the members of the nature of the proposed amendment and that a vote will be taken at said meeting. A majority vote of the eligible members voting on the proposed amendment shall be required to constitute acceptance of the proposed amendment to this Constitution and Bylaws except as provided in Article XII, Section 4 herein.

Section 4. No amendment to this Constitution and Bylaws shall take effect until the approval of the President of the International Union has been secured.

INITIATION OF MEMBERS AND OATH OF OFFICE

Initiatory Obligation

"I, _____, pledge my honor before these witnesses to faithfully comply with the Constitution, laws, and all amendments thereto of Office and Professional Employees International Union, Local No. _____, and of the International Union."

OATH OF OFFICE

"I, _____, do solemnly pledge my word and honor before these witnesses that I will, to the best of my abilities, perform the duties of my office. At the close of my official term, I will turn over to my successor all books, records and all other properties, including funds, of this Local Union, that may be in my possession. I will also deliver all such properties to the International Union upon lawful demand. I will at all times devote my efforts to further the objectives and best interests of my Union."

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