

BYLAWS TEAMSTERS - LOCAL UNION NO. 988

ARTICLE 1 - NAME AND OBJECTS OF THE LOCAL UNION

Section 1. Name

This organization shall be known as Teamsters Freight, Tank Line, Automobile, Parcel, Hospital-Health Care, Sales Drivers, Warehousemen, Helpers and Manufacturing Employees Local Union No. 988, affiliated with the International Brotherhood of Teamsters. Its principle offices are in Harris County, Texas. The name and jurisdiction of this Local Union are subject to change in accordance with the I.B.T. Constitution.

Section 2. Objects

a. The objects of this Local Union shall be:

To unite into one labor organization all workers, eligible for membership, regardless of religion, race, creed, color, national, origin, age, or sex;

To engage in organizing unorganized employees and to provide services to those who are organized;

To secure improved wages, hours, working conditions and other economic advantages through organizing, negotiating and collective bargaining, through legal and economic means and other lawful methods.

To provide educational advancement and training for employees, members, and officers.

To safeguard, advance and promote the principles of free collective bargaining, rights of workers, farmers, farm workers, and consumers, and welfare of all peoples by political, educational and other community activities;

To provide assistance, financial, moral or otherwise to other labor organizations or bodies having purposes and objectives in whole or in part similar or related to those of this organization;

To engage in community activities which will advance the interests of this organization and it's members in the community and in the nation, directly or indirectly;

To protect and preserve the Union as an Institution and to perform its legal contractual obligations;

To carry out the objectives of the International Union and affiliates thereof, and its duties as such an affiliate;

To receive, manage, invest, expend, or otherwise use the funds and property of this organization to carry out the duties and to achieve the objectives set forth in these Bylaws and the International Constitution and for such additional purposes and objects not inconsistent therewith as will further the interests of this organization and it's members directly or indirectly;

To engage in cultural, civic, legislative, political, fraternal, educational, charitable, welfare, social, and other activities which further the interests of this organization and its membership, directly or indirectly;

b. It shall be our further object and purpose to encourage and assist our members in acquisition of additional knowledge and information so they may better understand and pass judgment upon matters and things which influence their lives and the affairs of this Union;

To encourage them to participate actively in the affairs of government and of their community;

To encourage them to participate actively in the affairs of this Union;

To instill in them the firm knowledge and belief that freedom and democracy cannot exist within this organization unless the will of the majority prevails over the will of the minority;

To require that every member recognize their responsibility to this organization as an institution; and to require that the members refrain from conduct that would interfere with the performance of it's legal or contractual obligations.

c. To the extent permitted by law, within the limits and means and finances to the Local Union, if authorized by a vote of the majority of the members attending the meeting and within the scope of the authority conferred by such vote, this organization shall engage in political activities which tend to foster our welfare. This shall include, but shall not be limited to, the dissemination of information to any and all persons by any means available concerning any candidate for public office or any apolitical issue.

ARTICLE 2 - INTERNATIONAL CONSTITUTION

Section 1. Supersedence of International Constitution

This organization acknowledges that the Constitution of the International Brotherhood of Teamsters shall supersede the provisions of these Bylaws whenever there are inconsistencies between the two, excepting only that the present provisions of the International Constitution which may not be in conformity with the Labor-Management Reporting and Disclosures Act of 1959 shall not prevail over these Bylaws.

Further, and with the same exceptions, we re-accept and re-affirm the Constitution of the International Union and incorporate its provisions herein by reference the same as though they were set forth verbatim herein. We further re-adopt and re-affirm our desire and intentions to be fully bound and obligated by the interpretations of said International Constitution and by amendments to said International Constitution which may hereafter be made and which are applicable to Local Union matters and affairs.

Those portions of these Bylaws which specifically apply to this Local Union shall remain in effect unless amended by actions of the membership of this Local Union.

Section 2. Recognition of International Constitution

The Local Union acknowledges that the Constitution of the International Brotherhood of /teamsters supercedes any provision of these Bylaws herein or hereinafter adopted which may be inconsistent with such Constitution.

The Local Union hereby re-adopts said International Union's Constitution and shall perform all duties imposed upon a Local Union by the International Constitution.

Neither the Local Union, nor any of its Officers, Business Representatives, or employees has the authority or power to make any contract or agreement nor incur any liability which shall be binding upon the International Union or any of its affiliates, other than this Local Union, unless written consent of such body or the executive officer thereof has first been obtained authorizing such action.

Neither this Local Union nor any of its Officers, Representatives or employees has been authorized or empowered to act as an agent of the International Union or any of its affiliated bodies and shall not be deemed by the governing body or executive officer of such to be in such capacity. No agreement or contract shall be binding upon this Local Union unless executed and delivered by its authorized officers.

ARTICLE 3 - ELIGIBILITY TO MEMBERSHIP

Section 1. Any person of good moral character, employed in the craft of the various employments over which this Local Union has jurisdiction shall be eligible for membership in this organization; provided that such person is acceptable to the membership of the Local Union.

Section 2. Persons who own and operate a team or vehicle may be eligible for membership in this organization. If however, any member can prove to the satisfaction of the Executive Board that admission of such individuals would be detrimental to the welfare of this Union, the Local Union may refuse to accept such persons as members. This provision shall apply with equal force to so-called "vendors" and "owner-operators" or "owner-equipment drivers". A vendor is a person who purchases products and sells the same on his own behalf. An owner-operator and an owner-equipment driver is a person who, in connection with his employment uses equipment sold or leased to him by his employer, or equipment which he has purchased independently but which he uses in whole or in part in the service of his employer. When such persons apply for membership in this Local Union, the Union shall have the right and authority as a condition precedent to membership, to approve or disapprove any such contract pertaining to such forms or similar forms of employment.

Persons owning a vehicle or vehicles used in the various crafts of the Local Union who employs other people to perform work or duties involving these vehicles shall not be eligible for membership except by the permission of the Executive Board.

Section 3. All contracts hereafter renewed or entered into, pertaining to such forms of employment, shall likewise be subject to approval or disapproval of the Executive Board. If, in the judgement of the Local Union, such employment contracts will constitute a reduction in the Union wage scale the prevailing for such service without owner-operators or owner-equipment drivers, the same shall not be approved by the Union and such persons will be ineligible for membership, or if already a member, shall cease to work under such conditions or be subject to suspension or expulsion from this Local Union.

Section 4. No individual "owner" or "vendor" as heretofore defined shall vote on any wage and hour scales, nor shall their vote, if allowed on any portion of a contract be included with the votes of non "owner/vendor" members, if their votes would or could affect the overall vote of acceptance or rejection of a contract.

ARTICLE 4 - CONDITIONS OF MEMBERSHIP

Section 1. An applicant shall be considered a member when he has met all the following requirements for membership:

- a. Made written application for membership as determined by the Union.
- b. Tender of the Initiation Fee, Re-initiation Fee, Building and Maintenance Fund Fee, assessments, and dues by cash or by written authorization of a dues check-off.
- c. Acceptance of his application and dues by the Local Union or its authorized representative.
- d. Taking the obligation at any regular or special meeting following affirmative action upon his application, however, no applicant shall become a member in the first ten (10) days following the filing of the written application for membership. In the event the applicant fails to take the obligation within a reasonable time following the acceptance of his application, he shall forfeit the monies tendered, except for good cause shown.
- e. Notwithstanding herein to the contrary, an applicant may be admitted into membership in this Local Union by the presentation of

his signed application for membership which has been duly witnessed or accepted. Application cards may be accepted by the membership of this Union at any regular or special meeting.

Section 2. A member shall lose good standing status in the organization by suspension or expulsion from membership after appropriate proceedings consistent with these Bylaws and the International Constitution, or a member is not in good standing status unless dues have been paid for the current month on or before the last business day of the current month. Any member who is three (3) months in arrears in the payment of dues shall automatically stand suspended from membership.

A member losing good standing status because of failure to pay dues or other obligations as required by the International Constitution and or these Bylaws, if he has not been suspended or expelled from membership, may reinstate his good standing status, for the purpose of attending Local Union meetings and voting at elections by the payment of all delinquent dues and other obligations prior to such meeting and election.

Where contracts contain a provision for dues check-off authorization deduction cards, to remain in good standing an authorization card must be signed.

A member shall be considered to have voluntarily withdrawn from membership in this Local Union upon the receipt of a withdrawal card. A member shall be considered transferred from this Local Union upon acceptance of his transfer card into another Local Union. In a case where the Local Union is required to give a member an honorable withdrawal card under terms of the International Constitution and these Bylaws, it may provide for the continuance of Local Union benefits to such member or former member under the conditions which it may set forth, but such member or former member shall have only such rights to participate in meetings and affairs of the Local Union as shall be permitted by the Executive Board, but not to hold office or vote.

It shall be solely the member's own responsibility to secure a withdrawal card upon ceasing to be actively engaged in the craft.

A member must be employed or actively seeking employment in the craft at companies represented by this Local Union to remain in good standing status as a member.

Any member on disability, due to injury or illness and unable to work for thirty (30) or more consecutive days, shall automatically be placed on honorable withdrawal for the term of the disability. The Local Union's Executive Board shall waive all dues and/or re-initiation fees that may be owed. This provision is subject to provable disability or illness and is conditioned upon the fact that the member has not returned to work for any substantial period of time. Nothing in this section shall prevent or prohibit a member from voluntarily making dues payments for the period of the disability or illness.

ARTICLE 5 - RESPONSIBILITY TO THE LOCAL UNION AND MEMBERSHIP

Every member of this organization shall be expected and required to recognize a responsibility to this organization as an institution and shall refrain from all activities which are inconsistent or in conflict with that responsibility. In addition, every member shall refrain from conduct that would interfere with the duty of this organization, officers, or agents in the performance of its legal or contractual obligations.

Every member of this Local Union agrees and affirms to uphold the principles of Trade Unionism, to never knowingly harm a fellow member if within their power to prevent it, members shall not bear false witness against a fellow member, and shall never consent to discriminate against a fellow worker because of race, creed, age, sex, religion, or national origin.

ARTICLE 6 - EXCLUSIVE REMEDY

The International Constitution and these Bylaws provide the exclusive means by which each and every member shall pursue the remedies to which he or she is entitled hereunder and under applicable laws.

ARTICLE 7 - LOCAL UNION PROPERTY

No property of the Local Union and no property in the possession, custody, or control of this Local Union or any of its officers, representatives, or employees and no property held in trust by any trustee for and in behalf of this Local Union, expressed or implied which was created or established by this Local Union and whose purpose is to provide benefits for the Local Union itself or the members of the Local Union or their beneficiaries shall be given, contributed, donated, or appropriated either directly or indirectly to aid or assist or to be expended in behalf of any seceding, dual, or antagonistic labor organization or group nor to any Local Union which is acting in violation of the International Constitution.

ARTICLE 8 - CONTRACT NEGOTIATIONS, RATIFICATION OF, STRIKES AND LOCKOUTS

Section 1. Whenever a collective bargaining agreement is to be negotiated, modified, or extended at the request of the employer or by this Local Union, the President shall call a meeting of the affected membership to determine and authorize the bargaining demands to

be made. The president shall determine whether such meeting shall be limited to the members in a particular division, craft, or place of employment. Where this Local Union is a participant in an area-wide, multi-Local Union, or Conference-wide agreement it is understood that the bargaining demands of this Local Union may be accepted, modified, rejected by the overall negotiating committee in accordance with such rules and procedures as may be adopted by the area-wide, multi-Local Union, or Conference-wide bargaining group.

Section 2. Ratification of agreements or amendments shall be subject to vote in the same manner as provided for in connection with bargaining demands as set forth in Section 1 above, or in the case of area-wide, multi-Local Union, or Conference-wide agreements in accordance with the International Constitution and rules adopted by such bargaining group, except that where the General Executive Board has directed the Local Union to refrain from executing such agreements no such proposed agreement shall be considered ratified by any vote until and unless it specifically approved by the general Executive Board. True copies of the final agreements arrived at by the Local Union shall be filed by the President with the International Union and the Area Conference within sixty (60) days after their execution.

Section 3. If a settlement cannot be reached in connection with the negotiations or modification of a collective bargaining agreement between the members of this Local Union and an employer, after the officers have used reasonable means of achieving a settlement through the processes of collective bargaining the matter shall be subject to the strike procedures, conditions, and qualifications set forth in the International Constitution. The President may, at his discretion, provide that the strike vote be limited to the members employed in a particular division, craft, or place of employment. In cases where area-wide, multi-Local Union, or Conference-wide agreements are involved it is understood that a majority of the Local Unions participating in such agreements must vote to strike in accordance with the provisions of the International Constitution and in that event, such strike vote shall apply to this Local Union, irrespective of the individual vote of this Local Union on that issue.

Section 4. Strike votes shall not be required when a collective bargaining agreement does not prohibit strikes for the purpose of enforcing the terms and conditions of such agreement. In such cases the President may call a strike or at his discretion, refer the matter to the membership directly effected for vote, as may be determined.

Section 5. At least 48 hours prior to a strike and in the case of a boycott, lawsuit or other serious difficulties, the President shall immediately notify the Joint Council, Area Conference and International Union of any contemplated actions as required by the International Constitution.

Section 6. Strike and Lockout benefits (Out-of-Work-Benefits) shall be payable to members only as provided by and in accordance with the International Constitution. The Secretary-Treasurer and/or the President shall be responsible for the securing of such benefits when the Local Union is eligible to receive them; to execute all documents required by the International Constitution.

Section 7. Strikes which are not terminated by the conclusion of a collective bargaining agreement or by arbitration or otherwise may be terminated in such a manner as the Executive Board shall determine as appropriate.

Section 8. During the course of negotiations of contracts, exclusive to this Local Union, if a bargaining committee is deemed to be advantageous by the Executive Board to the successful conclusion of an agreement, such a bargaining committee will be selected from the affected membership and will serve at the direction and discretion of the Local's Representative in charge of the negotiations. The size of the bargaining committee will be determined by the Executive Board.

ARTICLE 9 - MEETINGS

Section 1. Subject to the provisions of Section 2 below and subject to the fact that membership meetings may be suspended during any three (3) months between June and October and/or the month of December, by action of the membership at a meeting after reasonable notice of the intention to vote upon such question, there shall be a General Membership Meeting of this organization at least once each month.

The meeting shall be held at times and places specified by the Executive Board or President. The normal General Membership Meeting, unless changed otherwise, shall be the third (3) Sunday of each month.

Section 2. The President shall be empowered to direct meetings to be held by division, crafts, or geographical areas rather than as provided for in Section 1 above. Provided, however, on all matters which apply to the general membership the votes of each meeting shall be totaled to determine the action of the Local Union on such matter.

Section 3. Special meetings, General Membership Meetings, or meetings specified in Section 2 may be called by the President whenever they are deemed necessary. A notice of the date, time and place of said meetings shall be given to the affected membership.

Section 4. When the President authorizes such meetings by division, crafts, or places of employment each meeting shall be conducted by the officers of the Local Union or by their designees and under the same procedures and rules as a General Membership Meeting, except only special meetings for limited purposes such as voting on contracts or strikes, etc.

Section 5. Members of each separate division, craft, or place of employment authorized to hold such meetings may vote separately on approval or disapproval of, or on matters arising under contracts applicable only to them, and strikes or other activities in which only they apply.

Section 6. Members in attendance at meetings shall have the right to express their views, arguments, or opinions upon any business properly before the meeting, subject to these Bylaws and the rules and regulations adopted by the Executive Board pertaining to the conduct of meetings, but no member in exercising such rights may avoid his or her responsibility to the organization as an institution, or engage in, or advocate, conduct that would interfere with the Local Union's performance of its legal or contractual obligations.

ARTICLE 10 - QUORUM

A quorum of a General Membership Meeting shall consist of thirty-five (35) members or ten (10) percent whichever is the lesser. Out of town, divisional, craft, or place of employment meetings or organizational group meetings will be ten (10) members or ten (10) percent of such group, whichever is less.

ARTICLE 11 - REFERENDUM VOTING

Whenever the General President, acting within his authority, shall direct that a referendum vote be held by the membership of this Local Union in respect to any question or situation where a vote of the membership is required under the provisions of the International Constitution shall give reasonable notice, through the President and/or Secretary-Treasurer, of the dates, times, place and the question or situation upon which the referendum is to be held. The requirement for eligibility to vote on any general question or situation shall be the same as the requirements for eligibility to vote for officers. Mail referendum votes affecting only the members or affairs of this Local Union may be conducted as directed by the Local's Executive Board.

Only members affected shall be permitted to vote upon matters not concerning or affecting the entire membership. Each voter shall vote on the approval or rejection of the question. The Executive Board shall, at least, ten (10) days in advance of a referendum adopt rules and regulations for the conduct of the referendum.

ARTICLE 12 - OWNER-OPERATORS AND SUPERVISORY EMPLOYEES

Owner-operators and supervisory employees shall take no part on committees selected to negotiate wages and working conditions with employers and shall not be permitted to vote on any such agreements or on any strike or to take other action with respect to agreements to which they may be subject.

ARTICLE 13 - NOMINATION AND ELECTION OF OFFICERS

All provisions herein must comply with duties and eligibility described and set forth in the International Constitution. No provisions described or set out herein shall supersede or abridge the International Constitution. Provisions and requirements set forth herein are subject to change to conform with the International Constitution without further notice or approval of the membership.

Section 1. Nomination Meetings

Meetings as hereinafter established for nominations of officers shall be held in November or as otherwise allowed in the International Constitution. Elections shall be held not less than thirty (30) days after nominations have been closed. The nominations meetings shall be held at one (1) central location.

Section 2. Election Committee

The President will appoint an Election Committee composed of members in good standing, with approval of the Executive Board. The Committee will assist the Executive Board in the conduct of the election, assist the Secretary-Treasurer in determining eligibility of candidates for office and the eligibility of members to vote and shall count the ballots and certify the results thereof and in general supervise the conduct of the election.

The Executive Board and the Election Committee shall also determine the dates, times, and places the election will be held in accordance with the International Constitution without being subject to further membership approval.

Section 3. Term of Office

The Local Union shall elect its officers by secret ballot not less often than once every three (3) years or as provided in the International Constitution. Officers shall hold office until their successors are duly elected and installed.

Section 4. Rules and Notice of Nominations and Election

At least twenty (20) days prior to the date of the nominations meeting, specific notice of the date, time, and place of the nominations meeting and the offices involved shall be given in such a manner as shall be reasonably calculated to reach the members. Members shall be advised by specific notice that copies of the rules for the nominations are available at the Local Union's principle office to each member so requesting and /or notice and copies of such rules may be mailed to the last known address of the members.

Section 5. Payment of Dues

Every member whose dues are paid up through the month which is prior to the month in which nominations or the election is held shall have the right to nominate, vote for, or otherwise support the candidate of his or her choice. No member whose dues has been withheld by his or her employer for payment to the Local Union, pursuant to a voluntary dues check-off authorization provided for in a collective bargaining agreement, shall be declared ineligible to nominate, vote for, or be a candidate for office in accordance with the International Constitution, in the Local Union by reason of a failure, delay, or default in the payment of the dues to the Local Union from the employer.

But, a member not in good standing because of failure to pay dues, may pay said dues at any time before the holding of an election and be eligible to vote in said election or may pay his or her dues at any time prior to the nominations meeting to be eligible to nominate a candidate or prior to an election to be eligible to vote in said election. But, the payment of back dues shall not reinstate a member's eligibility under the twenty-four (24) consecutive months of eligibility rule to run for office, in accordance with and as required in the International Constitution.

Section 6. 24 Month Membership Rule

A member in continuous good standing, by the payment of his or his dues on or before the last business day of the month, in accordance with the International Constitution and who has been in continuous good standing for each month in the twenty-four (24) consecutive months immediately prior to nominations shall be eligible to hold office, if he is otherwise qualified in accordance with the International Constitution and these Bylaws.

Section 7. Appeals of Eligibility

In accordance with the I.B.T. Constitution, any member who desires to challenge a ruling of not being eligible to run for office shall appeal, in writing, within forty-eight (48) hours after receipt of the ruling to the General President, who shall decide such an appeal within seven (7) days after receipt of the appeal. The decision of the General President shall be appealable to the General Executive Board pursuant to the provisions of the International Constitution.

Section 8. Close of Nominations

Nominations for each office shall not be closed until a call for further nominations has been made three (3) times, by the Chair, without further nominations being made for that office.

Section 9. Acceptance of Nominations

Nominations may be made by members in good standing either in person or in writing. A candidate must accept nomination at the time it is made and prior to nominations for another office is called for. Acceptance may be either in person or in writing. A candidate may accept nomination for only one (1) office.

Section 10. Single Office

Any member eligible to nominate a candidate shall be entitled to nominate only one (1) candidate for any particular office.

Section 11. Nomination and Election Rules

The Executive Board, in accordance with the International Constitution, shall develop the Nomination and Elections Rules for the conduct of the nominations and election. The rules may be combined into one (1) notice and mailed to the last known address on file for each member in good standing.

ARTICLE 14 - OFFICERS OF THE LOCAL UNION

The Officers of this Local Union shall consist of;
a President-Business Manager,
a Vice President,
a Recording Secretary,
a Secretary-Treasurer, and
three (3) Trustees.

No other person or persons are authorized to perform the functions of said offices, or to act in connection therewith, except as administrative or clerical assistants working under the direct supervision and control of the officers; or to perform or attempt to perform any of the executive duties and functions of the Local Union.

ARTICLE 15 - DUTIES OF THE EXECUTIVE BOARD

Section 1. The Executive Board shall consist of the President-Business Manager, Vice President, Recording Secretary, Secretary-Treasurer, and three (3) Trustees of the Local Union.

The appointed, Permanent Warden may attend meetings of the Executive Board but will have no voice or vote in said meetings.

Section 2. The Executive Board shall act as a Trial Board as provided in the International Constitution and as provided in these Bylaws.

Section 3. Except as may be otherwise provided in these Bylaws, the Executive Board is authorized and empowered to conduct and manage the affairs of this organization, to manage, invest, expend, contribute, use, lend, and acquire funds and property in the pursuit and accomplishment of the objectives set forth in the International Constitution and these Bylaws and any resolutions adopted in furtherance thereof.

Section 4. The Executive Board is hereby empowered to do the following in addition to such other general power conferred herein or by law:

- a. To make and change the rules and regulations not inconsistent with these Bylaws or the International Constitution or the management and conduct of the affairs of this Local Union except as may be otherwise provided for herein.
- b. To provide for the salary, benefits, allowances, direct and indirect disbursements, and expenses for the President.
- c. To provide for direct and indirect loans for such purposes and on such security, if any, as it deems appropriate and for such arrangements for repayment as it deems appropriate, all to the extent permitted by law.
- d. To provide for employment and payment of attorneys, accountants, and such other special or expert services as may be required for the organization. Between meetings of the Executive Board, the President shall exercise such powers.
- e. To secure an audit of the books for this organization by a certified public accountant at least once per year.
- f. On behalf of the Local Union, it's officers or members to initiate, defend, compromise, settle, arbitrate or release or pay the expenses and costs of any legal proceedings or actions of any nature, if in it's judgement it shall be necessary or desirable to protect, preserve or advance the interests of the organization. Between meetings of the Executive Board the President is hereby given full authority of the Executive Board to take all of the steps and initiate all of the actions as herein set out in this section.
- g. To fill all vacancies in office which occur during the term of such office, unless otherwise required by law.
- h. To transact business and to manage and direct the affairs of the Local Union between General Membership meetings, except as may otherwise herein provided. It may delegate to the President any of it's power other than the power to fill vacancies in office.
- i. To lease, purchase or otherwise acquire in any lawful manner, for and in the name of this organization, any and all real estate and/or other property, rights and privileges whatsoever deemed necessary or convenient for the prosecution of it's affairs at such price or considerations and generally on such terms and conditions as they think fit and at their discretion to pay either wholly or partly in money or otherwise.
- j. To sell or dispose of any real or personal estate property, rights or privileges belonging to this organization whenever in their opinion it's interests would thereby be promoted.
- k. To create, issue and make deeds, mortgages, trust agreements and negotiable instruments secured by mortgage or otherwise and to do other acts or things necessary to effectuate the same.
- l. To create trusts, terminate and effectuate the same.
- m. To designate substitutes for the President, Secretary-Treasurer and/or the Recording Secretary for the purpose of signing checks to pay bills in the event that any shall become incapacitated to sign checks.
- n. To determine the membership which shall vote on agreements and strikes, and composition of other membership meetings and adopt rules and regulations concerning the conduct thereof which are not inconsistent with the International Constitution or these Bylaws.
- o. To determine the manner in which referendums shall be held.

p. To affiliate the Local Union with Joint Councils, Conferences, and any other subordinate bodies of the International Brotherhood of Teamsters as it shall be required to do, or which it believes is in the interests of the Local Union, and to maintain such affiliations in good standing as it sees fit.

q. To do all acts, whether or not expressly authorized herein, which the Executive Board may deem necessary and proper for the protection of the Local Union and for the benefit of the organization and the members.

r. The Executive Board shall make a general report to the membership on all business transacted by it.

Section 5. The Executive Board shall hold regular meetings, at least once a month, unless suspended without other notice than these Bylaws, and hold other meetings at such times and places as shall be determined by the President.

Section 6. A majority of the Executive Board officers shall constitute a quorum for the transaction of business at any meeting of the Executive Board. The action of a majority of the Executive Board, present at a meeting at which a quorum is present, shall be the action of the Executive Board.

Section 7. Executive Board members, who are not full-time paid officers or employees of the organization, may be compensated for attending meetings and such other services as may be required and in such amounts as shall be set by the President.

Section 8. On matters requiring action by the Executive Board, when it is not in regular session, the Executive Board may act by telegram, letter, or telephone. When the president requires action by the Executive Board, he may obtain the same by telegraphing, writing, or telephoning the members of the Executive Board and such members may take action on matters brought to their attention in the same manner. Actions taken by the majority of the members of the Executive Board shall constitute action of the Executive Board as though the Board were in formal session.

ARTICLE 16 - DUTIES OF OFFICERS

Section 1. President's Duties

The President shall, by virtue of the office, be the Principle Officer, the Business Manager and the Head Business Agent of this Local Union. He shall be authorized to do anything necessary or proper to fully conduct the business and operations of the Local Union including without limiting the generality of this authority the right to do the following

a. To hire or appoint all Business Agents, Assistant Business Agents, Organizers, clerical and administrative employees, maintenance employees and such other employees as may be necessary to the proper conduct an administration of the Local Union, to appoint committees and delegates, except Delegates to the International Convention, and to suspend or discharge these persons at any time. To fix from time to time compensation to be paid to such employees and to advance or reimburse out of the Local Union's treasury all legitimate and proper expenses incurred by any of them in connection with the discharge of any the duties assigned to them by the President or reasonably necessary and proper in connection therewith, and the President shall have the authority to determine the mode of transportation incidental to any travel of any employee. All employees of the Local Union shall work under the direction and supervision of the President- Business Manager, regardless of classification or title.

b. The President shall sign all orders to the Secretary-Treasurer and/or the Recording Secretary, shall have exclusive authority to sign all official documents, deeds, mortgages, bond, correspondences, contracts, and other instruments, and to countersign with the Secretary-Treasurer and/or the Recording Secretary, all checks on banks accounts.

c. The President shall be the only person authorized to call a strike or institute a work stoppage and only after full compliance has been had with the applicable provisions of the International Constitution.

d. The President shall appoint all committees provided for by these Bylaws, unless otherwise ordered by the Executive Board, and shall be Chairman of all committees. The President shall have the power to appoint such committees as he may deem advisable at the time.

e. The President and the Secretary-Treasurer shall, having been elected by secret ballot and by virtue of their office, be permanent delegates to such conventions as affiliations of this organization may require. In the event that more delegates are required that can be obtained under this section or under these Bylaws, such other delegates shall be elected by secret ballot as specified by these Bylaws.

f. The President shall handle all correspondence and business of the Local Union with the International Union and/or offices and persons with whom the Local Union has business. The President shall look after and be responsible for the offices of the Local Union.

g. It shall be the duty of the President to preside at meetings of the Local Union and of the Executive Board, to preserve order therein and to enforce the International Constitution, these, Bylaws, the Rules of Order adopted by this body, to see that all officers perform their respective duties and to appoint all committees not otherwise provided for.

h. The President shall decide all questions of order, subject to an appeal to the membership, shall have the right to vote in the election of officers, shall cast the deciding vote when a tie occurs on any question, shall announce the results of all votes and enforce all fines and penalties imposed after a fair trial as herein provided, and shall have the power to call special meetings when he deems it

necessary.

- i. The President shall have the authority to disburse or order the disbursement of all monies necessary to pay bills, obligations, and indebtedness of the Local Union. The President shall have the authority to disburse, that which in his judgement, will further the best interests of the Local Union, subject to approval of the Executive Board.
- j. The President shall be the principle executive officer of this organization, shall have the exclusive authority to employ or discharge employees, to appoint committees and delegates as provided in these Bylaws, and to determine all salaries for such persons, shall in general supervise, conduct and control all of the other business and affairs of this organization, it's officers and employees.
- k. The President shall take such action as in his judgement will further the best interests of the Local Union and it's members which action shall include but shall not be limited to expenditures of monies for such purposes, subject to the approval of the Executive Board. Such actions may include aid and assistance, monetary or otherwise, to such persons or organizations which the President may feel are deserving of such aid in the best interests of the labor movement.
- l. The President shall have the authority to delegate any of his powers or duties.
- m. The President shall have the authority to interpret these Bylaws. He shall further have the authority to decide all questions of law thereunder between meetings of the Executive Board.
- n. The President shall have the power to appoint a Warden and Assistant Wardens who shall have the duty of keeping order in all meetings of the Local Union. Upon the Chair informing a member that he is out-of -order, the member shall immediately obey the ruling of the Chair. Upon a member being called out-of-order a second occasion and not immediately acceding to the ruling of the Chair, said member will be subject to being fined in the amount of twenty-five dollars (\$25). This fine shall not be assessed, however, until a full hearing has been accorded as provided in the International Constitution. Upon a member being ruled out-of-order a third time in a meeting and refusing to immediately comply with the order of the Chair, said member shall be immediately removed from the meeting by the Warden and Assistant Wardens.
- o. The President shall have the authority to postpone meetings or cancel them for just cause. The President shall set times, dates, and places for all meetings.
- p. Upon request of any member, made in person or in writing, to the President during the regular business hours at the principle office of the Local Union, he shall provide a copy of the collective bargaining unit agreement between the Local Union and the employer of such persons if the person making the request establishes that he or she is an employee directly affected by such agreement. The President may require a receipt thereof from such persons.
- q. The President shall also maintain a record of all members in good standing with their last known address. Said records shall not be open to inspection by any member, except as to he extent required by statutes.

Section 2. Duties of the Vice President

- a. The Vice President shall assist in keeping order. In the absence of the President shall preside or appoint a temporary Chairman to preside at the meetings.
- b. The Vice President shall assist the warden and see that no one enters the meeting without a password, he shall give the password to members, only when requested to do so by the President or the Secretary-Treasurer.
- c. the Vice President shall have any other duties that are assigned to him by the President.

Section 3. Duties of the Secretary-Treasurer

- a. The Secretary-Treasurer shall perform the duties imposed upon the Local Union's Secretary-Treasurer by the International Constitution, by these Bylaws and in general perform duties incidental to the office and such other duties as from time to time may be assigned to him by the President or Executive Board. He shall see that all notices are given in accordance with the provisions of these Bylaws or as required by law and shall be given first consideration in the appointment as a Business Agent.
- b. The Secretary-Treasurer shall make a report to the membership giving the financial standing of the Local Union and shall have kept itemized records showing the source thereof of all monies received, verify the correctness of any such report on a current basis.
- c. The Secretary-Treasurer, with permission from the President, shall upon request make available a copy for inspection of the annual audit report to any member and shall forward a copy of the annual audit report by certified public accountant to General Secretary-Treasurer. H shall also make available for inspection by a member at the Local Union's principle offices, during regular business hours, any report which is subject by statute to such inspection. Upon request of any member made in writing, giving forty-eight (48) hours notice setting good and sufficient cause for requesting examination of any books, records, and accounts necessary to verify covering the period of his membership files in compliance with any statutory requirements, he shall make arrangements to have the records desired available for inspection during regular business hours at the principle offices of the Local Union. In the event the Secretary-Treasurer believes that just cause does not exist for the request made, he shall so inform the member in writing and that member may appeal the matter within ten (10) calendar days in writing to the Executive Board. Inspection of books, records, and minutes of this organization may be allowed as hereinafter set out, but all persons are prohibited from copying or reproducing any such books, records, documents, files, or minutes of this organization, except with the consent of the President. All books, records, files, and minutes and all other documents are the property of the Local Union and the right to inspect shall not be

deemed to include the right to reproduce or copy or remove from the Local Union's offices any record or copy thereof.

d. The Secretary-Treasurer shall receive all monies paid to the Local Union, giving receipt thereof, for dues, including, initiation fees or other fees, assessments or files. All monies received from any source, whatsoever, shall be deposited in such reliable bank or banks in the name of the Local Union at least twice a month or more often if possible, as the Executive Board may designate from time to time.

e. The Secretary-Treasurer shall keep correct accounts between the Local Union and its members and between the Local Union and the International Union.

f. The Secretary-Treasurer shall report the names and addresses of all new members coming into the Local Union, initiated or reinstated, each month, together with those who become suspended for non-payment of dues or for any other cause as well as a correct list of those who take transfer or withdrawal cards, and shall promptly notify the General Secretary-Treasurer of the death of any member.

g. The Secretary-Treasurer shall procure a suitable surety bond in an amount not less than ten percent (10%) of the funds handled by him and his predecessors, if any, during the preceding fiscal year, but in no case more than five-hundred-thousand (\$500,000.00) dollars.

h. Whenever the Secretary-Treasurer's term of office expires or is otherwise terminated, he must see that his successor is properly bonded and a copy of the bond is sent to the General Secretary-Treasurer's office before transferring the funds of this organization to the successor in office. He shall also give to his successor all papers, documents, records, vouchers, worksheets, books, money, and other Local Union property that may have been entrusted to him by virtue of his office and shall obtain an appropriate receipt thereof. All such records, vouchers, worksheets, receipts, books, reports, and documents shall be preserved and retained at the Local Union's principle offices for a period of not less than the current year plus the five previous years, in accordance with statutes.

i. The Secretary-Treasurer shall have custody of the Local Union's seal.

Section 4. Duties of the Recording Secretary

a. It shall be the duty of the Recording Secretary to attend meetings of the Local Union and the Executive Board, to keep minutes of the proceedings of the Local Union meetings and the Executive Board meetings, which need not be verbatim. He shall keep a record of the names of members comprising each committee to handle the correspondence of the Local Union where it is required by the Bylaws. In the Recording Secretary's absence, the Chairman shall appoint a member to act as Recording Secretary pro-tempore.

b. The President may appoint any member to keep minutes of meetings that are held by division, craft or place of employment.

Section 5. Duties of the Trustees

a. There shall be three (3) Trustees who shall audit the books of this organization at least quarterly and forward a copy of the audit to the General Secretary-Treasurer of the International Union.

b. The three (3) Trustees shall serve as members of the Executive Board.

Section 6. Duties of the Wardens

a. The Warden and Assistant Wardens shall be appointed by the President.

b. The Wardens shall have charge of the inner door and shall not admit to any meeting any member who is in arrears, unless authorized to do so by the Chair. The Wardens shall not allow any member under the influence of alcohol or drugs to enter the hall or attend a meeting.

c. The Wardens shall assist the presiding officer in maintaining order during any and all meetings.

ARTICLE 17 - OFFICERS OATH AND OBLIGATIONS OF OFFICE

Section 1. Oath of Officers

All officers of this Local Union when installed into office after being elected or appointed shall be required to take the following obligation:

" I, (Name) do most sincerely promise, upon my honor, that I will truly and faithfully, to the best of my ability, perform the duties of my office, for the ensuing term, as prescribed in the Constitution and the Bylaws of this Union, and as an officer of this Union, will at all times endeavor, both by counsel and example, to promote harmony and preserve the dignity of its sessions. I will at all times faithfully comply with and enforce the Constitution and laws of the International Union and the Bylaws and laws of this Local Union. I further promise, that at the close of my term of office, I will promptly deliver any and all property of this Union in my possession to my successor in office. To this I pledge. "

Section 2. Privilege to Hold Office

The right to assume office or hold office or position in the Local Union shall never be deemed a property right, shall be a personal privilege and honor only. Any action taken by an officer in faith and within the scope of his authority and power under these Bylaws

shall not be the basis for any personal liability against such officer.

Section 3. Legal Compliance

All officers of this Local Union must, as a condition of holding office, execute all necessary forms required by law in order to be filed with any Federal or State agency either for or in behalf of the Local Union or as an officer of employee thereof, but accidental default shall not be considered a violation of the duties imposed by this section.

Section 4. Adherence to Bylaws

All officers and employees in the performance of their duties shall adhere to the terms of these Bylaws and the International Constitution.

Section 5. Assuming Office

An officer-elect shall be installed at the same meeting at which he or she is elected or at the first General Membership Meeting following the previous office's term of office.

ARTICLE 18 - DUTIES OF THE MEMBERS

Section 1. Members shall carry their dues books or dues receipts with them at all times. All members shall adhere to the terms and conditions of the International Constitution and these Bylaws.

Section 2. It shall be the duty of each member of this Local Union to support and show respect for its officers and agents in the proper discharge of their duties. A violation of this duty shall be grounds for charges against said violator and a trial before the Executive Board.

Section 3. Members shall require the payment of Union wages to themselves and the maintenance of Union conditions where they are employed. they shall refuse to accept less than the Union negotiated standard and shall report any infraction of this Union contract directly to the Union offices.

Section 4. Members shall furnish the Local Union with a correct address and telephone number and shall notify the Local Union for every change of the same.

Section 5. Members shall register as electors (voters) for all City, County, State, and Federal elections and shall endeavor to vote whenever possible.

Section 6. No member of this Local Union shall attempt to disrupt this Local Union or injure it in any manner whatsoever, or endeavor to persuade members to drop out of this Local Union or form other alliances on penalty of being tried before the executive Board of this Local Union in accordance with the methods and procedure outlines in the International Constitution.

Section 7. All business transacted in the Local Union shall be strictly secret from all persons outside of this Local Union, unless authorized by the President to reveal the same.

Section 8. Within the meaning of the duty of fair representation and in compliance with the International Constitution every member by virtue of membership in this Local Union authorizes this Local Union to act as his exclusive bargaining representative with full and exclusive power to execute agreements with employers governing terms and conditions of employment and to act for him and have final authority in presenting, processing and adjusting any grievance, difficulty or dispute arising under the collective bargaining agreement or out of his employment with such employer, in such a manner as the Local Union or it's officers deem to be in the best interests of the Local Union. The Local Union and its officers, business representatives, and agents may decline to process any such grievance, complaint, difficulty or dispute if in their sole discretion and judgement such grievance, complaint, or dispute lacks merit, unless the President determines otherwise.

Section 9. No member shall interfere with the elected officers or business representatives or business agents of this organization in the performance of their duties and each member shall, when requested, render such assistance and support to the Local Union's officers, representatives or agents as may be required of them, provided that this does not interfere with the individual rights of members. Each member shall adhere to the terms and conditions of pertinent collective bargaining agreements and shall refrain from any contact that would interfere with the performance by this Local Union of it's legal and /or contractual obligations.

Section 10. No member shall engage in dual unionism or espouse unionism or disaffiliation in the course of any meeting. Members shall not slander or libel the Local Union, its members or its officers. Members shall not be a party to any activities to secure the disestablishment of the Local Union as the collective bargaining agent for any employee.

Section 11. No member shall be permitted at any assembly or meeting of other members to engage in any of the conduct herein before described.

Section 12. Every member shall follow the rules of order at all meetings of the Local Union.

Section 13. Membership in this Local Union shall not vest any member with the right, title or interest in or to the funds, property or assets belonging to the Local Union and held by it on behalf of all the membership as a whole, now or hereafter and no member shall have a property right to membership in this organization except in accordance with the International Constitution and these Bylaws.

ARTICLE 19 - LOCAL UNION ELECTION CAMPAIGNS

Section 1. Every member shall have the right to meet and assemble freely with other members to express views, arguments or opinions concerning candidates for office and to support the candidate or candidates of their choice without being subjected to penalty, discipline, or improper interference or reprisal of any kind. But these rights must be exercised in ways which do not conflict with the responsibilities of the members to this Union as an institution and in ways which will not interfere with the performance of legal or contractual obligations and requirements.

Section 2. No monies received by this organization by way of initiation fees, dues, assessments, fines or any similar levy, and no monies of any employer may be contributed or applied to promote the candidacy of a member running for any office within the Union.

Section 3. The Executive Board of the Local Union shall have authority to authorize employees of the Local Union for sixty (60) days prior to an election to rearrange their working schedule so as to allow them full time opportunity to campaign.

Section 4. Each candidate shall have the right to have an observer at his own expense who shall be a member in good standing of this Local Union at the polling place and at the counting of the ballots. Candidates and their observers may challenge the eligibility of voters and all challenged ballots shall be set aside pending determination as to the validity of the challenge. All challenges shall be investigated to determine their validity as promptly as possible if the challenged ballots are of a sufficient number so as to affect the results of an election, otherwise they will not be counted. If votes are challenged such challenge shall be made in writing at the time with specific reasons given for the challenge.

Section 5. In the event there is any protests or charges by any member concerning the conduct of the election such protests or charges must be made in accordance with the International Constitution within forty-eight (48) hours. The protest or charge must be specific and set forth the exact nature of the protest or charge.

Section 6. All nominations and election records, including the minutes of the nominations meeting and the ballots cast, shall be preserved for a period of at least one (1) year.

Section 7. The candidate for each office who receives a plurality of votes cast for the office shall be elected thereto, except in the case of the three (3) Trustees in which case the three (3) candidates receiving the highest number of votes cast for that shall be elected. In the event of a tie vote the election will be settled in accordance with the International Constitution. Where a nominee is unopposed at the designated nomination meeting, there shall be no necessity for an election of such nominee and the nominee shall be declared duly elected at such nominations meeting and shall assume office as of the conclusion of the term of office of the incumbent.

Section 8. No officer may run for another office in this Local Union, the term of which covers part of his current term of office, unless he resigns from such current office at the time of nomination.

Section 9. No officer may hold another office in this Local Union during his term of office without permission of the General President of the International Brotherhood of Teamsters.

Section 10. The provisions relating to holding two (2) offices at the same time within the Local Union does not apply to the position of business representative or business agent or other employee positions since they are not elected positions on the Executive Board.

Section 11. There shall be no write-in candidates or voting. Any ballot containing a write-in candidate shall be void insofar as the vote for that office is concerned, if it cannot be determined otherwise the whole ballot is void, and such ballot for that office shall not be considered as having been cast in determining the plurality vote.

Section 12. Upon reasonable request of any bonifide candidate for office, the President shall arrange for the distribution of any campaign literature by mail, or otherwise provided that in making such request the candidate pays the estimated costs involved in advance, including the cost of additional help or overtime, postage, and the remaining full costs within thirty (30) days after the election. The President may require that all campaign literature as described in this section be presented to him at the principle office of the Local Union not later than seven (7) days prior to the date of the election and may in his judgement it appears necessary, provide for the consolidation of such distribution, in which case the costs of such distribution shall be assessed upon the candidates involved on a pro-rated basis. No portion of this section applies to any candidate choosing to handle and distribute their literature without the assistance of the Local Union, except the candidates will be required to pay for any labels or postage obtained through the Local Union.

ARTICLE 20 - DUTIES OF THE STEWARDS

Section 1. A steward or stewards may be appointed by the President or elected for each business place within the jurisdiction of this local Union. The steward shall examine the dues books or receipts of each member under his jurisdiction during the first ten (10) days of the month, and shall report to the President as to the standing of the members under his or her jurisdiction.

Section 2. The steward shall report to the Union offices the employment of any non-union people at the company.

Section 3. The steward shall report all disagreements between the company and it's employees directly to the Business agent.

Section 4. The steward shall see that the Local Union has the correct address of each member employed under his jurisdiction.

Section 5. All grievances must be submitted in writing to the steward, who must take up said grievance with the employer. In the event of failure to adjust said dispute, the steward shall submit said grievance and particulars of the hearing with the employer to the Local Union or Business Agent.

Section 6. Dues shall not be collected by stewards nor shall the stewards handle any other money or things of value on behalf of the Local Union, except when specifically authorized by the Executive Board and bonded as required by law.

Section 7. Stewards will be required to attend meetings of the Steward's Council or obtain permission from the Business Agent to be absent.

Section 8. The steward shall endeavor to uphold the principles and the policies of the Local Union.

Section 9. The steward shall work under the direction of the Business Agent.

Section 10. The steward shall attempt to obtain voters registration from all employees at the company.

Section 11. Where and when an election for Job Steward is approved, after a petition with at least fifty-one percent (51%) of the affected members requesting an election is received and at least twelve (12) months have elapsed since the previous selection of Steward, the President shall undertake the necessary steps to conduct an election within a reasonable period of time. The election may be conducted at a meeting or by placing a ballot box at the place of employment. Nothing in this section is to be construed to mean that the President is restricted from conducting elections and appointments at other times and for different reasons as judgement may dictate. Nor, is this section to be construed to require that Job Steward at all places of Employment will be elected.

Section 12. In the event it becomes necessary to remove a steward, the steward may appeal the removal to the Executive Board.

ARTICLE 21 - BONDING

Section 1. Every officer, agent, steward, or other representative of this Local Union who handles funds or other property of this organization shall be bonded in accordance with the requirements of the International Constitution and statutes. The amount of bond required of each person shall be ascertained by the Executive Board and the premium charges shall be paid out of the general fund of

this Local Union.

Section 2. If the Executive Board, in its sole judgement, believes that it would be to the advantage of this organization to join with the International Union and any or all subordinate bodies or affiliated Local Unions in obtaining a bond or bonds covering persons in this Local Union and such other organizations under a bond or bonds issued to said International Union or other subordinate body, then, in such event, the Executive Board is authorized and empowered to enter into such arrangements and pay from the general fund of this Local Union the costs for bonding these persons in this Local Union, but such surety coverage shall conform to the requirements set forth in section 1.

Section 3. Should the bond of any person required to be bonded be cancelled after surety coverage has been afforded, then such person shall be allowed thirty (30) days within which to arrange either for reinstatement of coverage or the substitution of another bond meeting the requirements of section 1 to take the place of the cancelled bond. However, during the period of non-coverage by surety bond, the Executive Board shall make whatever arrangements that are necessary to relieve said person from handling of any monies or property of the Local Union.

Section 4. If an employee referred to in section 3 above cannot, within thirty (30) days, provide the surety bond required in conformity with section 1 above, the Executive Board shall be authorized and empowered to permit said person to remain in said position under such arrangements as it may consider reasonable, but shall not require or permit that person to handle any of the money or control any of the property of the Local Union.

Section 5. If an officer, referred to in section 3 above, cannot, within thirty (30) days provide the surety bond required in conformity with the provisions of section 1 above, that officer shall automatically be deprived of holding any office, for which a bond is required, unless the International Constitution shall provide otherwise.

ARTICLE 22 - DELEGATES

Section 1. All Officers elected in accordance with these Bylaws shall by virtue of such election be Delegates and/or Alternate delegates to any International convention which may take place during the term of office. Each member of the Executive Board who is elected by secret ballot to office shall, as a result of such election, be a Delegate with full rights to the Joint Council, State Conference, and Area Conference as well as to any subordinate body of the International Union to which this Local Union is affiliated, subject to the limitations uniformly imposed by the International Constitution and Joint Council, State Conference, or Area Conference, or affiliate's Bylaws, or by statute.

Section 2. The President may appoint as Delegates, any member of this Local Union who meets the qualifications imposed upon Officers by these Bylaws and the International Constitution, to central labor bodies, and Delegates to all conventions of labor organizations, including any trade, craft, regional, or other conference, or to any other local, state, or national body, other than the International Convention of the International Brotherhood of Teamsters.

Section 3. If this Local Union is entitled to additional Delegates and/or Alternate delegates to any International Convention than provided for in Section 1, then such additional Delegates and Alternate Delegates shall be selected by a secret ballot vote at a regular or authorized meeting during the period from receipt by the Local Union of the Convention Call, up to the thirty-one (31) days preceding the first day of the Convention, at the times, place, and dates determined by the Executive Board. The Election of such Delegate or Delegates shall be conducted in accordance with these Bylaws and the International Constitution the same as for officers. No member shall be eligible to be nominated or elected as a Delegate unless the member meets the qualifications for an officer as established by the International Constitution and these Bylaws. The Executive Board shall determine the arrangements to be made concerning the expenses, including wages lost, to be paid by the Local Union for such Delegate or Delegates and Alternate Delegates. The President or Secretary-Treasurer shall immediately after the election notify the International Union of the Delegates and Alternate Delegates elected and shall together with President, execute all credentials and place thereon the Local Union's seal and forward them to the General Secretary-Treasurer at least thirty (30) days prior to the opening of the International Convention.

Section 4. All Delegates of this Local Union shall perform the duties imposed upon them by the International Constitution, these Bylaws, and the constitution and bylaws of the organizations to which they are Delegates and their actions in accordance therewith shall be deemed in the best interests of the membership of this Local Union.

ARTICLE 23 - STANDING COMMITTEES

The Standing Committees of this Local Union may include, but are not required, Committee on Bylaws, Political Action and Legislative Committee, Finance Agreement Committee, and such Committees shall perform the duties and functions as shall be assigned to them from time to time by the President.

ARTICLE 24 - DUES AND INITIATION FEES

Section 1. The dues and initiation fees of the organization are defined and set forth in this Article. In no event shall the monthly dues be less than the minimum established in the International Constitution.

The described rates shall be the basis by which dues of this Local Union shall be paid and at the reflected amounts. Future increases of dues shall be in accordance with these Bylaws, the International Constitution, and the votes of the membership.

The dues rate established and approved by the membership of Teamsters Local Union 988 shall be two-and-one-half (2½) times the member's hourly rate of pay and may be adjusted accordingly annually.

It is understood that there is a necessity to establish a program to insure and maintain an adequate amount of revenue received by the Local Union to maintain its operations so that the necessity of reduction of services and benefits to members shall not transpire.

The effects of maintaining and operating the Local Union on a day to day basis are the same as the operation of any other facility that is must maintain a working income or compensation so as to allow it to continue in its objects and obligations.

It shall be the duty of each member to require that an adequate amount of dues be paid to the Local Union so as to maintain the Local Union in a proper manner.

Section 2. The regular Initiation Fee for each member of Teamsters Local Union 988 will be based on the member's current wage the date on which the Initiation card was signed. The following table will be used to calculate the fee:

WAGE	INITIATION FEE
Less than \$10.00-----	Will be \$10.00
From \$10.01 to \$15.00----	Will be \$20.00
From \$15.01 to \$20.00----	Will be \$40.00
Above \$20.00-----	Will be \$75.00

Section 3. Reinitiation fees shall be the equivalent of three (3) months dues or one-hundred dollars (\$100.00) which ever is less plus the current months dues. This provision may be waived or it may be reduced in connection with organization of unorganized employees or in the event of a proven hardship, at the discretion of and approved by the Executive Board.

Section 4. General or Special assessments and levies may be made from time to time in the manner provided herein.

Section 5. Any levying of any General or Special assessment shall be made only in accordance with the following procedure:

- Reasonable notice shall be given by the Secretary-Treasurer to the membership at least fifteen (15) days prior to the meeting at which the membership will consider the question of whether or not such General or Special assessment shall be approved. The notice shall indicate that an increase or assessment is to be voted on. Such meeting may be general or special.
- At regular or special meetings called as provided in this section, voting shall be by secret ballot of the members in good standing.
- A majority vote, by secret ballot, of the members in good standing and voting at such meeting shall decide the issue.

Section 6. Privileged Assessment to the members of this Local Union shall be authorized and maintained herein after upon a fifteen (15) day notification to the membership.

The Privileged Assessment of this Local Union shall be only for the purpose of paying damages that are incurred by this Local Union through legal, judicial, federal, State, or Local agencies, or the costs of defending such action. The purpose for the described assessment shall be to prevent any individual, group of individuals, organizations, agencies, or Government bodies from placing this organization in a position of bankruptcy or indebtedness that would injure this organization financially or physically.

The Executive Board shall have the authority to enact the Privileged Assessment. The membership may be assessed under the terms and provisions of this section ass amount over the period of time determined by the Executive Board, but at no time shall more than one dollar (\$1.00) be deducted in any given month.

ARTICLE 25 - PAYMENT OF EMPLOYEES WAGES, EXPENSES, ALLOWANCES, BENEFITS

Section 1. Recognizing that the Officers, Representatives, and employees of this organization do not work regular scheduled hours and receive no compensation for overtime or premium pay; also recognizing that such individuals are required to travel varying distances on various business in connection with their duties the Local Union shall provide for lodging, meals, cab fares, and other incidental expenses that are incurred by them in connection with their duties and responsibilities. Depending upon the city or area to which they

travel, such amounts may be determined by the costs incurred thereof. It is also understood and recognized that they must participate in cultural, civic, legislative, political, fraternal, educational, charitable, social, and other activities in addition to their specific duties as provided in the International Constitution and these Bylaws and that such activities benefit the organization and its members; that the time spent in such activities is unpredictable and unascertainable, such Officer, Representative, and employee will be granted, in connection with their duties and in their participation in things that benefit this Local Union both directly and indirectly, an allowance both for in-town work and respectively which in the case of out-of-town work shall include an allowance for compensation for ;the necessity of such Officers, Representatives, or employees to travel away from the home domicile, in addition to the allowance, hotel, meals, and other expenditures shall be paid by the Local Union in such amounts daily, weekly, or monthly as the President may determine and there shall be no need to make a daily, weekly, or monthly accounting to the Local Union's General Membership for such allowances. Such allowances are subject to review by the Executive Board of this Local Union to establish changes that may be necessary. In addition to the allowances set forth herein all Officers, Representatives and employees may be reimbursed for or credit provided for, all other expenses incurred in connection with their activities.

Section 2. When an Officer, Representative, or employee of this organization is engaged in activities in the interests of or for the benefit of this organization and its members the Local Union shall pay the expenses incurred therein, or reimburse the Officer, Representative, or employees upon receipt of itemized voucher or statement from that person or the supplier of such services.

Section 3. The Local Union may provide its representatives with automobiles, if the Local Union funds permit, or in lieu thereof, they shall be paid an allowance for the use of personal automobiles in such amounts or at such rates as shall be determined by the President. In such instances where the Local Union either provides an automobile or provides an allowance for the use of the automobile, it is recognized that such Officers, Representatives, or employees shall be permitted private use of such car on an around-the-clock continuous basis, including private use when the car is not required for Local Union business. Accordingly, the Local Union in addition to the allowance provided for the use of the automobile may provide, but is not limited to the following: insurance, fuel, up keep, and repairs. The President is empowered to buy, sell, exchange, or lease automobiles or arrange financing thereof in behalf of the Local Union from time to time, provided that in his opinion the Local Union funds permit

Section 4. The President, with the approval of the Executive Board, may from time to time provide additional fringe benefits for Officers, Representatives, and employees of this organization, including but not limited to such fringe benefits as vacations with pay and expenses thereof, holidays, sick leave, time off for personal leave, and in connection therewith any disability or sickness, health and welfare, and retirement benefits and activities and facilities relating thereto, and may from time to time provide changes therein as well as additional compensation and allowances.

ARTICLE 26 - CHARGES AND TRIALS

Section 1. Each member of this Local Union shall have the right to fair treatment in the application of union rules and laws in accordance with the International Constitution and the Bylaws. In applying the rules and procedures relating to union discipline, the essential requirement of due process of law (notice, hearings, and judgement based upon the evidence) shall be observed without, however, requiring the technical formality followed in the courts.

Section 2. Members shall have the right to be represented by any member in good standing of the Local Union; but no lawyers shall be permitted to appear on behalf of members in internal union trials.

Section 3. Recognizing that these requirements of fairness and due process of law will be administered by groups of laboring men and women, this Local Union adopts the following procedures with specific understanding that the following procedural guides are designed to attain justice both to the individual member and the organization and in instances where deviations from such procedures are not of such substantiality to affect the member's substantive rights these procedures are not to constitute technically precise requirements of strict pleadings of a court of law.

Section 4. Members and Officers of this Local Union may be charged only with the offenses specified in the international Constitution and these Bylaws, and shall be tried in accordance with the procedures specified in the International Constitution.

Section 5. Officers may be charged only with the offenses defined in the International Constitution, or with "serious misconduct". "Serious Misconduct" of an Officer shall be defined as:

a. Willful failure to hold money and property of the Local Union solely for the benefit of the Local Union and its members or to manage, invest, and expend the same in accordance with these Bylaws or any resolutions or directions of the Executive Board or the Membership;

- b. Dealing with this Local Union as an adverse party in any manner connected with his duties;
- c. Failure to account, after written request for accounting is made by members in good standing for any profits received by him in connection with transactions conducted by him or under his direction on behalf of the organization;
- d. Advocating or engaging in dual unionism or session of fostering the same;
- e. Willfully and wrongfully fails to make any reports by statute to be filed by him or on behalf of the Local Union, or will fully and wrongfully takes or retains any money, books, records, papers, or other property belonging to this Local Union;
- f. Willfully makes a false entry in, or willfully conceals, withholds or destroys any books, records, reports or statements required by statutes to be kept by him for and on behalf of this Local Union;

Any transaction of an Officer shall be considered solely for the benefit of the Local Union and it's members if it promotes or tends to promote the purposes and objects set forth in Article 1 of these Bylaws, or is in furtherance of such cultural, civic, legislative, political, fraternal, educational, charitable, welfare, social or other objectives as may be determined by the Executive Board or the membership.

Section 6. The procedure specified in the International Constitution shall govern all trials and appeals. The requirements of the International Constitution and of fairness and due process will be attained by substantial adherence to the following:

- a. Charges shall be filed in writing in duplicate with Secretary-Treasurer of this Local Union setting forth detailed information required in subsection c. below.
- b. The specific details of the conduct or activities charges and the nature of the offense allegedly committed shall be given in the charges, with names, dates, and places where possible, and the section or Sections of the International Constitution or these Bylaws alleged to have been violated.
- c. Either verbatim minutes, mechanical recordings, or a court reporter's transcript of the testimony and evidence should be kept.
- d. The accused party shall have the right to confront and cross examine witnesses giving testimony against the person.
- e. The trial board should give to the accused full opportunity to make a defense and to produce testimony or documentary evidence for that purpose.
- f. The decision of the trial board should recite the facts which it finds to be true and should also set forth the basis for the decision reached.
- g. All documents in the proceedings as well as summaries of evidence or stenographic minutes shall be preserved and kept available for use in further proceedings in the Union.
- h. It should always be understood that every accusation must be supported by proof.

ARTICLE 27 - PROTECTION OF REPRESENTATIVES

Section 1. The Labor-Management Reporting and Disclosure Act of 1959 may subject our Officers, Representatives, Agents and employees to civil suits and criminal prosecution in numerous situations and the language of said Act is so replete with uncertainty and ambiguity that even experienced labor lawyers cannot tell us what is permitted and what is prohibited under certain sections. In addition, we believe that the law is an open invitation to sue and prosecute and will result in trade union officers, agents, representatives, and employees being forced to defend themselves in many cases that lack merit.

Section 2. Because of the foregoing, this organization shall insofar as permitted by law to pay or reimburse for payment of all reasonable expenses involved in the defense of civil and criminal proceedings instituted against our officers, and authorized representatives, agents, and employees including the fees of attorneys, subject to the following condition:

"It must appear that the proceedings arose or grew out of the performance of their duties for and on behalf of this organization."

Section 3. The Executive Board is authorized, empowered, and directed to;

- (a). determine if cases meet the standard specified above, and
- (b). decide what amounts are reasonable, and
- (c). pay or reimburse for the payment of such expenses.

ARTICLE 28 - EXHAUSTION OF REMEDIES

No member or officer of this Local Union shall resort to any court or agency outside this Local Union or the International Union unless and until he has exercised all rights as a member and all avenues of relief and appeals as provided by the International Constitution or these Bylaws have been exhausted by the member, unless otherwise provided by statute.

Provided further, that any member, officer, or employee who shall before or following exhaustion of all remedies provided for within the International Constitution and the Bylaws of this Local Union resort to a Court of Law and lose his or her cause therein, all costs, expenses, and attorney's fees incurred by the Local Union shall be assessed against said individual or individuals in the nature of a fine subject to all penalties applicable where fines remain unpaid, including but not limited to suits and/or expulsion where said fine

remains unpaid.

Said assessment shall be made by the Executive Board of this Local Union after notice and opportunity to be heard in hearing first accorded such members, officers or employees.

ARTICLE 29 - SAVINGS CLAUSE

Section 1. The provisions of these Bylaws relating to the payment of dues, assessments, fines, or penalties, etc., shall not be construed as incorporating in any union-security contract those requirements for good standing membership which may be in violation of applicable law, nor shall they be construed as requiring any employer to violate any applicable law. however, all financial obligations imposed by or under the International Constitution and these Local Union Bylaws (and in conformity therewith) shall be legal obligations of members upon whom imposed and enforceable in a court of law.

Section 2. If any provision or provisions of these Bylaws are declared invalid or inoperative by any competent authority of the Executive, Judicial, or Administrative branch of Federal or State governments, the Local Union's Executive Board shall have the authority to suspend the operation of such provisions during the period of its invalidity and to substitute in its place and stead a provision which will meet the objections to its validity and which will be in accord with the intent and purpose of the invalid provision or provisions. If any Article or Section of these Bylaws should be held invalid or the application of such Article or Section to be invalid, by operation of law or by any tribunal of competent jurisdiction, the remainder of these Bylaws and Constitution shall not be affected.

Section 2. Where used in these Bylaws, words in the masculine also shall be read and construed as in the feminine in all cases such construction would apply.

ARTICLE 30 - AMENDMENTS

Any member may propose amendments to these Bylaws. The proposed amendment shall first be submitted to the Executive Board of this Local Union in writing, plainly and distinctly specifying the amendment proposed and the purpose thereof. The Executive Board shall meet and consider said proposed amendment within a reasonable time and shall advise the sponsor or sponsors of the amendment, within a reasonable time whether they approve or disapprove of such amendment. The sponsors of this amendment, may present the same to the membership at the next regular meeting to be voted on at the following meeting after notice is posted to that effect. Provided further, the Executive Board shall have the right and power to make proposed amendments to these bylaws which may be proposed, read, and voted upon at a special meeting called for such purpose or at a General Membership meeting, when advance notice to the membership is given stating the nature of the amendment. Amendments approved by a majority vote of the members, present and voting, shall be sent to the office of the General President for approval and shall take effect immediately upon receipt of approval by the Local Union.

ARTICLE 31 - FISCAL YEAR

The fiscal year of this organization shall be from January 1st to December 31st of each calendar year.

ARTICLE 32 - STANDING RULES FOR UNION MEETINGS

Rule 1. The regular order of business may be suspended by vote of the meeting at any time to dispose of anything urgent.

Rule 2. The Chairman of the meeting shall enforce these rules and regulations and may direct that members be removed from meetings for violation of these rules.

Rule 2. Any conversation, by whispering or otherwise, or any other activity which is calculated to disturb or may have the effect of disturbing a member while speaking or disturb the conduct of the meeting or hinder the transaction of business, shall be deemed a violation of order.

Rule 4. Attending meetings under the influence of liquor or drugs, etc. is a basis for removal.

Rule 5. All business done in the Local Union shall be strictly secret to all outside the Local Union, unless authorized by the President.

Rule 6. When a member wishes the floor, he or she shall rise and respectfully address the Chair, and if recognized by the Chair he or

she shall state their name and place of employment.

Rule 7. If two (2) or more members rise to speak, the Chair shall decide which is entitled to the floor.

Rule 8. Every member, while speaking, shall adhere to the question under debate, avoid all personality and indecorous language, as well as any reflection on the Local Union or any member thereof, but all members shall have the right to express their views, arguments and opinions upon candidates and upon any business properly before the meeting.

Rule 9. No member shall interrupt another while speaking, except to call a point of order and definitely state the point of order. The Chair shall decide the same without debate.

Rule 10. Any member, while speaking, being called to order by another and at the request of the Chair, shall cease speaking and be seated until the question of order is determined.

Rule 11. If any member shall feel personally aggrieved by a decision of the Chair, may appeal from the decision to the meeting without debate.

Rule 12. When an appeal is made from the decision of the Chair, said appeal shall be stated by the Chairman to the meeting, in these words: "Shall the decision of the Chair be sustained as the decision of the meeting?". The member taking the appeal will have the right to state the grounds of the appeal, and the Chair will have the right to state the reason for the decision. Thereupon, the members will proceed to vote on the appeal without debate and it shall require a majority vote to overrule the decision of the Chair.

Rule 13. No member shall speak more than once on the same question until all the members wishing to speak have had the opportunity to do so; nor more than twice without permission of the Chair; nor more than five (5) minutes at one (1) time.

Rule 14. All resolutions and motions, other than the first (1st) six (6) listed in Rule Eighteen (18), or to accept, or adopt the report of a committee, shall be reduced to writing, by the Recording Secretary, before the President states the same to the Local Union.

Rule 15. In presenting a motion, brief statement of its object may be made, but no discussion of its merits shall be admitted until the question is stated by the Chair.

Rule 16. Any member may call for a division of the house on a question when the subject matter or to determine the sense of the vote thereof.

Rule 17. All votes, other than amendments to these Bylaws or Rules of Order, may be considered at the same or next succeeding meeting, upon a motion made and seconded by two (2) members who voted in the majority, provided the Local Union agrees thereto; but after a motion to reconsider has once been lost it shall not be renewed.

Rule 18. The following motions shall have precedence in the following order:

1st, to adjourn,

2nd, to close debate,

3rd, to take up the previous motion,

4th, to table the motion,

5th, to postpone indefinitely,

6th, to postpone to a definite time;

7th, to refer;

8th, to amend;

The first four (4) motions shall be decided without debate.

Rule 19. The following motions are not debatable;

1st, to adjourn,

2nd, to table the motion,

3rd, to take up the previous motion,

4th, to close debate,

Rule 20. When a motion is postponed indefinitely it shall not come up again, except upon a majority vote.

Rule 21. The motion to close debate may be made by two (2) members, and shall be put in this form: "Shall the debate now close?". If adopted, the President shall proceed to take up the question before the membership, according to priority, without further debate.

Rule 22. The call for the previous motion on the original motion may be made by six (6) members and shall be put in this form; "Shall the main question be now put?". If adopted, the effect shall be to take up the question on the original motion to the exclusion of all debate and all amendments which have not been previously adopted.

Rule 23. If proper motion to amend has been made, the question on the amendment shall be put first, if more than one (1) amendment has been offered, the question shall then be put as follows:

- 1st. Amendment to the amendment;
- 2nd. Amendment;
- 3rd, Original proposition.

Rule 24. A motion to adjourn shall always be in order, except;

- 1) When a member has the floor;
- 2) When the members are voting.

Rule 25. The Chair shall state every question coming before the Local Union before permitting the opening of debate thereon. Immediately before putting it to a vote, the Chair shall ask: " Is the Local Union ready for the question?". Should no member rise to speak on the question, or if a majority shall vote to close discussion, the Chair shall put the question to the vote. After the Chair has risen no member shall be permitted to speak further upon the question.

Rule 26. When the presiding officer has commenced taking a vote, no further debate or remarks shall be allowed unless a mistake has been made, in which case the mistake shall be rectified and the presiding officer shall recommence taking the vote.

Rule 27. Every member present shall vote on all questions before the Local Union unless personally interested. Motions to excuse a member from voting shall be put without debate.

Rule 28. When a motion has been declared carried or lost, any member, before the Local Union proceeds to other business, may call for a count of the "Yeas" and the "Nays", but such count request cannot be called for unless the demand was made before the Chair has put the question.

Rule 29. A count of the "Yeas" and "Nays" may be called for by two (2) members and the vote shall be taken upon the assent of one-third (1/3) of the members present.

ARTICLE 33 - BYLAW ADOPTION

Upon their adoption, these Bylaws shall cancel, void, and supercede all previous Constitutions and Bylaws of this Local Union and shall be the only Bylaws of this Local Union.

The original Bylaws of Teamsters Local Union 988 were adopted by vote of the membership on April 19, 1975 and amended by vote of the membership on February 16, 1986 and additional amendments were voted and approved by the membership on

Bylaw Committee, appointed and approved March 15, 1992:

Working and in conjunction with the Executive Board of Teamsters Local Union 988.

Original referendum vote: April 4, 1975. Originally adopted by membership: April 19, 1975.

ARTICLE 34 - MEMBERSHIP KNOWLEDGE

All members shall acquaint themselves with all rules and regulations as provided in these Bylaws, as ignorance of said Bylaws shall constitute no excuse for violation of the same.