

CONSTITUTION
of the
INTERNATIONAL UNION

United Automobile,
Aerospace and
Agricultural Implement
Workers of America,
UAW



Adopted at the 35th
UAW Constitutional Convention
Detroit, Michigan
June, 2010

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**CONSTITUTION
of the
International Union**

**United Automobile, Aerospace and
Agricultural Implement Workers of America, UAW**

Note: Amendments adopted by the **2010** Constitutional Convention appear in **bold type**. Where a portion of a section has been deleted, the entire section, as amended, appears in bold type. The **2010** Convention provided that where the meaning of one article is changed, all related articles are automatically changed to carry out the intent of the change.

PREAMBLE

1 We hold these truths to be self-evident; expressive of the
2 ideals and hopes of the workers who come under the
3 jurisdiction of this INTERNATIONAL UNION, UNITED
4 AUTOMOBILE, AEROSPACE AND AGRICULTURAL
5 IMPLEMENT WORKERS OF AMERICA (UAW): "that all
6 men and women are created equal, that they are endowed by
7 their Creator with certain inalienable rights, that among these
8 are life, liberty and the pursuit of happiness. That to secure
9 these rights, governments are instituted among men and
10 women, deriving their just powers from the consent of the
11 governed." Within the orderly processes of such government
12 lies the hope of the worker in advancing society toward the
13 ultimate goal of social and economic justice.

14 The precepts of democracy require that workers through
15 their union participate meaningfully in making decisions
16 affecting their welfare and that of the communities in which
17 they live.

18 Managerial decisions have far reaching impact upon the
19 quality of life enjoyed by the workers, the family, and the
20 community. Management must recognize that it has basic
21 responsibilities to advance the welfare of the workers and the
22 whole society and not alone to the stockholders. It is essential,
23 therefore, that the concerns of workers and of society be taken
24 into account when basic managerial decisions are made.

25 The structure of work established by management is
26 designed to make of the workers an adjunct to the tool rather
27 than its master. This, coupled with the authoritarian climate of
28 the workplace, robs the worker of her/his dignity as an adult

1 human being. This belies the democratic heritage we cherish as
2 citizens in a society rooted in democratic values.

3 Essential to the UAW's purpose is to afford the opportunity
4 for workers to master their work environment; to achieve not
5 only improvement in their economic status but, of equal
6 importance, to gain from their labors a greater measure of
7 dignity, of self-fulfillment and self-worth.

8 Workers must also participate meaningfully in political and
9 legislative action because government impacts importantly on
10 their lives and on their communities. If government is to be the
11 means by which people achieve a humanitarian and equitable
12 society, it must be a responsible and accountable government.

13 Therefore, the UAW has the duty and responsibility to
14 promote real and meaningful participatory democracy through
15 its members and their families, so that free people and their
16 institutions may be heard in the councils of government and so
17 that officeholders are guided by principle alone.

18 To achieve these wholesome objectives:

19 • Management must accept union organization and
20 collective bargaining as an essential and constructive force in
21 our democratic society;

22 • The workers must be provided a meaningful voice in
23 maintaining a safe and healthful workplace with decent
24 working conditions, and must enjoy secured rights, together
25 with a satisfactory standard of living and maximum job
26 security;

27 • The workers must have a voice in their own destiny and
28 the right to participate in making decisions that affect their
29 lives before such decisions are made;

30 • The UAW must play an active role at all levels of
31 government to protect the lives and rights of its members and
32 their families. We must work constantly on the political and
33 legislative problems facing the whole society;

34 • Union members must take seriously their
35 responsibilities as citizens and work, through their union and
36 individually, to realize the goals of participatory democracy
37 and responsible and accountable government.

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ARTICLE 1
Name

1 This Organization shall be known as the "International
2 Union, UNITED AUTOMOBILE, AEROSPACE AND
3 AGRICULTURAL IMPLEMENT WORKERS OF AMERICA
4 (UAW)," hereinafter referred to as the International Union.
5 This document shall be officially known as the Constitution
6 and Bylaws of said International Union, and it shall also be the
7 Constitution of every affiliated subordinate body.

ARTICLE 2
Objects

8 **Section 1.** To improve working conditions, create a uniform
9 system of shorter hours, higher wages, health care and
10 pensions; to maintain and protect the interests of workers under
11 the jurisdiction of this International Union.

12 **Section 2.** To unite in one organization, regardless of
13 religion, race, creed, color, sex, political affiliation or
14 nationality, age, disability, marital status or sexual orientation,
15 all employees under the jurisdiction of this International Union.

16 **Section 3.** To improve the sanitary and working conditions
17 of employment within the workplace and in the
18 accomplishment of these necessary reforms, we pledge
19 ourselves to utilize the conference room and joint agreements;
20 or if these fail to establish justice for the workers under the
21 jurisdiction of this International Union, to advocate and support
22 strike action.

23 **Section 4.** To educate our membership in the history of the
24 Labor Movement and to develop and maintain an intelligent
25 and dignified membership; to vote and work for the election of
26 candidates and the passage of improved legislation in the
27 interest of all labor. To enforce existing laws; to work for the
28 repeal of those which are unjust to Labor; to work for
29 legislation on a national scale, having as its object the
30 establishment of real social and unemployment insurance, the
31 expense of which to be borne by the employer and the
32 Government.

Art. 2-3

1 **Section 5.** To engage in legislative, political, educational,
2 civic, welfare and other activities which further, directly or
3 indirectly, the joint interests of the membership of this
4 organization in the improvement of general economic and
5 social conditions in the United States of America, Canada, the
6 Commonwealth of Puerto Rico and generally in the nations of
7 the world.

8 **Section 6.** (a) To work as an autonomous International
9 Union affiliated with the Canadian Labour Congress (CLC),
10 American Federation of Labor and Congress of Industrial
11 Organizations (AFL-CIO) together with other International
12 Unions, for solidification of the entire Labor Movement;
13 provided, however, that the International Executive Board may
14 at any time alter the Union's relationship to such bodies in any
15 way it deems appropriate. To provide assistance, financial and
16 otherwise, to labor and other organizations in the United States,
17 Canada and other parts of the world having purpose and
18 objectives similar or related to those sought by this
19 organization.

20 (b) The International Executive Board is authorized to take
21 whatever action is required to enable the UAW to mobilize,
22 assist and work with other organizations, alone or in
23 combination, toward the objective of meeting the urgent
24 problems which confront society and the Labor Movement in
25 this 21ST Century period of rapid and accelerating
26 technological and social change.

27 (c) The International Union shall seek to affiliate groups of
28 employees, whether by agreement or merger. To do so, and
29 better accomplish this objective, the International Executive
30 Board is authorized to allow necessary deviations from specific
31 provisions of this Constitution, provided however, that any
32 such affiliations must be ratified not later than the next regular
33 convention.

ARTICLE 3
Constitution

34 This Constitution as amended at the **Detroit, Michigan**
35 Convention convened on **June 14, 2010** and as may hereafter
36 be amended, shall be the supreme law of the International
37 Union, **UNITED AUTOMOBILE, AEROSPACE AND**
38 **AGRICULTURAL IMPLEMENT WORKERS OF AMERICA**
39 (UAW), and can be amended only by a majority

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1 vote of the delegates at succeeding regular Constitutional or
2 Special Conventions.

ARTICLE 4

International Union Headquarters

3 The headquarters of the International Union shall be
4 Solidarity House, 8000 East Jefferson Avenue, in the City of
5 Detroit, State of Michigan 48214.

ARTICLE 5

Jurisdiction

6 The International Union, United Automobile, Aerospace
7 and Agricultural Implement Workers of America (UAW), shall
8 take in and hold jurisdiction over all employees in workplaces
9 engaged in the manufacture of parts (including tools, dies,
10 etc.), and the assembly of these parts into farm, automobile,
11 automotive propelled products, aerospace and agricultural
12 implements, including employees engaged in office work,
13 sales, distribution and maintenance thereof. Its jurisdiction
14 shall also encompass service, technical, office and/or
15 professional workplaces, whether public or private, and others
16 as the International Executive Board shall decide. The
17 jurisdiction of this International Union shall be full and final.

ARTICLE 6

Membership

18 **Section 1.** The International Union shall be composed of
19 workers eligible for membership in the International Union,
20 UNITED AUTOMOBILE, AEROSPACE AND AGRICUL-
21 TURAL IMPLEMENT WORKERS OF AMERICA (UAW).

22 **Section 2.** (a) Any person eligible to become a member of
23 the International Union who is not affiliated with any
24 organization whose principles and philosophy are contrary to
25 those of this International Union as outlined in the Preamble of
26 this Constitution, may apply for membership to the Local
27 Union having jurisdiction over the workplace in which s/he is
28 employed. The applicant must, at the time of application, be an
29 actual worker in and around the workplace. All applicants for
30 membership in any Local Union of the International Union
31 shall fill out an official application provided by the
32 International Union, answering all questions contained in such

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1 application, and sign a promise to abide by all laws, rules and
2 regulations and the Constitution of the International Union. All
3 applications thus received shall be referred to the Local Union
4 for consideration and shall be acted upon as soon as possible,
5 but not later than sixty (60) days from the date the application
6 is received by the Financial Secretary of the Local Union.

7 (b) Notwithstanding any other provisions in this
8 Constitution, applicants working for unorganized employers, or
9 in those units not yet under the jurisdiction of a UAW Local
10 Union may become members of the International Union
11 directly by signing an application for membership in a form
12 approved by the International Executive Board and by the
13 payment of the sum of one dollar (\$1.00) (or such other amount
14 determined by the International Executive Board), toward
15 initiation fees and dues. Once a Local Union is chartered in, or
16 awarded jurisdiction over the unit in which such member is
17 working, s/he shall automatically become a member of that
18 Local Union.

19 **Section 3.** Notwithstanding any other provisions of this
20 Constitution, whenever an International Officer or International
21 Representative is a member of a Local Union which is
22 disbanded or goes out of existence, or whose charter is
23 revoked, said Officer or International Representative may
24 apply for membership in another Local Union in the same
25 region. If accepted as a member by membership action of such
26 Local Union, the International Officer or International
27 Representative shall be considered to have remained in
28 continuous good standing in the International Union during the
29 period between the cessation of the existence of her/his original
30 Local Union and her/his acceptance by the membership of the
31 new Local Union.

32 **Section 4.** Upon acceptance of the application, membership
33 shall date from the first day of the month for which dues are
34 paid or dues check-off is authorized.

35 **Section 5.** Applications for membership rejected by the
36 Local Union shall not be reconsidered until thirty (30) days
37 have elapsed.

38 **Section 6.** Unless waived by the Local Union, or unit of an
39 Amalgamated Local, any candidate failing to present
40 her/himself for initiation within four (4) weeks after
41 notification of her/his being accepted to membership without

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1 good and sufficient reason being given, shall forfeit all money
2 paid by her/him.

3 **Section 7.** The original application signed by each member
4 shall be retained by the Local Union for its record and official
5 receipt shall be given to each new member for all monies paid.
6 All receipts shall be made out in duplicate, the original to be
7 given to the member, the duplicate to be retained by the Local
8 Union and made available to the International Union upon
9 request. These duplicate receipts may be destroyed after a
10 Local Union audit upon written approval of the International
11 Secretary-Treasurer.

12 **Section 8.** No new member will be recorded at the
13 International Office nor will initiation fee or per capita tax be
14 accepted for new members until a monthly report is received
15 from the Financial Secretary of the Local Union.

16 **Section 9.** Any Local Union or International Union Trial
17 Committee expelling any member for cause shall notify the
18 International Secretary-Treasurer and the latter shall notify all
19 Local Unions of this fact forthwith. A person who has been
20 suspended or expelled by any Local Union or International
21 Union Trial Committee shall not be eligible for membership in
22 any other Local Union until all claims or charges against such
23 person have been satisfactorily settled with the Local Union or
24 International Union Trial Committee suspending or expelling
25 and written notice to this effect furnished the Local Union to
26 which such person seeks admission.

27 **Section 10.** No member shall be allowed to hold
28 membership in more than one (1) Local Union of the
29 International Union at the same time, except by permission of
30 the International Executive Board. No member of the Union
31 who is fully employed in one (1) workplace under the
32 jurisdiction of the UAW shall accept work in any other
33 workplace under the jurisdiction of the UAW. Any member
34 violating this Section may be subjected to charges of conduct
35 unbecoming a union member.

36 The above shall not apply in the case of members of a Local
37 Union or unit of an Amalgamated Local Union who are
38 conducting an authorized strike and have received written
39 approval from the Local Union officers to obtain employment
40 elsewhere.

41 **Section 11.** No application shall be accepted from the one
42 designated as the head of a department, directing company

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1 policy or having the authority to hire and discharge workers.
2 Members of the Union who are promoted to such positions
3 shall be issued a withdrawal card immediately by the Local
4 Union in conformity with Article 17 of this Constitution.
5 Members promoted to minor positions where they work with
6 their fellow workers and do not have the power of discipline by
7 hiring or discharging employees may retain their membership
8 in the Local Union at the discretion of the Local Union.

9 **Section 12.** The names of all applicants for admission about
10 whose applications there is the least doubt may be published in
11 the "official publication." No applicants whose names have
12 been published shall be received into membership until thirty
13 (30) days after the date of such publication. However,
14 applications for membership from an unorganized or newly
15 organized workplace shall be held in confidence.

16 **Section 13.** Any member in good standing who shall have
17 become totally incapacitated by accident or illness may, at the
18 discretion of her/his Local Union, be granted a gratuitous
19 membership, continuing during incapacity. Appropriate cards
20 denoting such membership shall be prepared by the
21 International Union and furnished to Local Unions upon
22 request and at cost.

23 **Section 14.** All members of the Local Union are also
24 members of this International Union and subject to the orders,
25 rulings and decisions of this International Union and the
26 properly constituted authorities of the same.

27 **Section 15.** The International Union and the Local Union to
28 which the member belongs shall be her/his exclusive
29 representative for the purpose of collective bargaining in
30 respect to rates of pay, wages, hours of employment or other
31 conditions of employment; and for the negotiation and
32 execution of contracts with employers covering all such
33 matters, including contracts requiring membership or the
34 continuance of membership in the Union as a condition of
35 employment or continued employment; and contracts requiring
36 the employer to deduct, collect, or assist in collecting from
37 her/his wages any dues, initiation fees, reinstatement fees,
38 payable to the International Union or her/his Local Union.

39 **Section 16.** The International Union and the Local Union to
40 which the member belongs, and each of them, are by her/him
41 irrevocably designated, authorized and empowered

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1 exclusively to appear and act for the member and in her/his
2 behalf before any board, court, committee or other tribunal in
3 any matter affecting her/his status as an employee or as a
4 member of her/his Local Union or the International Union; and
5 exclusively to act as the member's agent to represent and bind
6 her/him in the presentation, prosecution, adjustment and
7 settlement of all grievances, complaints or disputes of any kind
8 or character arising out of the employer-employee relationship,
9 as fully and to all intents and purposes as s/he might or could
10 do if personally present.

11 **Section 17.** A member of a Local Union may resign or
12 terminate membership only by written communication, signed
13 by the member, to the Financial Secretary of the Local Union,
14 and such resignation or termination of membership shall be
15 effective upon receipt by the Financial Secretary of the Local
16 Union; provided that if the employer of such person has been
17 authorized by such person individually or by the Collective
18 Bargaining Agreement between the employer and the Local
19 Union to check off any amounts from the wages of such
20 person, such resignation or termination of membership shall
21 not relieve such person from the obligations arising from such
22 check off obligation. (See Special Note p. 166.)

23 **Section 18.** A member who resigns or terminates her/his
24 membership shall have no right or interest in any property of
25 the Local Union or of the International Union, including any
26 dues or other financial obligations paid by the member in
27 advance of the effective date of such resignation or
28 termination.

29 **Section 19.** Any member in good standing who is retired,
30 shall be entitled to a "retired membership status" which,
31 without being required to pay membership dues during the
32 period of such retirement, shall entitle her/him to all of the
33 privileges of membership except the right to vote in elections
34 conducted pursuant to Article 19, Section 3; Article 45, Section
35 2; and Article 50, Sections 1 and 5. Appropriate cards denoting
36 such membership status shall be prepared by the International
37 Union and furnished to Local Unions upon request and at cost.
38 The regular withdrawal-transfer provisions of this Constitution
39 shall be applicable if such retired member returns to active
40 employment.

41 **Section 20.** Non-members covered by an agency shop
42 clause in a UAW contract shall receive all the material benefits
43 to which members are entitled but shall not be

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1 allowed other membership participation in the affairs of the
2 Union.

3 Membership in the Union shall be at all times available to
4 such non-members on the same terms and conditions
5 applicable to other members.

ARTICLE 7

Powers of Administration

6 **Section 1.** The International Union shall be governed by its
7 membership in the following manner:

8 (a) The highest tribunal shall be the International
9 Convention composed of delegates democratically elected by
10 the membership of Local Unions.

11 (b) Between Conventions the highest authority shall be the
12 International Executive Board. The Board shall hold regular
13 quarterly meetings and such special meetings as are required.

14 (c) Between meetings of the International Executive Board
15 the administrative authority of the International Union shall be
16 vested in the International President. The International
17 President shall be responsible to the International Executive
18 Board for the administration of the Union between
19 International Executive Board meetings, according to the
20 Constitution, the actions of the International Convention and
21 the decisions of the International Executive Board. On all
22 matters of major importance s/he shall consult the other
23 International Executive Officers. S/He shall report her/his
24 actions to the International Executive Board for its approval or
25 rejection.

26 (d) In the case of the incapacity of the International
27 President, her/his powers and duties shall be assumed by an
28 Officer of the International Union who shall be selected by the
29 International Executive Board.

30 **Section 2.** To achieve the objectives and purposes of this
31 organization as set forth in this Constitution, the funds of this
32 organization are authorized to be managed, invested, expended
33 or used under this Article and Constitution not only for the
34 purposes and objectives expressly set forth in Article 2 and
35 otherwise in this Constitution, but also for any additional
36 purposes and objectives not inconsistent therewith as may be
37 contained at any time in the resolutions and programs adopted
38 and/or ratified by any International Convention or which the

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1 International Executive Board believes will further the general
2 interest and welfare of the membership of this organization or
3 any substantial part thereof.

ARTICLE 8
Conventions

4 **Section 1.** The 36th Constitutional Convention shall be held
5 during the month of **May, 2014**, provided that the date of
6 holding such Convention may be advanced or delayed two (2)
7 months upon a resolution to that effect adopted by the
8 International Executive Board.

9 **Section 2.** The business of the International Convention
10 shall proceed in the following order unless otherwise ordered
11 by the Convention:

- 12 (1) Call to Order.
- 13 (2) Report on Credentials.
- 14 (3) Reading of Convention Rules.
- 15 (4) Appointing Committees.
- 16 (5) Communications and Bills.
- 17 (6) Resolutions, etc.
- 18 (7) Reports of Committees.
- 19 (8) Report of Officers and International Executive Board.
- 20 (9) Nomination and Election of Officers and International
21 Trustee.
- 22 (10) Unfinished Business.
- 23 (11) New Business.
- 24 (12) Adjournment.

25 **Section 3.** Twenty-five (25) percent of all of the delegates
26 seated at any International Convention shall constitute a
27 quorum. No business shall come before or be considered by the
28 Convention at any session unless a quorum is present. In the
29 event the Chairperson of the Convention is unable to obtain a
30 quorum on the last day of the Convention, all unfinished
31 business of the Convention shall be referred to the International
32 Executive Board.

33 **Section 4.** Special Conventions of the International Union
34 shall be called by the International President: (1) When so
35 instructed by a two-thirds (2/3) vote of the International
36 Executive Board or in the event of the failure of the
37 International President to do so, by such other Board Members
38 as the Board may designate; (2) by a referendum vote of the
39 membership initiated upon the written request of at least

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1 fifteen (15) Local Unions from five (5) different states or
2 provinces having an aggregate membership of not less than
3 twenty (20) percent of the total membership as reported to the
4 preceding Convention. The Local Unions demanding a Special
5 Convention must state the reason or reasons why such
6 Convention is desired, the place and date for the Convention
7 and the dates for mailing out and returning the ballots. It shall
8 be the duty of the International President, or the person
9 designated by the International Executive Board, to send out
10 the Call, to state such reason or reasons and the place and dates
11 involved in transmitting the proposal to Local Unions for a
12 referendum vote. The reasons for and against such Convention
13 shall be published and forwarded to all Local Unions. Such
14 Convention shall not have authority to consider any matter
15 other than that which is specifically stated in the Call to the
16 Convention. It shall be mandatory that all Local Unions hold a
17 secret vote on the question of calling a Special Convention. All
18 Local Unions shall vote their decision on the question
19 involved, through Local Union procedure, by secret ballot.
20 Local Union election boards shall tabulate the ballots and send
21 the Local Union's vote to the International Secretary-Treasurer,
22 who, within thirty (30) days after the setting of a deadline of a
23 return date, shall publish the "yes" and "no" vote of each Local
24 Union in the "official publication." If a majority of all the
25 members voting in all Local Unions is in favor of a Special
26 Convention, a Special Convention shall be mandatory. When
27 the International Executive Board has directed the calling of a
28 Special Convention pursuant to the provisions of (1) the first
29 sentence of this Section, the delegates from each Local Union
30 who had been elected to the preceding regular Constitutional
31 Convention shall serve as delegates to the Special Convention.
32 Each Local Union shall carry the same total vote as it carried at
33 such previous regular Constitutional Convention. If the
34 purpose, or one of the purposes, of a Special Convention is
35 collective bargaining policies, the President (and
36 Bargaining/Negotiating Committee Chairperson, if it is a
37 different individual), if not delegates under this provision may,
38 by Local Union membership action, be made special delegates
39 at such Special Convention with the right to be present on the
40 Convention floor with voice but without any vote. Under the
41 same circumstances in units of Amalgamated Local Unions,
42 with membership in excess of one thousand (1,000), the Unit
43 Chairperson may, by unit membership action, be made such a
44 special delegate. If there are vacancies in the voting delegation,
45 they shall be filled in the following manner:

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1 (a) By alternates where the same were elected to the
2 preceding regular Constitutional Convention;

3 (b) If the number of delegates is insufficient after applying
4 (a), by reapportioning the votes of the Local Union among the
5 remaining delegates to the extent permitted by Section 7 of this
6 Article;

7 (c) If the number of delegates is insufficient after applying
8 (a) and (b) and the purpose or one of the purposes, of the
9 Special Convention is collective bargaining policies, by
10 including any special delegates which the Local Union or unit
11 membership may have provided for in accordance with this
12 paragraph, with the President of the Local Union to precede the
13 Bargaining/Negotiating Committee Chairperson;

14 (d) If the number of delegates is insufficient after applying
15 (a), (b) and (c), by electing additional delegates, these
16 additional delegates to be nominated and elected by secret
17 ballot at successive membership meetings; the required notices
18 for such nomination and election being those set forth in
19 Sections 22, 23 and 24 of this Article.

20 This foregoing procedure shall be disregarded in the event
21 of any Special Convention directed to be called by referendum
22 vote pursuant to (2) of the first sentence of this Section, in
23 which event the vote of each Local Union and the election of
24 delegates from each Local Union shall be the same as provided
25 for in this Article for regular Constitutional Conventions;
26 except that in applying Section 9 of this Article to determine
27 the average monthly per capita taxes paid by a Local Union, a
28 twenty-four (24) month period concluding with the sixth (6th)
29 month prior to the month in which the Special Convention is to
30 convene shall be used.

31 **Section 5.** Each Local Union shall have one (1) delegate for
32 two hundred (200) members or less and one (1) additional
33 delegate for the next three hundred (300) members or major
34 fraction thereof, and one (1) additional delegate for each
35 additional eight hundred (800) members or major fraction
36 thereof, except Amalgamated Local Unions which elect as
37 many delegates as they have units who average two hundred
38 (200) dues-paying members or more, and that those units who
39 have two hundred (200) members or more may elect their own
40 delegates to the Convention and those with less than two
41 hundred (200) shall be grouped together and vote as a
42 miscellaneous group. In the event the miscellaneous group
43 within an Amalgamated Local Union has less than two

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1 hundred (200), the International Secretary-Treasurer shall
2 allocate such membership to some other unit of the Local
3 Union in such a manner as will result in the maximum number
4 of delegates.

5 **Section 6.** Each unit of an Amalgamated Local Union shall
6 be allotted its share of the number of delegates in proportion to
7 the amount of per capita tax paid by the unit through the
8 Amalgamated Local Union. Any fractions remaining from the
9 units following such allocations shall be allotted to the Local
10 Union's Joint Council, where such body exists. Delegates
11 representing the total of all fractions shall be elected on the
12 basis of one (1) for each eight hundred (800) or major fraction
13 thereof. Any member of the Local Union who has qualified
14 may be nominated and elected by the Joint Council, provided
15 s/he has not accepted nomination in her/his unit. In order to be
16 eligible for nomination as a delegate representing a unit of an
17 Amalgamated Local Union, s/he must be a member of such
18 unit.

19 **Section 7.** Each Local Union shall have one (1) vote for the
20 first one hundred (100) members or less and one (1) additional
21 vote for each additional one hundred (100) members or major
22 fraction thereof, but no delegate shall have more than eight (8)
23 votes. The votes shall be equally apportioned among the
24 elected delegates of each Local Union, except that an
25 Amalgamated Local Union may apportion its votes in such
26 manner as the Local Union decides with no delegate having
27 more than eight (8) votes. The total number of votes of the
28 units of an Amalgamated Local Union shall not exceed the
29 total votes which the Local Union is entitled to under Section 9
30 of this Article of the Constitution.

31 **Section 8.** Local Unions may elect alternate delegates if
32 they so desire. The number of alternates may be less but not
33 more than the number of regular delegates. Local Unions shall
34 determine the manner and order in which an alternate will
35 replace a regular delegate and shall so advise the Credentials
36 Committee. Regular delegates may be replaced only if recalled
37 by their Local Union in the manner they were elected or if
38 unable to serve.

39 **Section 9.** The number of members in each Local Union, for
40 the purpose of this Article, shall be determined by the average
41 number of monthly per capita taxes paid by the Local Union to
42 the International Union for the period from and including the
43 sixth month preceding that in which the last quadrennial
44 Convention was held to not less than six (6)

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1 months nor more than seven (7) months prior to the next
2 Convention for which representation is to be determined. Per
3 capita from Local Unions shall be accepted in the regular
4 manner.

5 Local Unions or units of Amalgamated Local Unions which
6 have engaged in authorized strikes or in lockouts shall have
7 their representation to the International Convention determined
8 by having subtracted from the base period the months of such
9 authorized strikes or lockouts in which the membership of the
10 Local Union or unit of an Amalgamated Local Union did not
11 work in the workplace forty (40) or more hours.

12 **Section 10.** Not less than ninety (90) days previous to the
13 convening of the Regular Convention, the International
14 Secretary-Treasurer shall issue the Call to the Convention and
15 shall furnish all Local Unions with credentials and alternate
16 credential forms in contrasting colors, in duplicate, which must
17 be attested as required on the forms. The original of each
18 credential and alternate credential shall be retained by the
19 delegate or alternate delegate and the duplicate copies shall be
20 forwarded to the International Secretary-Treasurer. No
21 credentials shall be accepted later than twenty-one (21) days
22 prior to the date for the convening of the Convention. In
23 convening Special Conventions, not less than thirty (30) days
24 shall be required to issue the Call.

25 **Section 11.** No member is eligible to serve as a delegate
26 from her/his Local Union unless s/he has been in continuous
27 good standing in this International Union for twelve (12)
28 months immediately preceding the first day of the month in
29 which the Convention is held and shall also have been a
30 member of the Local Union electing her/him for three (3)
31 months immediately preceding the first day of the month in
32 which the Convention is held. For the purpose of this Section
33 of the Constitution, members must pay their dues or secure out-
34 of-work receipts in accordance with the provisions of this
35 Constitution.

36 **Section 12.** Local Unions in order to be entitled to
37 representation at the Convention shall have been affiliated with
38 the International Union for at least three (3) months prior to the
39 holding of the Convention. New Local Unions shall have paid
40 at least two (2) months' full per capita tax prior to the month in
41 which the Convention is to be held. If such newly chartered
42 Local Union has been in existence since the preceding
43 Convention, it shall be entitled to its full quota of

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1 delegates based upon the average number of months per capita
2 tax paid to the International Union during the period of time
3 since the preceding Convention. With respect to newly
4 chartered Local Unions who received their charter subsequent
5 to the last Convention, representation shall likewise be based
6 upon the per capita tax paid to the International Union,
7 averaged over the period of time from the preceding
8 Convention. In the case of an Amalgamated Local Union
9 where a workplace has been organized for over a year and
10 secures a separate charter, it shall not be considered a new
11 Local Union. Members representing Local Unions or unit
12 organizations within Amalgamated Local Union which have
13 not been in existence for twelve (12) months prior to the
14 Convention, shall be exempt from the provisions of Section 11
15 of this Article, provided they become members of their Local
16 Union or unit organization not later than thirty (30) days after
17 the issuance of or acceptance under the charter thereof.

18 **Section 13.** Each member of the International Retired
19 Workers Advisory Council shall automatically be a delegate to
20 the UAW Constitutional Convention with voice and one (1)
21 vote, as provided in Article 55, Section 4(f) of this
22 Constitution.

23 **Section 14.** International Officers and International
24 Representatives of the International Union shall have a voice
25 but no vote in the Convention of the International Union unless
26 they are duly accredited delegates from Local Unions. Any
27 member who is eligible may be elected to office whether or not
28 s/he is a delegate to the International Convention.

29 **Section 15.** Copies of all resolutions and constitutional
30 amendments to be considered by the Convention must be
31 approved by the Local Union membership and sent to the
32 International Secretary-Treasurer not later than six (6) weeks
33 prior to the date set for the Convention. These will then be
34 sorted and distributed by the International Secretary-Treasurer
35 among the chairpersons of the various and proper committees.
36 Protests of delegate elections must be received by the
37 International Secretary-Treasurer by whichever of the
38 following dates occurs first: (1) Not more than seven (7) days
39 after the Local Union delegate election or (2) not less than
40 twenty-one (21) days prior to the convening of the Convention.
41 These protests shall be referred to the Credentials Committee
42 and the Credentials Committee may waive failure to comply
43 with the foregoing time limitation where the interests of justice
44 would require.

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1 **Section 16.** The International Executive Board shall select
2 from the credentials of the delegates presented, a Constitution
3 Committee, which shall assemble at least two (2) weeks prior
4 to the meeting of the Convention at the place designated. It
5 shall be the duty of said Committee to take up all
6 recommendations concerning changes or additions to the
7 Constitution submitted by the International Officers,
8 International Executive Board and Local Unions to act thereon.
9 This Committee shall have authority to originate amendments
10 to the Constitution.

11 **Section 17.** (a) The International Executive Board shall
12 select from the credentials of delegates a Credentials
13 Committee, which shall assemble at least ten (10) days prior to
14 the meeting of the Convention. The Committee shall examine
15 all credentials received at the International Office and
16 investigate the standing of the delegates and the Local Unions
17 they represent; they shall receive the original credentials of the
18 delegates elected to attend the Convention, and be in a position
19 to report at the opening of the Convention.

20 (b) All election protests regarding the election of any
21 delegate to the Convention must be filed with the Credentials
22 Committee not more than seven (7) days after the Local Union
23 delegate election or not less than twenty-one (21) days prior to
24 the convening of the Convention, whichever occurs first,
25 absent a waiver of those limits by the Credentials Committee.
26 The protest must be filed by a member of the Local in question,
27 or may be raised by any member of the Credentials Committee
28 itself. The protest may raise any subject related to the election
29 of the Local's delegates, including the conduct of the campaign,
30 or use of union or employer assets.

31 (c) All other election protests of elections held under
32 Article 10 (International Officers and Regional Director), *even*
33 *though not touching the election of an identifiable delegate(s),*
34 must also be filed with the Credentials Committee, which has
35 *exclusive* jurisdiction. Thus, any protest of the conduct of the
36 campaign for these offices, or the alleged use of union or
37 employer funds in the campaign, *or of any other matter said to*
38 *affect the election,* must be filed with the Credentials
39 Committee. Any such protest must be made in writing, as soon
40 as possible, even though the Credentials Committee is already
41 in session. Such a protest may be made by any UAW member,
42 or the issue may be raised directly by any member of the
43 Credentials Committee itself.

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1 (d) If, prior to the holding of an election of delegates, a clear
2 violation of the International Constitution or the Local Union's
3 Bylaws occurs in the pre-election procedures, the International
4 President shall have the authority to order a correction of the
5 violation prior to the holding of the election. Such action by
6 the International President is subject to appeal to the
7 Credentials Committee.

8 (e) While the Credentials Committee sits, it has full
9 authority to receive such election protests, evaluate them, and
10 report its findings and recommendation to the full Convention.
11 The Convention itself is the final authority, and so makes the
12 final disposition of all election protests, whether presented by
13 the Credentials Committee, or directly entertained, by
14 permission of delegates under the Convention Rules, on the
15 floor.

16 (f) If the Credentials Committee should decide that an
17 election in any Local Union has been improperly conducted
18 and that delegates elected in such election should not be seated,
19 the Credentials Committee may, jointly with the International
20 President when s/he is satisfied that the necessary
21 Constitutional interpretations have been reasonably applied,
22 order the delegate election to be rerun in such Local Union
23 prior to the opening of the Convention. This rerun of the initial
24 election shall be supervised by a Sub-Committee of the
25 Credentials Committee. All notices and other time limitations
26 provided for in this Constitution shall be automatically waived
27 for any such rerun election, provided that every effort shall be
28 made to give the maximum notices permitted by the
29 circumstances.

30 (g) If the Convention approves the Credentials Committee's
31 report and recommendation on the initial election, the delegates
32 elected in the rerun shall be seated if confirmed by the
33 Credentials Committee and Convention. If the Convention
34 should reverse the Credentials Committee and approve the
35 initial election, the delegates elected in such initial election
36 shall be seated and the International Union shall reimburse the
37 Local Union for the cost of rerunning the election.

38 **Section 18.** The International Executive Board shall select
39 from the credentials of delegates to each International
40 Convention a Resolutions Committee of not less than seven (7)
41 members, which shall assemble at least ten (10) days prior to
42 the convening of the Convention. It shall be the duty of the
43 said Committee to consider such resolutions as may be
44 properly referred to it under this Constitution. This Committee

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1 shall have authority to originate resolutions to be presented at
2 the Convention.

3 **Section 19.** The International Executive Board shall select
4 from the credentials of delegates to each International
5 Convention, the several other committees necessary to
6 successfully promote and execute the efficient operation of the
7 Convention. Such committees shall convene not later than two
8 (2) days prior to the opening of the Convention.

9 **Section 20.** All Convention Committees shall have an odd
10 number of, and not more than thirteen (13) members.

11 **Section 21.** Following the issuance of the Convention Call
12 by the International Secretary-Treasurer, each Local Union
13 shall issue a Call for the nomination of its delegates to the
14 Convention. In the absence of a democratically elected
15 standing Election Committee (Article 38, Section 10), an
16 Election Committee shall be nominated and elected by the
17 Local Union at a regular or a specially called meeting for that
18 purpose of which at least seven (7) days' notice shall be given.
19 The Election Committee shall handle all the details insofar as
20 they relate to the procedure of the election, and adopt such
21 safeguards as are necessary to insure a fair election.

22 **Section 22.** The nomination of delegates to the Convention
23 may occur at the meeting at which the Election Committee is
24 elected or at a later date, but in either case at least seven (7)
25 days' notice shall be given. After the deadline on accepting
26 nominations has expired, no election of so-called "sticker" or
27 "write-in" candidates shall be considered legal. A list of
28 nominees shall be available to the membership. Candidates
29 shall not serve on the Election Committee or as challengers or
30 observers.

31 **Section 23.** Delegates to the International Convention shall
32 be elected by secret ballot of the Local Union of which they are
33 members and in no case shall be appointed.

34 Elections for Convention Delegates must take place no later
35 than thirty (30) days prior to the convening of the Convention.
36

37 **Section 24.** At least seven (7) days shall elapse between the
38 time of nomination of delegates and the date the election shall
39 take place. All members shall be duly notified, at least fifteen
40 (15) days in advance, of the time and place of said election and
41 the hours the polls will be open. Polling places must be open a
42 sufficient number of hours on one (1) or more days to allow all
43 members of the Local Union an opportunity to cast

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1 their ballots. Each member shall personally cast her/his vote at
2 the polls.

3 **Section 25.** Local Union action to instruct a delegate does
4 not serve to commit or bind the delegate on any issue s/he may
5 vote on at the Convention.

ARTICLE 9

Political Requirements of Union Officials

6 International Officers, International Board Members,
7 International Representatives and Local Union Officers shall,
8 from the date of taking office, be required to register and vote
9 in elections for civil officers in the area in which their homes
10 are located; provided they are eligible under the laws of the
11 area and that it is a physical possibility for them to do so.
12 Violation of this Section shall subject the person charged to
13 discipline, in pursuance of the procedure provided for in this
14 Constitution.

ARTICLE 10

Officers and Elections

15 **Section 1.** The elective officers of the International Union
16 shall be one (1) International President, one (1) International
17 Secretary-Treasurer, **four (4)** International Vice Presidents,
18 who shall be elected by the Convention, and such International
19 Executive Board Members as provided in Section 21 of this
20 Article. In the event of the death, removal, or resignation of
21 any of the **four (4)** Vice Presidents at any time after July 1,
22 **2010**, the International Executive Board shall have the
23 authority to reduce the number of Vice Presidents from **four**
24 **(4)** to **three (3)**. The duties of the Vice Presidents shall be to
25 assist the International President.

26 **Section 2.** Within the geographical districts as determined
27 by the International Constitution, the International Executive
28 Board Members shall be nominated and elected in the regions
29 as established by the International Executive Board and
30 existing on the actual day any such election commences. Only
31 the delegates from the Local Unions in such regions shall
32 nominate and vote for their International Board Members. Any
33 member in continuous good standing for one (1) year, and who
34 has worked at least ninety (90) working days in a workplace(s)
35 located within the region, whose Local Union is located within
36 the region can be nominated and elected.

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1 It shall require a two-thirds (2/3) vote of the International
2 Executive Board to change the composition of any region
3 within a geographical district.

4 **Section 3.** The term of office of all elective officers shall be
5 for the period up to the next Convention and the term of office
6 shall begin immediately upon installation. The term of office of
7 the Trustees shall be as provided for in Article 51.

8 **Section 4.** Nomination and election of all elective officers
9 and Trustees shall take place in the regular order of business of
10 the Convention and election shall be determined by a majority
11 vote of the delegates voting. Candidates shall be elected to
12 various offices by one (1) roll-call vote. In the election of the
13 Vice Presidents each delegate may vote for five (5) candidates.
14 If there are eight (8) or more nominees for the five (5) offices
15 and less than five (5) candidates receive a majority vote, the
16 candidate receiving the lowest number of votes shall be
17 eliminated from the run-off election, and in each successive
18 run-off election the candidate receiving the lowest number of
19 votes shall be eliminated, unless such elimination would result
20 in reducing the number of candidates in nomination to a figure
21 equal to the remaining vacancy or vacancies.

22 **Section 5.** All elections of International Officers and
23 International Executive Board Members shall be by roll-call
24 vote. In any election for International President, International
25 Secretary-Treasurer, International Executive Board Member, or
26 International Trustee where there are three (3) or more
27 candidates and, on the first ballot no such candidate receives a
28 majority, there shall be a run-off between the two (2)
29 candidates who received the highest number of votes on the
30 first ballot.

31 **Section 6.** No member shall be nominated or elected as an
32 elective officer of the International Union, as set forth in
33 Section 1 of this Article, who has not been in continuous good
34 standing for a period of one (1) year preceding the date of
35 nomination.

36 **Section 7.** No member of any Local Union shall be eligible
37 to hold any elective or appointive position in this International
38 Union or any Local Union in this International Union if s/he is
39 a member of or subservient to any political organization, such
40 as the Communist, Fascist or Nazi Organization which owes its
41 allegiance to any government other than the United States or
42 Canada, directly or indirectly.

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1 **Section 8.** No member of any Local Union shall be eligible
2 to hold any elective or appointive position in the International
3 Union, or any Local Union, if s/he is affirmatively engaged in
4 the promotion, implementation, furtherance, or support of
5 organized workplace rackets, such as numbers, bookmaking,
6 etc.

7 **Section 9.** The acceptance of an elective or appointive
8 office or position or of nomination to an elective office or
9 position by any member who is ineligible under Sections 7 or 8
10 of this Article is an offense against the Union punishable by a
11 penalty up to and including expulsion.

12 **Section 10.** When a charge is preferred that a member is
13 violating Section 9 of this Article, it shall be made and the
14 accused member shall be tried according to the appropriate
15 provisions of Articles 30 and 31. Resignation from an elective
16 office or appointive position, or withdrawal of candidacy by
17 any member charged with violation of Section 9 shall not
18 require the dismissal of such charges.

19 **Section 11.** Upon conviction of a member by a Trial
20 Committee of a Local Union or by an International Union Trial
21 Committee of violation of Section 9 of this Article, any
22 elective or appointive office or position then held by such
23 member shall be automatically vacated regardless of any other
24 penalty imposed.

25 **Section 12.** No member of any Local Union shall be eligible
26 to hold or seek any elective or appointive position in the
27 International Union, or in any Local Union, if s/he
28 affirmatively engaged in: the promotion, implementation,
29 furtherance or support of any other union or collective
30 bargaining group with the purpose or intent of supplanting the
31 International Union, or any subordinate body thereof, as the
32 recognized collective bargaining agent; in efforts to decertify
33 the International Union or any subordinate body thereof as the
34 recognized collective bargaining agent; or aiding or abetting an
35 employer or another Union to thwart organizing efforts by the
36 UAW to become the bargaining agent. If, upon investigation
37 by the International Union, it should appear by convincing
38 evidence that any member is in violation of this Section, the
39 International President, or the International Executive Board,
40 may summarily suspend that member from any office or
41 position, or the right to seek such office or position. Said
42 suspended member shall be promptly notified and, within thirty
43 (30) days of such notification, may appeal the suspension, in
44 which case the member's appeal shall be

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1 processed in the same manner as appeals to the International
2 Executive Board from decisions of subordinate bodies under
3 Article 33 of this Constitution; provided that the suspension
4 shall automatically be lifted unless the International Executive
5 Board has rendered its decision within one hundred twenty
6 (120) days of the day the appealing member commences an
7 appeal.

8 If the suspended member fails to appeal from the suspension
9 within the thirty (30) days allowed, or if the International
10 Executive Board upon review upholds the suspension by a two-
11 thirds (2/3) vote, the member shall be considered removed
12 from any office or position s/he may have held, as well as from
13 the privilege of seeking election or appointment to any office
14 or position, and the member shall not thereafter be eligible to
15 hold any office or position unless and until the removal has
16 been lifted by a two-thirds (2/3) vote of the International
17 Executive Board. Any member so suspended, who has taken an
18 appeal to the International Executive Board without having the
19 suspension lifted, may appeal the suspension either to the
20 Public Review Board or the Convention Appeals Committee as
21 provided for in Article 33 of this Constitution. The procedure
22 provided in this Section shall be in addition to, and exclusive of
23 any other action which may be taken against such member.

24 **Section 13.** No member removed from office or position by
25 reason of a conviction of any offense enumerated in Section 17
26 of Article 31 by a Local Union Trial Committee, shall be
27 restored to office or position by reason of a reversal of such
28 conviction by the body, which elected the Trial Committee,
29 until after the lapse of sixty (60) days following such reversal,
30 without a review having been ordered by the International
31 Executive Board.

32 **Section 14.** Whenever any member removed from elective
33 office or position by reason of having been convicted of an
34 offense shall have taken an appeal under Article 33, and
35 whenever a review of any such conviction shall have been
36 ordered by the International Executive Board under Section 18
37 of Article 31, the vacancy in office or position may be filled
38 according to the applicable provisions of Section 14 of Article
39 38 or Section 15 of this Article, but any successor in such
40 office or position shall hold the office or position subject to the
41 right of restoration of the removed officer upon reversal of
42 her/his conviction, subject to Section 13 of this Article.

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1 **Section 15.** No member shall be entitled as a matter of right
2 to restoration to any appointive position by reason of acquittal
3 or reversal of a conviction.

4 **Section 16.** Incoming elective officers of the International
5 Union shall be obligated and installed immediately after being
6 elected. The obligation shall be the same as that provided for
7 Local Union officers.

8 **Section 17.** Unless the International Executive Board
9 exercises the authority to reduce the number of Vice Presidents
10 as described in Article 10, Section 1, in the event of the death,
11 removal or resignation of the International President,
12 International Secretary-Treasurer, or any of the International
13 Vice Presidents, the officer shall be replaced by majority vote
14 of all members of the International Executive Board by a
15 member eligible to be a candidate in accordance with Section 6
16 of this Article.

17 In the event of the death, removal or resignation of an
18 International Trustee, the International Executive Board shall
19 elect a replacement to serve until the next regular
20 Constitutional Convention.

21 **Section 18.** In the event a vacancy occurs on the
22 International Executive Board because of the death, removal,
23 promotion of a member or other cause, the International
24 Executive Board shall, within thirty (30) days, call a special
25 regional convention for the region which the International
26 Executive Board Member represented. Such vacancy shall be
27 filled by a member elected by the delegates from the Local
28 Unions in the region. In the event of such vacancy occurring
29 within sixty (60) days before a regular Constitutional
30 Convention, no election shall take place and the office shall
31 remain vacant. In any such special regional convention, the
32 delegates from each Local Union who had been elected to the
33 preceding regular Constitutional Convention shall serve as
34 delegates to the Special Convention. Each Local Union shall
35 carry the same total vote as it carried at such previous regular
36 Constitutional Convention.

37 If there are vacancies in the voting delegation, they shall be
38 filled in the following manner:

39 (a) By alternates where the same were elected to the
40 preceding Constitutional Convention;

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1 (b) If the number of delegates is insufficient after applying
2 (a), by reapportioning the votes of the Local Union among the
3 remaining delegates to the extent permitted by Section 7 of
4 Article 8;

5 (c) If the number of delegates is insufficient after applying
6 (a) and (b), by electing additional delegates, these additional
7 delegates to be nominated and elected by secret ballot at
8 successive membership meetings; the required notices for such
9 nomination and election being those set forth in Sections 22
10 and 24 of Article 8.

11 **Section 19.** The International Executive Board shall consist
12 of the International Executive Board Members elected from the
13 regions together with the International President, International
14 Secretary-Treasurer and the International Vice Presidents.

15 **Section 20.** Voting strength of International Executive
16 Board Members:

17 (a) Questions coming before the International Executive
18 Board may be decided by unit vote of its members, but any
19 member may demand a roll-call vote on any question.

20 (b) Each member of the International Executive Board
21 shall have one (1) vote for each one thousand (1,000) members
22 or major fraction thereof represented by the member in her/his
23 region.

24 (c) Voting strength of each region shall be computed on the
25 basis of average monthly per capita tax payments from each
26 respective region through the period of twelve (12) months
27 commencing thirteen (13) months preceding each quarterly
28 meeting of the International Executive Board. The voting
29 strength of Executive Board Members at special Executive
30 Board Meetings shall be on the basis as at the preceding
31 regular Executive Board Meeting.

32 (d) The International President, International Secretary-
33 Treasurer and the International Vice Presidents, shall each
34 carry the same number of votes, which shall be equal to the
35 average of the votes cast by the remaining members of the
36 International Executive Board.

37 (e) Members of the International Executive Board may cast
38 their votes by proxy.

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Section 21. The geographical districts and the number of International Executive Board Members for each district of the International Union in the United States and Canada shall be as listed below.

1. Michigan, Canada.....Regions 1, 1A, 1C and 1D
2. Ohio.....Region 2B
3. Indiana, Kentucky.....Region 3
4. Illinois, Iowa, Nebraska, Wisconsin, Minnesota, North Dakota, South Dakota, Wyoming and Montana.....Region 4
5. Missouri, Arkansas, Louisiana, Kansas, Oklahoma, Texas, Colorado, New Mexico, Washington, Oregon, California, Idaho, Nevada, Utah, Arizona, Alaska and Hawaii.....Region 5
8. Tennessee, Virginia, West Virginia, North Carolina, South Carolina, Mississippi, Alabama, Georgia, Florida, the District of Columbia, Maryland, Delaware, the following counties of Pennsylvania: Franklin, Cumberland, Adams, York.....Region 8
9. New York, New Jersey, Rhode Island, Connecticut, Massachusetts, Vermont, New Hampshire, Maine and Pennsylvania, excluding the counties of Franklin, Cumberland, Adams and York.....Regions 9 and 9A

When an Executive Board Member vacancy occurs in any region, for any reason, and the International Executive Board determines that conditions and factors exist comparable to those which necessitated the decisions in 1984 to combine the regions in the Detroit Area and in 1990 to combine the regions in the Ohio district (that is, Ohio, West Virginia, and those parts of Pennsylvania west of and including the counties of McKean, Cameron, Cambria and Somerset), and further, determines that it is in the overall best interest of the Union, then the region will be combined with one (1) of the other contiguous regions. The remaining Executive Board Member will have jurisdiction over the combined regions.

ARTICLE 11
Salaries

Section 1. The International President, International Secretary-Treasurer, International Vice Presidents and International Executive Board Members **were scheduled to receive a three (3) percent Lump Sum Payment effective with the first payroll period of March 2011, and the**

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1 salaries were scheduled to be adjusted quarterly in
2 accordance with changes in the cost of living based on the
3 current formula as developed by the International
4 Executive Board. Consistent with bargaining between the
5 UAW and the Staff Council of International
6 Representatives, both the scheduled Lump Sum Payment
7 and the Cost of Living provisions have been eliminated and
8 the salaries shall therefore remain at the levels set forth in
9 Section 3, subject to future bargaining as described in
10 Section 13.

11 Section 2. International Representatives were scheduled to
12 receive a three (3) percent Lump Sum Payment effective
13 with the first payroll period of March 2011, and the salaries
14 were scheduled to be adjusted quarterly in accordance with
15 changes in the cost of living based on the current formula
16 as developed by the International Executive Board.
17 Consistent with bargaining between the UAW and the Staff
18 Council of International Representatives, both the
19 scheduled Lump Sum Payment and the Cost of Living
20 provisions have been eliminated and the salaries shall
21 therefore remain at the levels set forth in Section 8, subject
22 to future bargaining as described in Section 13.

23 Section 3. The salaries of the International President,
24 International Secretary-Treasurer, International Vice Presidents
25 and International Executive Board Members in full for services
26 rendered by each of said officers shall be the following sums:

27 International President, **one hundred and fifty-three**
28 **thousand, two hundred and forty eight dollars and twenty-**
29 **nine cents (\$153,248.29)** per annum.

30 International Secretary-Treasurer, **one hundred and forty-**
31 **two thousand, eighty dollars and eighty-seven cents**
32 **(\$142,080.87)** per annum.

33 International Vice Presidents, **one hundred and thirty-**
34 **seven thousand, seven hundred eighteen dollars and fifty-**
35 **nine cents (\$137,718.59)** per annum.

36 International Executive Board Members, **one hundred and**
37 **twenty-six thousand, five hundred and fifty-one dollars and**
38 **thirteen cents (\$126,551.13)** per annum.

39 Salaries shall be payable in biweekly installments.

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1 **Section 4.** The International President, International
2 Secretary-Treasurer, International Vice Presidents and
3 International Executive Board Members shall devote their full
4 time to their duties and shall not serve as an officer of a Local
5 Union, District Council or any other subordinate body, except
6 UAW-CAP Councils, beyond ninety (90) days after being
7 elected as an International Officer.

8 **Section 5.** An International Executive Board Member shall
9 serve under the general direction of the International President,
10 subject to the decisions of the International Executive Board.

11 **Section 6.** International Executive Board Members and
12 International Representatives shall receive such expenses and
13 allowances, including per diem allowances, as the International
14 Executive Board shall from time to time by resolution
15 determine to be necessary and appropriate to the discharge of
16 their obligations to the Union.

17 **Section 7.** The International Executive Board shall from
18 time to time by resolution determine the salary, expenses and
19 allowances to be paid any member, including a temporary
20 organizer, performing services for the International Union at its
21 request; provided that such salary, expenses and allowances
22 shall not exceed those prevailing for International
23 Representatives except to the extent that such member's lost
24 time would exceed the salary of an International
25 Representative.

26 **Section 8.** The full salary for International Representatives
27 shall be **one hundred and five thousand, seventy-six dollars**
28 **and ninety-six cents (\$105,076.96)** per annum. The initial
29 salary for a newly appointed International Representative shall
30 be **70% of the classification rate for her/his assignment and**
31 **shall be increased in annual increments, so that no later**
32 **than achieving six years of seniority on staff s/he shall be**
33 **receiving the full salary for her/his classification.** The
34 International Executive Board shall determine the salaries of
35 International Representatives acting as professional specialists,
36 key personnel and major and minor department heads.

37 Salaries shall be payable in biweekly installments.

38 **Section 9.** The International President, International
39 Secretary-Treasurer, International Vice Presidents and
40 International Executive Board Members shall, on their first

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1 election, be entitled to traveling expenses for themselves and
2 families and the moving of household goods from their home
3 to their assigned location and also on return at the close of their
4 official terms.

5 **Section 10.** International Officers, International Executive
6 Board Members and International Representatives shall
7 receive, in addition to their salaries, such fringe benefits as
8 pensions, severance pay, medical-surgical health insurance,
9 sickness and accident insurance, life insurance, vacations,
10 Supplemental Unemployment Benefits, etc., in such amounts
11 and under such conditions as the International Executive Board
12 shall from time to time by resolution determine to be necessary
13 and appropriate.

14
15 **Section 11.** No person in the International Union who holds
16 a paid full-time job in the Union shall hold any other paid
17 position in the Union at the same time.

18 **Section 12.** The International Executive Board shall from
19 time to time by resolution establish salaries, expenses,
20 allowances and fringe benefits for clerical, custodial,
21 maintenance and similar employees of the International Union.

22 **Section 13.** Upon completion of contract negotiations with
23 the Staff Council of UAW International Representatives, the
24 International Executive Board, by resolution, shall make
25 appropriate wage adjustments for members of that bargaining
26 unit. Further, the International Executive Board shall make
27 wage adjustments for other employees not represented by the
28 Staff Council (for example, Officers, International Executive
29 Board Members, technical and other employees) consistent
30 with the changes made in the *UAW-Staff Council Agreement*.

ARTICLE 12

Duties of the International Executive Board

31 **Section 1.** The International Executive Board shall execute
32 the instructions of the International Convention and shall be the
33 highest authority of the International Union between
34 Conventions, subject to the provisions of this Constitution, and
35 shall have the power to authorize strikes, issue charters, and
36 punish all subordinate bodies for violation of this Constitution.

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1 **Section 2.** In case of disputes or conditions within a
2 subordinate body that might threaten its existence, the
3 International Executive Board by majority vote, may
4 reorganize the subordinate body by ordering a special election
5 to be held within thirty (30) days after the members in good
6 standing are notified by mail. Under no circumstances shall
7 more than one (1) such special election be held within a year's
8 period in any one (1) subordinate body. Under this provision,
9 the elected officers of the subordinate body shall continue to
10 hold office until the election and may run for re-election. The
11 International Executive Board may have two (2)
12 representatives to work with the elected Local Union Election
13 Committee. The procedures of this Section shall be equally
14 applicable to units of Amalgamated Local Unions.

15 **Section 3.** Where necessary to:

16 (a) prevent or correct corruption or financial malpractice;

17 (b) assure the performance of collective bargaining
18 agreements or other duties as a bargaining representative;

19 (c) restore democratic procedures within any chartered
20 subordinate body; or,

21 (d) otherwise assure carrying out the legitimate objectives
22 of this International Union by such subordinate body,

23 the International Executive Board by a two-thirds (2/3) vote of
24 the entire Executive Board may, after a hearing, reorganize or
25 disband the chartered subordinate body, revoke the charter,
26 suspend any officer or officers from office and/or take over
27 supervision of the chartered subordinate body until its affairs
28 have been properly adjusted. In such event, the Board shall
29 designate one of its members as administrator who shall have
30 full authority over and supervision of all functions of the Local
31 Union and may suspend any or all officers and officials of the
32 Local Union and take over their functions either as directed by
33 the Board or in her/his own discretion where s/he believes it
34 necessary to accomplish the purposes of the administratorship.
35 The administrator may utilize such staff assistants as s/he
36 deems advisable to assist in supervising the affairs of the Local
37 Union.

38 In any case of suspension of officers, an election of new
39 officers shall take place within sixty (60) days from date of
40 order whereupon the subordinate body shall be returned its

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1 autonomy under this Constitution; unless circumstances which
2 necessitate an extension of time, in which event the Executive
3 Board during said administratorship may specifically extend
4 this period for a total of no more than one hundred twenty
5 (120) additional days. The conduct of all elections during an
6 administratorship shall be the responsibility of the
7 administrator.

8 The procedures of this Section shall be equally applicable to
9 units of Amalgamated Local Unions insofar as appropriate.

10 **Section 4.** In case of vacancy, the Board shall cause such
11 vacancy to be filled until the next Convention, in accordance
12 with Article 10.

13 **Section 5.** It shall repeal any bylaws of any subordinate
14 body which do not conform to this Constitution.

15 **Section 6.** It shall review and decide, between Conventions,
16 all questions involving interpretation of this Constitution when
17 any member or subordinate body wishes to appeal, or the
18 Board on its own initiative wishes to consider the decision on
19 any such question made (pursuant to Article 13, Section 8) by
20 the International President.

21 **Section 7.** It shall pass upon all claims, grievances and
22 appeals from the decisions of subordinate bodies of the
23 International Union, in the manner provided by this
24 Constitution.

25 **Section 8.** It shall transmit a report of the activities of the
26 International Union and a summary and explanation of the
27 actions of the International Executive Board relating to
28 International finances to each Local Union of this International
29 Union.

30 **Section 9.** If any elective officer is found guilty and
31 removed from office through trial procedure, the vacancy shall
32 be filled in accordance with this Constitution.

33 **Section 10.** Upon written request of three (3) members of
34 the International Executive Board, the International Secretary-
35 Treasurer, within forty-eight (48) hours of receipt of such a
36 request shall poll the International Executive Board on the
37 question of a Special Board Meeting. Upon a majority vote for
38 such a meeting, the President shall convene the Board within
39 five (5) days. In case the International President fails to
40 convene the Board within the time allotted, the International

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1 Secretary-Treasurer or a Board Member previously designated
2 by the Board shall convene the Board.

3 **Section 11.** Two-thirds (2/3) of the number of members
4 comprising the International Executive Board present in person
5 shall constitute a quorum of the International Executive Board.
6 Notwithstanding the foregoing, when the International
7 President calls a special meeting of the International Executive
8 Board because s/he believes action under Sections 2 and 3 of
9 this Article, or Sections 9 and 10 of Article 36, to be essential
10 with regard to a specific dispute in any area with the objective
11 of protecting the interests of a subordinate body, or any part of
12 the membership thereof, and less than the regular quorum
13 answers such call, those members answering the call may act
14 within the limited area described above provided they
15 constitute a special quorum. Such special quorum shall in any
16 event consist of not less than eight (8) members of said
17 International Executive Board, present in person, which must
18 include at least two (2) International Officers and at least four
19 (4) Board Members. Any such Special Board Meeting
20 operating on the basis of such a special quorum shall be
21 empowered to conduct any hearing and by a seventy-five (75)
22 percent vote of its members, take any action, make any
23 decision, or impose any penalty concerning said specific
24 dispute which the full International Executive Board could take
25 pursuant to any of the above noted applicable provisions of this
26 Constitution which shall be binding until the last day of the
27 next succeeding regular meeting of the International Executive
28 Board. All proceedings of such Special Board Meeting shall be
29 reported to the next regular meeting of the International
30 Executive Board, and any member or subordinate body feeling
31 aggrieved by any such action, decision or penalty of such
32 Special Board Meeting may file a protest with the International
33 Executive Board and shall have the right to be heard in person
34 by such International Executive Board upon request. Whether
35 or not any protest is taken, the International Executive Board
36 shall review the action, decision or penalty taken or imposed
37 by the Special Board Meeting and shall, if satisfied as to its
38 propriety, affirm such action, decision or penalty. Any member
39 or subordinate body feeling aggrieved by such decision of the
40 full International Executive Board shall have the normal right
41 of appeal therefrom pursuant to Article 33, Section 3, even
42 though the member or subordinate body did not avail
43 her/himself to the right hereinabove to file a protest from the
44 action, decision, or penalty of the Special Board Meeting to the
45 full International Executive Board.

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1 **Section 12.** Only a majority of the International Executive
2 Board can adjourn a Board Meeting.

3 **Section 13.** The International Executive Board shall set up
4 such departments as provided for in this Constitution. It may, if
5 voted by a two-thirds (2/3) vote; create additional departments
6 for promoting the business of this International Union or the
7 welfare of its membership. It may hire professional specialists
8 not members of the International Union for such departments if
9 they are not available within the membership.

10 **Section 14.** If and when a strike has been approved by the
11 International Executive Board, it shall be the duty of the
12 International Executive Board to render all financial assistance
13 to the members on strike consistent with the resources and
14 responsibilities of the International Union.

15 **Section 15.** Financial Officers (including Presidents) of the
16 Local Unions of this International Union shall be bonded by
17 such methods and agencies and in such amounts as the
18 International Executive Board may determine, but in no case
19 shall the bond be for less than the amount required by law.

20 **Section 16.** The International Executive Board shall have
21 power to adjust disputes between employers and employees
22 and to make contracts with employers in accordance with this
23 Constitution. In addition, the International Executive Board
24 shall have power to adjust jurisdictional disputes between
25 Local Unions.

26 **Section 17.** Where the International Executive Board has
27 established a satisfactory administrative arm for the handling of
28 members' appeals relating to the processing of collective
29 bargaining grievances, a decision by such administrative arm
30 may be appealed to the International Executive Board by the
31 procedures set forth in Article 33, Section 3.

32 **Section 18.** The International Executive Board may rescind,
33 reverse or repeal any action of any of the International Officers
34 or Representatives.

35 **Section 19.** Verbatim minutes shall be taken at all meetings
36 of the International Executive Board (except when the Board,
37 by a seven-eighths (7/8) vote of those present, decides that the
38 best interests of the Union would be served by an informal
39 discussion of the membership of the Board in session as a
40 committee of the whole, in which event the Board shall

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1 confine itself to discussion but shall take no formal action, and
2 no minutes shall be taken). Such minutes shall be transcribed
3 immediately and copies thereof shall be distributed to all
4 elected officers of the International Union as soon as
5 completed. Such copies shall be made available to any
6 interested member in good standing for inspection at the
7 offices of the International Secretary-Treasurer and of each
8 International Executive Board Member. In addition, the
9 Secretary-Treasurer shall prepare a summary of official
10 International Executive Board action after each International
11 Executive Board Meeting, which shall be sent to each Local
12 Union.

13 **Section 20.** The International Executive Board shall create
14 and operate a Political Action Committee to be known as UAW
15 Voluntary Community Action Program Committee (UAW V-
16 CAP). This Committee shall be authorized to make policy
17 decisions concerning expenditures and contributions involving
18 federal elections and to make expenditures and contributions
19 from a fund established by voluntary contributions from UAW
20 members, their families and friends. Once each year a
21 summary report of income and disbursements in federal
22 elections by category shall be made.

ARTICLE 13
Duties of International Officers

International President

23 **Section 1.** The International President shall preside at all
24 sessions of the International Convention and all sessions of the
25 International Executive Board. The International President
26 shall perform such other duties as are necessary to protect and
27 advance the interests of the International Union, and shall
28 report her/his activities to all Local Unions and the general
29 membership through the official publication. The International
30 President shall report her/his activities to the quarterly meeting
31 of the International Executive Board for approval or rejection
32 and to the International Convention.

33 **Section 2.** Between sessions of the International Executive
34 Board, the International President shall execute the instructions
35 of the International Executive Board and have full authority to
36 direct the working of this organization within the provisions of
37 this Constitution and shall report her/his acts to the regular
38 quarterly meeting of the International Executive Board.

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1 **Section 3.** As set forth in this Constitution or voted by the
2 International Executive Board, the International President shall
3 assign any elected officer to represent or direct the workings of
4 this International Union.

5 **Section 4.** The International President shall have power to
6 withdraw any field assignment made to any elected officer
7 when s/he becomes convinced that the officer has been derelict
8 in her/his duty or been guilty of a dishonest act. Such
9 withdrawal of assignment shall not act to suspend the vote or
10 pay of such an officer, which power lies only in the
11 International Executive Board as provided in this Constitution.
12 Any officer whose assignment is withdrawn may follow the
13 procedure outlined in Article 12, Section 10, to convene the
14 International Executive Board. If the International Executive
15 Board reaffirms the original assignment, then the President
16 shall not again suspend this assignment.

17 **Section 5.** The International President shall appoint such
18 Representatives as s/he may deem necessary from time to time
19 such appointments to be pending the approval of the
20 International Executive Board. The International President
21 may remove from the payroll any Representative derelict in the
22 performance of any duty, guilty of any dishonest act, or to
23 conserve the finances of this International Union, pending the
24 approval of the International Executive Board at its next
25 session.

26 **Section 6.** After submitting recommendations to the
27 International Executive Board, the International President shall
28 hire such legal, technical or professional help as is necessary to
29 efficiently operate such departments of this International
30 Union, except in the department of the International Secretary-
31 Treasurer.

32 **Section 7.** The International President shall fill by
33 appointment all vacancies occurring in the International Office
34 Staff, except in the department of the International Secretary-
35 Treasurer as otherwise provided for in this Constitution.

36 **Section 8.** The International President shall decide disputes
37 or questions in controversy, including all questions involving
38 interpretation of this Constitution, except such cases as follow
39 the procedure and conditions as outlined in this Constitution;
40 all her/his decisions being subject to appeal, first to the
41 International Executive Board and then to the Convention.
42 Notice in writing of appeal of any decision of the International
43 President must be filed with the International Secretary-

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1 Treasurer and the International President within thirty (30)
2 days from date of decision.

3 **Section 9.** International President shall have authority to call
4 special meetings of Councils or Local Unions whenever s/he
5 deems such meetings necessary to protect the interests of its
6 membership, after proper notification or consultation with
7 officers of subordinate bodies involved. The International
8 President shall have the authority to delegate such duties to any
9 International Officer or Representative s/he may name,
10 provided such delegation of authority is written, signed by the
11 International President and bears the seal of the International
12 Union.

13 **Section 10.** The International President shall convene
14 regular and special sessions of the International Executive
15 Board whenever necessary.

16 **Section 11.** The International President shall be empowered
17 to grant Local Unions or units dispensations relating to
18 initiation fees, per capita tax and/or Strike **Assistance** Fund
19 dues, to the International Union with the approval of the
20 International Executive Board, when in the International
21 Presidents judgment such dispensations will add to the growth
22 of or conserve the interests of this International Union.

23 **Section 12.** The International President shall devote all
24 her/his time to the affairs of this International Union, executing
25 the instructions of the International Executive Board and
26 exercising general supervision over all departments of this
27 International Union.

28 **Section 13.** During the International President's term of
29 office s/he shall establish her/his residence in the metropolitan
30 area of the city where the headquarters of this International
31 Union is established.

International Secretary-Treasurer

32 **Section 14.** The International Secretary-Treasurer shall
33 attend all sessions of the International Convention and of the
34 International Executive Board. The International Secretary-
35 Treasurer shall cause to be recorded the proceedings of the
36 International Convention and meetings of the International
37 Executive Board. The International Secretary-Treasurer shall
38 have charge of and preserve all books, documents and effects
39 of the International Office, except such records as properly
40 belong to the Office of the International President. The

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1 International Secretary-Treasurer shall issue receipts for
2 monies paid to the International Union, pay all bills and current
3 expenses, unless otherwise ordered by the International
4 Executive Board. All expenditures shall be paid by checks
5 countersigned by the International President when the latter is
6 satisfied of their correctness. The International Secretary-
7 Treasurer shall keep copies of all important correspondence
8 sent out and received by her/his office. S/He shall submit
9 expenses of each officer and employee, together with a detailed
10 statement of receipts and disbursements of all money belonging
11 to the International Union, to the International Executive Board
12 and the International Trustees.

13 **Section 15.** The International Secretary-Treasurer shall be
14 the custodian of the funds of this International Union. S/He
15 shall deposit sufficient funds of the International Union in
16 some responsible bank or banks to meet current obligations of
17 the International Union and shall invest the remainder of the
18 funds under procedures and standards determined from time to
19 time by resolution of the International Executive Board.

20 **Section 16.** The seal of the International Union shall bear
21 the following words: "International Union, United Automobile,
22 Aerospace and Agricultural Implement Workers of America
23 (UAW)." The seal of this International Union shall bear the
24 design representing the Automobile, Aerospace and
25 Agricultural Implement divisions of this International Union.
26 The International Executive Board shall be authorized to adopt
27 a seal appropriate with the above provisions. The seal of the
28 International Union shall be held by the International
29 Secretary-Treasurer in trust for the use of the membership in
30 their organization affairs; and s/he shall prosecute any and all
31 proceedings proper to prevent the wrongful use of or imitation
32 of the seal or of the name "International Union, United
33 Automobile, Aerospace and Agricultural Implement Workers
34 of America (UAW)." The International Secretary-Treasurer
35 shall also take such measures as may be necessary to register or
36 copyright the seal, and the International name, the label,
37 insignia and any other property of the International Union that
38 s/he may consider necessary to copyright or register.

39 **Section 17.** The International Secretary-Treasurer shall give
40 a bond, amount of which shall be determined by the
41 International Executive Board and paid for by the International
42 Union to insure faithful discharge of her/his duties.

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1 **Section 18.** The International Secretary-Treasurer shall
2 perform such other duties as are herein provided for in this
3 Constitution or may be assigned to the International Secretary-
4 Treasurer by the International Executive Board.

5 **Section 19.** When a Local Union has failed to report and
6 pay the per capita tax as provided for herein, the International
7 Secretary-Treasurer shall notify the Local Union President and
8 Board of Trustees of that fact.

9 **Section 20.** The International Secretary-Treasurer shall keep
10 a complete record of the membership of the International
11 Union.

12 **Section 21.** The International Secretary-Treasurer shall,
13 with the consent of the International Executive Board, employ
14 such assistants as may be necessary to conduct the affairs of
15 her/ his office.

16 **Section 22.** The International Secretary-Treasurer shall
17 issue a standard "Work Permit" card which shall be furnished
18 to Local Unions at cost. Such work permit shall be cancelled or
19 renewed thirty (30) days following the date contained thereon.
20 The charge for each work permit or renewal by the Local
21 Union shall be not less than the amount of the monthly dues set
22 by the Local Union, one-half (1/2) of which shall be paid to the
23 International Union. It shall be left to the discretion of the
24 Local Union to determine the duration of the period for which
25 work permits are issued. In no case, however, shall work
26 permits be issued to any worker for a period of more than three
27 (3) consecutive months.

International Executive Board Members

28 **Section 23.** An International Executive Board Member shall
29 have direct supervision over all organizational activities within
30 the region from which s/he is elected. In case a geographical
31 district has more than one Regional Board Member, the Board
32 Member's activity shall be confined within a definite area
33 within her/his region, which area shall be clearly defined by the
34 International Executive Board.

35 **Section 24.** The International Executive Board member's
36 field of activity shall be limited to workplaces within her/his
37 region unless directed to other activities at the direction of the
38 International Executive Board or the International President.

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1 **Section 25.** The International Executive Board Member
2 shall examine all contracts negotiated within her/his region
3 before they are signed and submit them to the International
4 Executive Board with her/his recommendation, negotiate
5 disputes with the bargaining committees wherever possible, act
6 to obtain favorable legislation for labor and work for the
7 general welfare of the membership.

8 **Section 26.** Where district councils are established within
9 her/his region, the International Executive Board Member shall
10 attend their meetings when possible and work in cooperation
11 with such councils. The International Executive Board Member
12 shall submit quarterly reports of organizational activity within
13 her/his region to the International President and also to the
14 International Executive Board fifteen (15) days prior to the
15 convening of the quarterly meeting of the International
16 Executive Board for its approval.

ARTICLE 14

International Representatives

17 **Section 1.** International Representatives' or temporary
18 organizers' commissions must be approved and signed by the
19 International President and shall be countersigned by the
20 International Secretary-Treasurer and be subject to the
21 approval of the International Executive Board.

22 **Section 2.** International Representatives or temporary
23 organizers shall work under the jurisdiction of the International
24 President subject to the approval of the International Executive
25 Board and under the direct supervision of the International
26 Executive Board Member of the region to which s/he is
27 assigned, unless otherwise commissioned.

28 **Section 3.** No person can be appointed an International
29 Representative unless s/he is a member in continuous good
30 standing of the International Union for a period of one (1) year.
31 Temporary or part-time organizers must be UAW members but
32 need not necessarily have been in continuous good standing for
33 one (1) year.

34 **Section 4.** Appointed International Representatives or
35 temporary organizers may be removed by the International
36 President subject to the approval of the International Executive
37 Board.

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1 **Section 5.** An International Representative or temporary
2 organizer shall not, while holding such position, be eligible as a
3 candidate for, or hold any elective office or position in a Local
4 Union, but an elected official may be appointed to act as an
5 International Representative or temporary organizer on a part-
6 time basis for parts of the day, or for full days not to exceed
7 one hundred and eighty (180) in any calendar year. An
8 International Representative or temporary organizer shall be
9 eligible as a candidate for an elective office in the International
10 Union.

ARTICLE 15

Fiscal Year

11 The Fiscal Year of the International Union shall begin the
12 first day of January of each year and end on the 31st day of
13 December of the same year.

ARTICLE 16

Initiation Fees and Dues

14 **Section 1.** (a) The initiation fee, no part of which shall be
15 considered as a Local Union fine, shall not be less than ten
16 dollars (\$10.00) nor more than fifty dollars (\$50.00) for
17 membership in a Local Union of the International Union. Five
18 dollars (\$5.00) of such an initiation fee shall be set aside in a
19 new member orientation fund, to be expended with the
20 approval of the Regional Director.

21 (b) A Local Union may increase its initiation fee, within the
22 limitations set forth in paragraph (a) of this Section, in
23 accordance with the procedures of Article 47, Section 1.

24 (c) Men and women returning from service in the Armed
25 Forces of the United States shall be exempt from payment of
26 an initiation fee upon presentation of military discharge papers
27 to the Local Union Financial Secretary within one (1) year of
28 the date of their discharge.

29 (d) One Dollar (\$1.00) of each initiation fee be forwarded to
30 the International Secretary-Treasurer.

31 **Section 2.** All dues are payable during the current month to
32 the Financial Secretary of the Local Union. Minimum Union
33 dues shall be a sum equivalent to two (2) hours straight time
34 pay per month. For those members paid by the hour, day,

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1 week or month, the dues shall be based on the amount earned
2 per straight time hour in the last payroll period worked before
3 the dues are payable, including cost-of-living allowance and
4 any other amounts normally considered as part of regular pay,
5 but excluding shift premium. For those whose earnings vary,
6 straight time earnings for the purpose of dues computation
7 shall be based on the average earned per hour in the last month
8 the member worked, including incentive earnings, cost-of-
9 living allowance, clock hour add-ons and any other amounts
10 normally considered as part of the regular pay, but excluding
11 shift premium, overtime premium, Saturday, Sunday and
12 holiday premiums.

13 Dues income shall be distributed so that the Local Union
14 shall receive thirty-eight (38) percent, the International Union
15 Strike Assistance Fund shall receive thirty (30) percent, the
16 General Administrative Fund of the International Union shall
17 receive thirty-two (32) percent.

18 Nothing in this Article shall prevent any Local Union or unit
19 of an Amalgamated Local Union from establishing, in
20 accordance with the provisions of Article 47, dues in a greater
21 amount than provided for in this Article; and any Local Union
22 or unit, which at the time when minimum monthly membership
23 dues are increased pursuant to the provisions of this Article,
24 has dues in a greater amount than the minimum monthly
25 membership dues pre-existing, the change shall automatically
26 increase its dues by the amount of the change without the
27 necessity of any additional Local Union or unit membership
28 action and such Local Union dues shall continue until the Local
29 Union's or unit's membership, pursuant to the provisions of
30 Article 47, changes the Local Union's or unit's dues structure.

31 All dues established by this Article shall be uniformly
32 required of all its members by each Local Union or unit of an
33 Amalgamated Local Union except as specific exoneration or
34 special arrangement may be granted pursuant to Section 11 of
35 Article 13, or Section 28 of this Article.

36 **Section 3.** (a) Where required by the necessities of
37 collective bargaining, a Local Union, or an Intra-Corporation
38 Council and its affiliates, may, with International Executive
39 Board authorization, double their monthly dues in each of not
40 more than four (4) months preceding the terminal date of the
41 old contract, or following the ratification of a new agreement.

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1 (b) Each Local Union which is authorized to double its
2 monthly dues shall be required to place half of such dues in
3 trust for each month collected, until it has been determined by
4 the International Executive Board whether such additional dues
5 shall be applied to future dues, or refunded to each member.

6 **Section 4.** The International Union shall provide uniform
7 monthly dues buttons, at not more than cost, of a different
8 color for each month. It shall be mandatory for Local Unions
9 using dues buttons to use only those buttons provided by the
10 International Union, which shall be supplied by the
11 International Secretary-Treasurer to the Financial Secretaries of
12 the Local Unions upon request. Local Unions covered by
13 Union Shops or check-off agreements may, upon approval of
14 the International Executive Board, use an annual membership
15 button, membership card or other suitable identification of
16 membership in lieu of monthly dues buttons.

17 **Section 5.** Upon acceptance of the application, membership
18 shall date from the first day of the month for which dues are
19 paid or dues check-off is authorized.

20 **Section 6.** The Local Union shall set aside five cents (.05)
21 of each month's dues payment as a Citizenship and Legislative
22 Fund to be used for the purpose of strengthening democracy by
23 encouraging members, and citizens generally, to register and
24 vote in community, state, and national elections and to carry on
25 organizational and educational programs directed toward the
26 achievement of an even higher understanding of citizenship
27 responsibility and the need for active participation in the affairs
28 of a free and democratic society. Local Unions are obligated to
29 carry out such programs in conjunction with city, county, and
30 state (CAP) councils. Three cents (.03) of each month's dues
31 payment must be laid aside by the Local Union as a special
32 fund to be used only for educational or recreation-leisure time
33 activities as outlined in Article 27 of this Constitution,
34 provided that two cents (.02) shall be apportioned to education
35 and one cent (.01) apportioned to recreation-leisure time
36 activities. One cent (.01) of each month's dues payment must
37 be set aside by the Local Union as a Retired Members Fund to
38 be used only to promote and support programs benefiting
39 retired members. Local Unions are obligated to carry out this
40 policy in conjunction with community groups, where
41 community groups exist, for the purpose of promoting and
42 supporting programs benefiting retired members and other
43 retired workers.

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1 **Section 7.** (a) Any member shall have the right to object to
2 the expenditure of a portion of her/his dues money for activities
3 or causes primarily political in nature. The approximate
4 proportion of dues spent for such political purposes shall be
5 determined by a committee of the International Executive
6 Board, which shall be appointed by the President, subject to the
7 approval of said Board. The member may perfect her/his
8 objection by individually notifying the International Secretary-
9 Treasurer of the objection by registered or certified mail;
10 provided, however, that such objection shall be timely only
11 during the first fourteen (14) days of Union membership and
12 during the fourteen (14) days following each anniversary of
13 Union membership. An objection may be continued from year-
14 to-year by individual notifications given during each annual
15 fourteen (14) day period.

16 (b) If an objecting member is dissatisfied with the
17 approximate proportional allocation made by the committee of
18 the International Executive Board or the disposition of her/his
19 objection by the International Secretary-Treasurer, s/he may
20 appeal directly to the full International Executive Board and
21 the decision of the International Executive Board shall be
22 appealable to the Public Review Board or the Convention
23 Appeals Committee at the option of said member.

24 **Section 8.** Any member who has not paid her/his dues
25 during the calendar month in which they are due shall
26 automatically become delinquent except as otherwise provided
27 in this Article. In order to regain good standing membership,
28 s/he must fully reinstate her/himself in Accordance with
29 Section 9 of this Article.

30 **Section 9.** The reinstatement fee established by a Local
31 Union shall be not less than the regular initiation fee charged
32 by the Local Union, plus the dues for each month of
33 delinquency in dues up to either the date of automatic
34 suspension or the date of reinstatement, as the Local Union in
35 its discretion may determine, plus the current month's dues.
36 Such reinstatement fee shall be uniformly applied to all
37 delinquent members of the Local Union. Individuals suspended
38 as a result of their failure to pay dues while employed in a
39 workplace under the jurisdiction of another Local Union shall
40 be dealt with in conformity with Article 17, Section 3.

41 **Section 10.** Local Unions may notify members of their
42 delinquency. However, failure of the Local Union to notify the

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1 member of delinquency shall not exonerate such a member
2 from automatic suspension except as provided in Section 26 of
3 this Article.

4 **Section 11.** (a) Each Local Union from each member's dues
5 must remit to the International Secretary-Treasurer a monthly
6 per capita tax of thirty-two (32) percent plus thirty (30) percent
7 to the International Union Strike Assistance Fund. Each Local
8 Union shall retain thirty-eight (38) percent from each member's
9 dues. One dollar (\$1.00) of each reinstatement fee shall be
10 forwarded to the International Secretary-Treasurer.

11 (b) Beginning with July 2006 per capita taxes, and
12 continuing thereafter unless and until the provisions of
13 Subsections (c) and (d) are triggered, the International Union
14 will rebate to each Local Union from the International Strike
15 Assistance Fund an additional amount determined in
16 accordance with Subsection (b) (2). The International Union
17 Operating Fund will receive an additional amount from the
18 International Strike Assistance Fund for the same period as
19 determined in accordance with Subsection (b) (2).

20 (1) For periods in which the rebate described in Subsection
21 (b) is in effect, the International Union Strike Assistance Fund
22 shall receive the lesser of (i) five (5) percent of each member's
23 dues, or (ii) the amount expended in such month by the
24 International Union Strike Assistance Fund for the purpose of
25 paying Strike Assistance Benefits for striking members.

26 (2) The International Union shall rebate to Local Unions an
27 amount that will result in all dues (other than the portion
28 allocated to the International Strike Assistance Fund in
29 accordance with Subsection (b)(1)) being allocated fifty-three
30 (53) percent to Local Unions and forty-seven (47) percent to
31 the International.

32 (c) The rebate in Subsection (b) above will remain in effect,
33 providing the International Strike Assistance Fund net worth is
34 in excess of \$550 million.

35 (d) Any time the International Strike Assistance Fund's net
36 worth falls below \$500 million, the rebate in Subsection (b)
37 will stop until the International Strike Assistance Fund net
38 worth reaches \$550 million. Once the International Strike
39 Assistance Fund is in excess of \$550 million, the rebate in
40 Subsection (b) will again resume.

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1 (e) Local Unions must be in compliance with Article 16,
2 Sections 16 and 24 of the International Constitution to receive
3 rebates.

4 (f) No later than June 30, 2002, \$75 million shall be
5 transferred from the net resources of the Strike Assistance
6 Fund to a newly established Emergency Operations Fund. The
7 assets of the Emergency Operations Fund, including accrued
8 interest and earnings on investments, shall be available to
9 finance operations of the International Union in the event
10 Operating Fund resources are insufficient to sustain operations
11 due to the effects of a protracted or expensive strike, a series of
12 strikes, or other events posing a serious threat to the economic
13 viability of the International Union.

14 **Section 12.** When a member has been suspended for non-
15 payment of dues and the Financial Secretary or other officers
16 of the Local Union accept such payment thereafter, acceptance
17 of her/his dues shall not operate to exonerate or reinstate the
18 member or to waive the provisions of the Constitution relative
19 to forfeiture and reinstatement of members.

20 **Section 13.** The provisions of Section 8 of this Article shall
21 not apply to a member who has entered the military service of
22 the United Nations who shall be entitled to an honorable
23 military service membership and whose membership in
24 continuous good standing in the Local Union shall not be
25 broken by such service, provided s/he reports to the Local
26 Union at the time of entering such service or thereafter
27 furnishes the necessary proof of military service. S/He shall
28 become subject to the provisions of this Section at the end of
29 such military service.

30 **Section 14.** The International Union shall set aside all sums
31 remitted by Local Unions as Union Strike Assistance Fund
32 dues and the funds resulting shall be a special fund to be
33 known as the International Strike Assistance Fund, to be drawn
34 upon exclusively for the purposes of (1) aiding Local Unions
35 engaged in authorized strikes and in cases of lock-outs, and (2)
36 assisting by donations or loans other International Unions and
37 non-affiliated Local Unions similarly engaged, and (3) meeting
38 financial obligations or expenditures which this International
39 Union or its affiliated Local Unions incur as a result of
40 authorized strikes or in cases of lockouts, and then only by
41 two-thirds (2/3) vote of the International Executive Board. An
42 amount, not in excess of seventy-five (75) percent of the
43 interest and earnings on investments received by the
44 International Strike Assistance Fund, may be

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1 set aside as the Organization, Education and Communication
2 Fund to be expended as authorized by the International
3 Executive Board for such purposes. Beginning on July 1, 2006
4 and continuing thereafter, unless otherwise directed by the
5 International Executive Board, the remaining twenty-five (25)
6 percent of the interest and earnings on investments received by
7 the International Strike Assistance Fund shall be allocated to
8 the General Fund, the Organization, Education and
9 Communication Fund or to such other purpose as the
10 International Executive Board shall determine to be in the best
11 interests of the UAW. **On each of June 22, 2010, and the**
12 **third Tuesday in June of 2011, 2012 and 2013, the**
13 **International Executive Board may transfer up to a**
14 **maximum of twenty-five million dollars (\$25 million)** from
15 the International Strike Assistance Fund to the General Fund of
16 the International Union.

17 The International Executive Board shall have the authority
18 to make additional, limited withdrawals from the International
19 Union Strike Assistance Fund, provided that (a) such additional
20 withdrawals shall not exceed sixty million dollars (\$60 million)
21 between any two consecutive Constitutional Conventions, and
22 (b) such withdrawals shall be permitted only to support specific
23 purposes or projects such as major organizing drives or other
24 initiatives intended to increase UAW membership, strengthen
25 the UAW's ability to bargain effectively and/or promote the
26 interests of the membership and working people generally.

27 From the remainder of each member's monthly per capita
28 tax, the International Union shall set aside:

- 29 1. Five cents (.05) which shall be expended only for
30 communication programs as described in Article 29,
31 Section 1.
- 32 2. One cent (.01) to the Civil and Human Rights Fund to be
33 expended only for the support and promotion of the
34 programs and activities of the International Union in
35 support of fair employment practices and in opposition
36 to all discriminatory practices in employment.
- 37 3. Three cents (.03) as the International Union Education
38 Fund to be expended only for the programs and
39 activities of the International Union Education
40 Department.

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1 4. One cent (.01) as the International Union Recreation
2 Fund which fund shall be apportioned to each region on
3 a per capita basis.

4 5. Five cents (.05) as the Special Citizenship Fund to be
5 used for the purpose of strengthening democracy by
6 encouraging members and citizens generally to register
7 and vote in community, state and national elections and
8 to carry on organizational and educational programs
9 directed toward the achievement of an ever higher under
10 standing of citizenship responsibility and the need for
11 active participation in the affairs of a free and
12 democratic society.

13 6. One cent (.01) for the International Union Retired
14 Workers Fund, which one cent (.01) shall be used only
15 to promote and support programs benefiting retired
16 members including such programs of the International
17 Union relating to retired members as may be adopted
18 from time to time, and to finance the operation of the
19 International Union Retired Workers Department.

20 **Section 15.** At least once each month the International
21 Secretary-Treasurer shall advise all Local Unions of the exact
22 Strike Fund balance.

23 **Section 16.** All per capita taxes and all other monies
24 collected for the International Union shall be transmitted to the
25 International Secretary-Treasurer by the twentieth of each
26 month following collection. All such per capita taxes and other
27 monies are strictly the property of the International Union and
28 in no case shall any part thereof be used by Local Unions,
29 except upon permission of the International Executive Board.

30 **Section 17.** The International Secretary-Treasurer will issue
31 the official receipt of the Office of Secretary-Treasurer for all
32 monies collected.

33 **Section 18.** Any member who has not worked forty (40)
34 hours by reason of not having been scheduled to work forty
35 (40) hours, or received benefits in lieu of work equivalent to
36 forty (40) hours' pay within any calendar month, shall be
37 entitled to exemption of payment of regular monthly dues.

38 Benefits in lieu of work shall include the following:
39 Supplemental Unemployment Benefits (or any equivalent type
40 layoff benefit), vacation pay, holiday pay, jury duty pay,

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1 bereavement pay, and paid absence allowance, but shall not
2 include the following: pension benefits, sick and accident
3 benefits, and Workers' Compensation. Effective January 1,
4 1982, if a member receives Supplemental Unemployment
5 Benefits (or any equivalent type layoff benefit) equal to or
6 greater than fifty (50) percent of her/his gross pay for a forty
7 (40) hour week, less statutory deductions, within any calendar
8 month, then the member's dues shall be one (1) hour straight
9 time pay per month.

10 A member who has been laid off, is on leave of absence, or
11 is discharged from regular employment who is covered by
12 check-off provisions under which management notifies the
13 Local Union of members who are on leave of absence, laid off,
14 rehired, or discharged, shall automatically be considered as
15 entitled to "out-of-work" credits, unless s/he has received
16 benefits in lieu of work equivalent to forty (40) hours' pay as
17 provided in the second paragraph of this Section. Any member
18 in order to be entitled to "out-of-work" credits shall report
19 her/his layoff, leave of absence, or discharge, in person or
20 otherwise, to the Financial Secretary of her/his Local Union
21 within one month of the date such action became effective.
22 Any discharged member or any member who is covered by
23 check-off as set forth above shall report immediately to the
24 Financial Secretary of her/his Local Union any other
25 employment s/he may obtain during the period of the layoff,
26 leave of absence, or discharge. Any member not covered by
27 check-off shall report to the Financial Secretary of her/his
28 Local Union the termination of the layoff, leave of absence,
29 discharge, or any other employment s/he may obtain during the
30 period of the layoff, leave of absence, or discharge.

31 Any member who is entitled to "out-of-work" credits
32 pursuant to this Section and Section 2 of Article 17 shall be
33 exempted from dues payment for the period of her/his
34 entitlement.

35 **Section 19.** Any member who is entitled to "out-of-work"
36 credits under Section 18 of this Article and who does not
37 secure an honorable withdrawal transfer card, shall be
38 presumed to continue to be entitled to "out-of-work" credits
39 and thus remains in continuous good standing without the
40 necessity of paying dues for the first six (6) months of such
41 layoff or leave unless the member has had employment during
42 this period which would necessitate her/his paying dues under
43 the first paragraph of Section 18 of this Article or taking an
44 honorable withdrawal transfer card under Article 17, Section 2.
45 Unless any such member shall, during the last ten (10) days

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1 of such six (6) month period, certify in writing to the Local
2 Union Financial Secretary, in person or by registered or
3 certified letter, that s/he continues to be eligible for good
4 standing membership without payment of dues pursuant to
5 Section 18 of this Article and Article 17, Section 2, the
6 member shall automatically be noted on the Local Union's
7 records as having been issued an honorable withdrawal transfer
8 card at the conclusion of said six (6) month period. If a
9 member does certify as provided herein during the last ten (10)
10 days of the six (6) month period, s/he shall continue to be
11 eligible for "out-of-work" credits for each additional month if
12 during the last ten (10) days of such month s/he similarly
13 certifies. Such a member shall automatically be noted on the
14 Local Union's records as having been issued an honorable
15 withdrawal transfer card on the first day of such a month in
16 which the member fails to certify as provided herein.

17 **Section 20.** Any member becoming out of work because of
18 illness or injury shall be exempt from the above section. Such
19 member shall be automatically exonerated from the payment of
20 dues and shall be issued "out-of-work" credits provided good
21 and sufficient proof is submitted to substantiate illness or
22 injury. The above shall not apply to those employees who
23 receive salaries equivalent to forty (40) hours' pay within any
24 calendar month.

25 **Section 21.** Any member who has paid dues by check-off
26 for any month for which the member is exempted from
27 payment of dues under Sections 18, 19 or 20 of this Article
28 shall be entitled to a refund of such dues if s/he claims the
29 same in person or in writing from the Financial Secretary of the
30 Local Union within two (2) months following the month for
31 which the refund is due. Any member who has paid dues in
32 advance other than by check-off for any month for which the
33 member is exempted from payment of dues under Sections 18,
34 19 or 20 of this Article shall, when s/he returns to work, be
35 given credit on future dues for any such month.

36 **Section 22.** The Local Union shall use a receipt book or
37 receipting register and form of official receipt furnished by the
38 International Union. All receipts shall be made out in duplicate,
39 the original to be given to the member, the duplicate to be
40 retained by the Local Union and made available to the
41 International Union upon request. The International Secretary-
42 Treasurer may order the destruction of the duplicate receipts
43 when they are no longer necessary.

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1 **Section 23.** Local Unions covered by check-off agreements
2 or having a check-off arrangement will be exempt from the
3 provisions of the preceding Section, providing the company
4 clearly shows on the check stub or pay envelope of each Union
5 employee the amount of the deduction and the reason therefore.

6 **Section 24.** A Local Union failing to pay full per capita tax
7 due the International Union within a two (2) month period,
8 shall stand automatically suspended until the Local Union has
9 been reinstated through payment of deficiency incurred, unless
10 exonerated from payment of same as provided for in this
11 Constitution.

12 **Section 25.** A Local Union failing to pay all of its financial
13 obligations due the International Union shall not be entitled to
14 a voice or vote at the International Convention.

15 **Section 26.** The failure of a company to check off and pay
16 to a Local Union the dues of a member as required by a
17 contract will not make the member delinquent if the member
18 has signed a Dues Check-Off Authorization Card. Where a
19 member has signed a Dues Check-Off Authorization Card
20 authorizing the deduction of dues for a given month, the
21 member shall be considered as having paid dues for that month
22 even though the company fails to deduct the same. Upon the
23 failure of the company to deduct dues, the Financial Secretary
24 of the Local Union must notify the member to pay her/his dues.
25 The member shall have thirty (30) days in which to pay her/his
26 dues after being notified. Failure on the part of the Financial
27 Secretary to so notify a member of her/his pending delinquency
28 will not affect the member's standing and s/he shall be
29 considered in good standing in the Local Union.

30 **Section 27.** The International Executive Board shall be
31 empowered, at its discretion, to arrange loans from Local
32 Unions and other sources to supplement the Strike Fund where
33 conditions dictate and in this connection, may use any or all of
34 the International Union's real or personal property to secure
35 any such loan or loans. At least once each month the
36 International Secretary-Treasurer shall advise all Local Unions
37 of the exact Strike Fund balance. The International Executive
38 Board shall establish a program for strike relief which shall
39 provide aid and assistance to members actively participating in
40 an authorized strike or involved in a lockout and, as between
41 such members, shall primarily base such aid and assistance
42 upon the right of each member to participate in accordance
43 with the member's family obligations.

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1 **Section 28.** The International Executive Board on request of
2 a Local Union or unit of an Amalgamated Local Union shall
3 have the power to make special arrangements with respect to
4 the dues schedules established in this Article, where unusual
5 circumstances justify such arrangements.

6 **Section 29.** Notwithstanding any other provision of this
7 Constitution, the International Union and each Local Union
8 shall each hold title to its respective share of the dues income
9 and initiation fees immediately upon receipt of those monies by
10 the Financial Secretary of the Local Union.

ARTICLE 17

Honorable Withdrawal Transfer Cards

11 **Section 1.** All honorable withdrawal transfer cards shall be
12 supplied by the International Secretary-Treasurer; they shall be
13 available to the Local Unions in duplicate form in pads and
14 shall be sold at cost.

15 **Section 2.** Any member laid off from her/his workplace but
16 regularly employed on jobs outside the jurisdiction of the
17 International Union shall take an honorable withdrawal transfer
18 card, or in order to maintain her/himself in good standing in
19 her/his Local Union, shall pay dues in accordance with Article
20 16 and Article 47.

21 Any member who has voluntarily separated from the
22 jurisdiction of the UAW shall be issued a withdrawal card
23 immediately by her/his Local Union. The above shall not
24 apply to those members who are employed by or officially
25 represent the UAW.

26 **Section 3.** Any member in good standing at the time of
27 leaving the jurisdiction of her/his Local Union shall establish
28 her/his membership in another UAW Local Union by either of
29 the following:

30 (a) By obtaining an honorable withdrawal transfer card and
31 depositing same immediately in such other UAW Local Union.
32 Failure to deposit the honorable withdrawal transfer card
33 within one (1) calendar month and to pay dues which have
34 accrued since coming within the jurisdiction of such other
35 UAW Local Union will result in termination of the honorable
36 withdrawal transfer card.

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1 (b) By payment of an initiation fee and dues to such other
2 UAW Local Union, in which case such member's good
3 standing will start as of the date of such payment.

4 This shall not apply to members holding a Local Union
5 constitutional office who involuntarily left the jurisdiction of
6 their Local Union. However, while holding such office such
7 member shall not be eligible to hold any constitutional office
8 in, or be a delegate to the International Convention from any
9 Local Union other than one which s/he involuntarily left.

10 **Section 4.** When a member in good standing is transferred
11 to another workplace as the result of transfer of operations or
12 pursuant to a collective bargaining agreement, which plant is
13 under the jurisdiction of another Local Union, her/his
14 continuous good standing shall not be broken and shall be
15 considered continuous good standing in the new Local Union.

16 **Section 5.** Any member who is laid off and subsequently
17 transfers to another UAW Local Union and returns to her/his
18 original Local Union within the period of one year from the
19 date of such layoff, shall be considered to have been in
20 continuous good standing for the purpose of meeting the good
21 standing membership requirements of the International
22 Constitution or Local Union Bylaws as it relates to election
23 eligibility; provided, however, that such member maintains
24 her/his continuous good standing in accordance with the
25 provisions of this Constitution while holding membership in
26 such UAW Local Union.

27 **Section 6.** A member shall be entitled to an honorable
28 withdrawal transfer card provided s/he shall have her/his dues
29 paid up to and including the current month, or out-of-work
30 receipts, and there are no charges or debts owed to the Local
31 Union.

32 **Section 7.** A member who is transferred to another Local
33 Union and who has paid her/his current dues or dues in
34 advance shall not be required to pay duplicate dues. The Local
35 Union to which the advance dues payments have been made
36 shall forward them to the Local Union to which the member is
37 transferred or refund them to the member.

38 **Section 8.** When a holder of an honorable withdrawal
39 transfer card loses the same, s/he can only receive a duplicate
40 thereof by applying to the Local Union Financial Secretary
41 who issued same. The Financial Secretary of the Local Union,
42 after sufficient time has elapsed for an investigation to be

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1 made, will issue a duplicate honorable withdrawal transfer card
2 upon receipt of the payment of one dollar (\$1.00) from the
3 applicant.

4 **Section 9.** Honorable withdrawal transfer cards may be
5 terminated by the Local Union issuing them or by International
6 officers for good and sufficient reasons.

7 **Section 10.** A person who has deposited her/his honorable
8 withdrawal transfer card and thus resumed membership in the
9 Union, shall thereupon be subject to charges and trial for acts
10 or conduct detrimental to the interests of the Union or its
11 members committed while s/he was out of the Union on
12 honorable withdrawal transfer card. The provisions of Article
13 31 shall be applicable in such cases.

14 **Section 11.** Whenever the International Union has a
15 reciprocal arrangement with any other union whereby each
16 agrees to honor the other's transfers, any member transferring
17 from such other union to the International Union upon showing
18 evidence of good standing membership in such other union by
19 depositing said evidence immediately upon coming within the
20 jurisdiction of the UAW Local Union, but in no case later than
21 the end of the first month in which forty (40) hours are worked,
22 shall be admitted into the International Union without payment
23 of an initiation fee or any other type of entry fee. Failure to
24 deposit such evidence within one (1) month and to pay dues
25 which have accrued since coming within the jurisdiction of the
26 International Union will result in the termination of transfer
27 rights and the payment of an initiation fee.

28 **Section 12.** Any Local Union Officer,
29 Bargaining/Negotiations Committee Member or Workplace
30 Steward offered a position with management shall secure
31 permission from her/his Local Union before accepting such
32 position in order to be entitled to an honorable withdrawal
33 transfer card. Members violating this Section shall be subject to
34 expulsion from the Union.

35 **Section 13.** Any International Officer, Regional Director,
36 International Representative or any other full-time employee of
37 the International Union offered a personnel or labor relations
38 position with management, shall secure permission from the
39 International Executive Board before accepting such a position
40 in order to be entitled to an honorable withdrawal transfer card.
41 Members violating this Section shall be subject to expulsion
42 from the Union.

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**ARTICLE 18
Unemployment and Welfare**

1 **Section 1.** The various regions where unemployment is a
2 major problem shall make provisions for handling the welfare
3 and unemployment grievances of members laid off from the
4 workplaces either on a local, district or regional basis.

5 **Section 2.** The International Executive Board, upon
6 recommendation of the Regional Board Member, may
7 appropriate funds to assist Local Unions or districts where their
8 finances are insufficient to defray necessary expenses of Local
9 Unions or their district, provided the itemized expenses
10 involved shall be submitted to the International Executive
11 Board.

**ARTICLE 19
Contracts and Negotiations**

12 **Section 1.** It shall be the established policy of the
13 International Union to recognize the spirit, the intent and the
14 terms of all contractual relations developed and existing
15 between Local Unions and employers, concluded out of
16 conferences between the Local Unions and the employers, as
17 binding upon them. Each Local Union shall be required to
18 carry out the provisions of its contracts. No officer, member,
19 representative or agent of the International Union or of any
20 Local Union or of any subordinate body of the International
21 Union shall have the power or authority to counsel, cause,
22 initiate, participate in or ratify any action which constitutes a
23 breach of any contract entered into by a Local Union or by the
24 International Union or a subordinate body thereof. Whenever a
25 Local Union or a unit of an Amalgamated Local Union
26 becomes a party to an agreement on wages, hours or working
27 conditions, it shall cause such agreement to be reduced to
28 writing and properly signed by the authorized representatives
29 of all the parties to the agreement.

30 **Section 2.** When a grievance exists between a Local Union
31 and management and negotiations are in progress and an
32 International Union Officer or representative is participating by
33 request of the Local Union involved, a committee selected by
34 the Local Union shall participate in all conferences and
35 negotiations. Copies of all contracts shall be filed with the
36 International Secretary-Treasurer.

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1 **Section 3.** No Local Union Officer, International Officer or
2 International Representative shall have the authority to
3 negotiate the terms of a contract or any supplement thereof
4 with any employer without first obtaining the approval of the
5 Local Union. After negotiations have been concluded with the
6 employer, the proposed contract or supplement shall be
7 submitted to the vote of the Local Union membership, or unit
8 membership in the case of an Amalgamated Local Union, at a
9 meeting called especially for such purpose, or through such
10 other procedure, approved by the Regional Director, to
11 encourage greater participation of members in voting on the
12 proposed contract or supplement. Should the proposed contract
13 or supplement be approved by a majority vote of the Local
14 Union or unit members so participating, it shall be referred to
15 the Regional Director for her/his recommendation to the
16 International Executive Board for its approval or rejection. In
17 case the Regional Board Member recommends approval, the
18 contract becomes operative until the final action is taken by the
19 International Executive Board.

20 Upon application to and approval of the International
21 Executive Board, a ratification procedure may be adopted
22 wherein apprenticeable skilled trades and related worker,
23 production workers, office workers, engineers, and technicians
24 would vote separately on contractual matters common to all
25 and, in the same vote on those matters which relate exclusively
26 to their group.

27 Before contract or supplemental demands affecting skilled
28 workers are submitted to the employer, they shall be submitted
29 to the Skilled Trades Department in order to effectuate an
30 industry-wide standardization of agreements on wages, hours,
31 apprenticeship programs, journeyman standards and working
32 conditions.

33 **Section 4.** National agreements and supplements thereof
34 shall be ratified by the Local Unions involved.

35 **Section 5.** The general meeting of the Local Union
36 members of an establishment under the jurisdiction of an
37 Amalgamated Local Union shall be the highest authority for
38 handling problems within the establishment, in conformity with
39 the bylaws of the Local Union and this International
40 Constitution.

41 **Section 6.** The International Executive Board shall protect
42 all Local Unions who have succeeded in establishing higher
43 wages and favorable conditions and have superior agreements,

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1 so that no infringement by Local Unions with inferior
2 agreements in workplaces doing similar work may be
3 committed against the Local Union with advanced agreements.

4 **Section 7.** Each Local Union or unit of an Amalgamated
5 Local Union shall be required to maintain a complete and up-
6 to-date schedule of job classifications and wage rates; a copy of
7 which must be attached to each contract submitted to the
8 International Union.

ARTICLE 20
**National and Corporation
Bargaining Councils**

9 **Section 1.** In cases where there are a number of Local
10 Unions involved in negotiations and bargaining with a major
11 corporation or an association of corporations, the International
12 Executive Board shall set up an Intra-Corporation Council.
13 Such an Intra-Corporation Council shall be an administrative
14 arm of the International Union and not a subordinate body.
15 Such Local Unions so involved shall be members and shall
16 participate through duly elected delegates. When the large
17 corporation or national association has widely scattered
18 branches, the Intra-Corporation Council shall set up Sub-
19 Corporation Councils.

20 **Section 2.** The International Executive Board shall
21 determine the geographical districts or occupational or other
22 groupings in which Sub-Corporation Councils shall be
23 established. The Intra-Corporation Council shall be composed
24 of delegates from the Sub-Corporation Council.

25 **Section 3.** Directors to work with such Councils shall be
26 appointed by the President subject to the approval of the
27 International Executive Board.

28 **Section 4.** Voting at National Intra-Corporation Council
29 meetings shall be based on per capita tax paid to the
30 International Union by the various Local Unions participating.

31 **Section 5.** The purpose of the Intra-Corporation Council
32 shall be to coordinate the demands of the separate members
33 and to formulate policies in dealing with their common
34 employer. The Intra-Corporation Council shall be convened not
35 later than thirty (30) days prior to the opening of negotiations
36 for a new national corporation agreement to

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1 formulate new contract demands. The Council shall deal only
2 with matters pertaining to problems arising in their immediate
3 corporations. It shall be understood that such Intra-Corporation
4 Council is not a legislative body of the International Union and
5 shall not deal with policies of the International Union other
6 than those concerning their own immediate corporation
7 problems.

ARTICLE 21

National and Regional Wage-Hour Conferences

8 **Section 1.** Upon the written request of a representative
9 number of Local Unions to the Competitive Shop Department
10 and upon the approval of the International Executive Board,
11 National and Regional Wage-Hour Conferences may be called
12 for the purpose of facilitating a discussion of problems related
13 to wages, hours, production standards and other conditions of
14 work within a competitive or allied group, and to assist in the
15 establishment of uniform contractual provisions within the
16 industry.

17 **Section 2.** Activities of both National and Regional Wage-
18 Hour Conferences shall be coordinated through the offices of
19 the Competitive Shop Department in cooperation with the
20 Research Department of the International Union.

ARTICLE 22

National and Regional Wage-Hour Councils

National Wage-Hour Councils

21 *National Wage-Hour Councils shall be established by the*
22 *International Executive Board only in those cases where*
23 *National Wage-Hour Conferences would prove inadequate in*
24 *meeting the problem of organizing the unorganized competitive*
25 *workplaces and coordinating the work of establishing uniform*
26 *standards within a competitive group. Such National Wage-*
27 *Hour Councils shall be administrative arms of the*
28 *International Union and not subordinate bodies. In the event*
29 *such Wage-Hour Councils are established they shall be*
30 *governed by the following provisions:*

31 **Section 1.** The National Wage-Hour Councils shall consist
32 of duly elected representatives from the Regional Wage-Hour
33 Councils and workplaces where there are no Regional Wage-

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1 Hour Councils of a single industry. In the absence of a
2 Regional Wage-Hour Council of a single industry,
3 representation to a National Wage-Hour Council from any one
4 Local Union (including Amalgamated Local Unions) shall not
5 exceed two (2) delegates.

6 **Section 2.** It shall be the duty of the National Wage-Hour
7 Council to assist and cooperate with the Competitive Shop
8 Department and the International President in the organization
9 of unorganized workplaces.

10 **Section 3.** It shall be the duty of the National Wage-Hour
11 Council to work in conjunction with the Competitive Shop
12 Department and in cooperation with the Research Department
13 of the International Union to standardize wages, hours and
14 general working conditions of the organized workplaces in
15 their industry, and to strive to get a single agreement covering
16 their industry, nationally.

17 **Section 4.** In case competitive workplaces in a given
18 industry start negotiations on a national agreement, they shall
19 make use of the National Bargaining Council provisions.

Regional Wage-Hour Councils

20 *Regional Wage-Hour Councils shall be established by the*
21 *International Executive Board only in those cases where wage-*
22 *hour conferences would prove inadequate in meeting the*
23 *problems of organizing the unorganized competitive*
24 *workplaces, and coordinating the work of establishing uniform*
25 *standards within a competitive group. Such Regional Wage-*
26 *Hour Councils shall be administrative arms of the*
27 *International Union and not subordinate bodies. In the event*
28 *such Wage-Hour Councils are established, they shall be*
29 *governed by the following provisions:*

30 **Section 5.** A Regional Wage-Hour Council shall consist of
31 duly elected representatives from workplaces or departments in
32 workplaces doing similar work who can conveniently get
33 together.

34 **Section 6.** It shall be the duty of the Regional Wage-Hour
35 Council to gather and send to the Research Department of the
36 International Union and the National Wage-Hour Council of
37 which they are a part, all data on wages, hours and other
38 working conditions of the workplaces of their industry in their
39 region.

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1 **Section 7.** It shall be the duty of the Regional Wage-Hour
2 Council to assist in the organization of unorganized workplaces
3 of their industry under the direction of the Regional Director.

4 **Section 8.** It shall be the duty of the Regional Wage-Hour
5 Council to work toward standardization of improved wages,
6 hours and general working conditions of the organized
7 workplaces of their industry in their region, and to strive to get
8 a single agreement covering their industry in their region.

9 **Section 9.** It shall be the duty of the Regional Wage-Hour
10 Council to send regular reports to the National Wage-Hour
11 Council in their industry and to the Competitive Shop
12 Department of the International Union.

13 **Section 10.** It shall be the duty of the Regional Wage-Hour
14 Council to send delegates to, and assist in the formation of, a
15 National Wage-Hour Council for their industry.

16 **Section 11.** It shall be understood that such Wage-Hour
17 Councils are not legislative bodies of the International Union
18 and shall not deal with policies of the International Union other
19 than those concerning competitive workplace problems.

20 **Section 12.** Regional Wage-Hour Councils may be formed
21 by the Regional Director, acting at the request of Local Unions
22 in the Region, to discuss special problems affecting the small
23 independent workplaces and the parts supplier industry. Local
24 Unions or units of Amalgamated Local Unions to be included
25 in the Council, and any financing of the Council, shall be by
26 agreement between the Regional Director and participating
27 Local Unions. Where such a Council has been formed and has
28 been in operation for a period of one year, affiliation with the
29 Council may be made mandatory upon approval of the
30 International Executive Board. Any Local Union or unit of an
31 Amalgamated Local Union may appeal its inclusion or
32 exclusion to the International Executive Board under Article
33 33.

ARTICLE 23

Community Action Program Councils

34 **Section 1.** The objective and purpose of the UAW
35 Community Action Program Councils are to develop, promote
36 and implement policies and programs designed to improve and
37 enrich the quality of American life. The UAW Community

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1 Action Program (hereinafter referred to as CAP) shall engage
2 in community, civic, welfare, educational, environmental,
3 cultural, citizenship-legislative, consumer protection,
4 community services and other activities to improve the
5 economic and social conditions of UAW members and their
6 families and to promote the general welfare and democratic
7 way of life for all people.

8 UAW CAP Councils may cooperate and work with
9 community groups in the common effort to make a better life
10 for all people, where the programs and objectives of such
11 groups have the same basic objectives as the UAW.

12 **Section 2.** The UAW International Executive Board is
13 authorized to implement and develop programs and policies
14 designed to achieve the purposes and objectives of the UAW
15 Community Action Program, through its Councils.

16 **Section 3.** To assist in the development of these programs
17 and policies, the International Executive Board is authorized to
18 establish a National UAW Community Action Program
19 Advisory Council, which shall meet at least once each year or
20 as necessary and as determined by the International President
21 or the International Executive Board.

22 (a) It shall be the duty of such Council to advise and
23 counsel the International Executive Board on programs and
24 policies, including the per capita tax requirements of each
25 Local Union to the CAP Councils.

26 (b) Representation to the UAW National CAP Advisory
27 Council shall be determined by the International President,
28 subject to the approval of the International Executive Board.

29 **Section 4.** It shall be mandatory that each Local Union
30 affiliate with the appropriate State CAP Council and any city,
31 county or area CAP Council established under this structure in
32 accordance with the requirements of Article 37, Sections 1 and
33 2 of this Constitution.

34 **Section 5.** Upon approval of the International President,
35 Regional Directors are authorized to establish, in states under
36 their jurisdiction, or in concert with other Directors within
37 states under their jurisdiction, appropriate state, city, county
38 and area CAP Councils, or a combination of same, where
39 sufficient membership exists for the establishment of such
40 Councils.

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1 **Section 6.** All state, city, county and area councils
2 established under the UAW Community Action Program shall
3 be subordinate bodies of the International Union.

4 **Section 7.** Membership in UAW CAP Councils shall be
5 confined to UAW Local Unions, UAW Retired Workers
6 Chapters and UAW Family Auxiliaries.

7 **Section 8.** Each CAP Council established shall be required
8 to adopt bylaws governing said Council which shall require the
9 approval of the International Executive Board. All bylaws
10 established for CAP Councils must include a budget, which
11 shall require the approval of the Regional Director(s) and the
12 UAW CAP Department. All expenditures of CAP Councils are
13 required to be made in accordance with the financial guidelines
14 for CAP Councils, as established by the International
15 Executive Board and the National CAP Advisory Council.

16 **Section 9.** All Local Unions (except those in the State of
17 Michigan) affiliated with the various state, city, county and
18 area CAP Councils shall be required to develop in their bylaws
19 a requirement which will advise the membership at the time of
20 their election for executive officers, as set forth under Article
21 38, Section 1 of this Constitution, of those officers or all of
22 same under Article 38, Section 1 of this Constitution, who as a
23 result of their election to their respective offices may also serve
24 as a delegate to the state, city, county or area council
25 established in their area.

26 **Section 10.** All CAP Councils shall develop in their bylaws
27 appropriate procedures for the election of officers of the
28 Council, representation to the Council and other provisions for
29 the effective operation of the CAP Council, which is required
30 to meet the standards for such Councils as developed by the
31 International Executive Board.

32 **Section 11.** The International President shall be the
33 Chairperson of the UAW Community Action Program
34 Department and will chair the National UAW CAP Advisory
35 Council.

36 **Section 12.** A CAP Council may make changes in its
37 structure and/or operations subject to the approval of the
38 International Executive Board when it is necessary in order to
39 comply with election, labor or tax laws, whether state or
40 federal.

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1 **Section 13.** All CAP Council Bylaws shall be approved by
2 the Regional Director(s) and the UAW CAP Department.
3 Where a separate segregated fund or committee is established,
4 pursuant to Section 14 of this Article, its bylaws shall be
5 approved in like manner.

6 **Section 14.** The International Union, through the CAP
7 Council structure, may establish separate segregated funds or
8 committees through which Local Unions, their membership
9 and their families collectively make contributions and
10 expenditures to influence the nomination and election of
11 individuals to state, local and/or party office, or to influence
12 any ballot issue. These funds or committees shall be required to
13 adopt bylaws setting forth their structure and operations.

ARTICLE 24

Competitive Shop Department

14 **Section 1.** The International Executive Board shall create a
15 Competitive Shop Department for the International Union.

16 **Section 2.** The International President shall appoint a
17 director for the Competitive Shop Department, subject to the
18 approval of the International Executive Board, who is best
19 qualified by experience and who now is and has been a
20 member of the Union for at least two (2) years. The
21 International Executive Board may remove the director of the
22 Competitive Shop Department.

23 **Section 3.** It shall be the duty of the Competitive Shop
24 Department to aid in organizing and calling National and
25 Regional Wage-Hour Conferences. National and Regional
26 Wage-Hour Conferences may be called by the director of the
27 Competitive Shop Department after consultation with the
28 Regional Director concerned, subject to the approval of the
29 International Executive Board.

30 **Section 4.** It shall be the duty of the Competitive Shop
31 Department to direct the organization of unorganized
32 competitive shops by making recommendations for assignment
33 of organizers to the Regional Directors, the International
34 President and the International Executive Board.

35 **Section 5.** Organizers working on such assignments shall
36 make reports on the progress of organization to the
37 Competitive Shop Department as well as to their Regional
38 Directors.

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1 **Section 6.** It shall be the duty of the Competitive Shop
2 Department to check all agreements referred to it by the
3 International Executive Board, and to make recommendations
4 to the various Local Unions for the standardization of wage-
5 hour provisions throughout given competitive industries.

ARTICLE 25

Research Department

6 **Section 1.** The International Executive Board shall create a
7 Research Department for the International Union.

8 **Section 2.** The President of the International Union shall
9 appoint a director for the Research Department who shall be
10 selected from the International Union, if possible, and who is
11 competent and qualified by previous experience and training to
12 do such work; but such appointment shall not be considered
13 final until it is approved by the International Executive Board
14 at their next meeting. It shall be mandatory that the
15 International Research Department shall be kept informed of
16 changes in rates, working standards and so forth by all Local
17 Unions.

18 **Section 3.** It shall gather and keep on file information on
19 wages, hours and other conditions of employment and any
20 general information about the automotive, aerospace and
21 agricultural implement industries.

22 **Section 4.** It shall gather and keep on file any other
23 information which the International Executive Board, Regional
24 Directors, Local Unions, Wage-Hour Councils or any other
25 subdivision of the International Union may require from time
26 to time.

27 **Section 5.** It shall send to all International Executive Board
28 Members, International Representatives, Local Unions and
29 Wage-Hour Councils a periodic bulletin on problems of
30 general interest to the members of the Union.

31 **Section 6.** It shall submit to the International Executive
32 Board Meetings, a regular report on general conditions in the
33 automotive, aerospace and agricultural implement industries
34 which are of importance to the International Union.

35 **Section 7.** It shall submit a complete and thorough report to
36 the Conventions of the International Union on the automotive,

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1 aerospace and agricultural implement industries and the
2 International Union.

3 **Section 8.** It shall supply Wage-Hour Councils with
4 financial reports of employer(s) in their industry and such other
5 material as they may request.

ARTICLE 26

Civil and Human Rights Department

6 **Section 1.** There is hereby created a department to be
7 known as the Civil and Human Rights Department of the
8 International Union.

9 **Section 2.** The International President shall appoint a
10 committee composed of International Executive Board
11 Members to handle the functions of this department. S/He shall
12 also appoint a director who shall be a member of the Union and
13 approved by the International Executive Board. S/He shall also
14 appoint a staff which shall be qualified by previous experience
15 and training in the field of inter-racial, inter-faith and inter-
16 cultural relations, to assist in the implementation of the policies
17 of the International Union dealing with discrimination based on
18 race, sex, religion, national origin, age and the handicapped.

19 **Section 3.** One cent (.01) per month per dues-paying
20 member of the per capita forwarded to the International Union
21 by Local Unions shall be used as the Civil and Human Rights
22 Fund of the International Union as provided in this
23 Constitution.

24 **Section 4.** The Department shall be charged with the duty of
25 implementing the policies of the International Union dealing
26 with discrimination, as these policies are set forth in the
27 International Constitution and as they may be evidenced by
28 action of the International Executive Board and of International
29 Conventions, and to give all possible assistance and guidance
30 to Local Unions in the furtherance of their duties as set forth in
31 this Article, and to carry out such further duties as may be
32 assigned to it from time to time by the International President
33 or the International Executive Board.

34 **Section 5.** It shall be mandatory that each Local Union set
35 up a Civil and Human Rights Committee. The specific duties
36 of this Committee shall be to promote fair employment
37 practices and endeavor to eliminate discrimination affecting

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1 the welfare of the individual members of the Local Union, the
2 International Union, the labor movement and the nation.

ARTICLE 27
Education Department

3 **Section 1.** Education shall be a mandatory part of the
4 business of the International Union and of each Local Union,
5 particularly education in labor history, labor problems, the
6 objectives of the International Union and the problems of the
7 International Union, its members and their families.

8 **Section 2.** The International President shall appoint an
9 Education Director over the Education Department, and such
10 appointment shall be subject to approval of the International
11 Executive Board.

12 **Section 3.** Four cents (.04) per month per dues-paying
13 member of the per capita forwarded to the International Union
14 by Local Unions shall be used as the Educational and
15 Recreational-Leisure Time Activities Fund of the International
16 Union, as provided in this Constitution.

17 **Section 4.** Three cents (.03) of such per capita tax shall be
18 used for educational purposes and one cent (.01) shall be used
19 for recreation-leisure time activities.

20 **Section 5.** It shall be mandatory that each Local Union set
21 up an Education Committee. The duties of this Committee
22 shall be to promote all branches of education affecting the
23 welfare of the individual members, the Local Union, the
24 International Union, and the labor movement. It shall be the
25 duty of the Regional Director to see that this provision of the
26 Constitution is carried out.

27 **Section 6.** There shall be established educational areas
28 throughout the International Union to which educational
29 representatives shall be assigned. These educational
30 representatives shall be appointed by the President to work
31 under the direction of the International Education Director, and
32 such appointments shall be approved by the Regional
33 Director(s) in whose area(s) they shall serve.

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ARTICLE 28

Family Education Center Department

1 **Section 1.** The International Executive Board shall create a
2 Family Education Center Department.

3 **Section 2.** The International President shall appoint a
4 director to supervise the activities of the Family Education
5 Center Department and such appointment shall be subject to
6 the approval of the International Executive Board. The
7 President shall also appoint and assign a qualified staff to
8 service the Department.

9 **Section 3.** The Family Education Center Department shall
10 formulate and implement programs at Family Education
11 Centers for the education and training of UAW members and
12 their families through participation in the Family Education
13 Scholarship Program in order to bring about a better
14 understanding of the UAW's programs, policies, aims and
15 objectives and to broaden and enlighten participants with a
16 view toward the improvement of the quality of life. The
17 function of the Department shall be to develop a cadre of future
18 leadership, with supportive family involvement for all levels of
19 the UAW.

20 **Section 4.** It shall be the function of the Family Education
21 Center Department to formulate and implement programs at
22 Family Education Centers for the training of Local Union
23 leadership and to develop among potential leaders and their
24 families a clearer understanding of the Union and the complex
25 problems facing our society.

26 **Section 5.** All subordinate bodies of the International Union
27 shall cooperate with the Department and assist in the
28 promotion of the Department's programs and activities.

29 **Section 6.** The Department shall develop a comprehensive
30 program to encourage and promote the continuation, on the
31 local level, of family interest and family participation in
32 activities related to the UAW and the community, following
33 participation in a Family Education Center Program. The
34 Family Education Center Department shall be charged with the
35 duty of providing an ongoing program to draw the family
36 closer together around common interests and into continuing
37 Union and community programs to build a stronger labor
38 movement and a better society.

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**ARTICLE 29
Communications**

1 **Section 1.** The International Union shall engage in
2 communication programs (through print, electronic media or
3 otherwise) designed to educate the membership and to acquaint
4 the membership with the activities of this International Union.
5 Special publications or other communications for all, or a
6 particular segment, of the membership shall be disseminated
7 from time to time as the International Executive Board may
8 direct. The title of any official print publication shall be
9 "Solidarity," or its successor designation, Official Publication
10 of the International Union.

11 **Section 2.** "Solidarity" shall be under the supervision of the
12 International Executive Board who shall select a Publication
13 Committee consisting of the International President and two
14 other members of the International Executive Board. The
15 Publication Committee shall be directly responsible to the
16 International Executive Board in carrying out the task of
17 publishing "Solidarity." The editors of "Solidarity" shall be
18 appointed by the International President subject to the approval
19 of the International Executive Board.

20 **Section 3.** The International Secretary-Treasurer shall
21 allocate out of each per-capita tax, five cents (.05) for a special
22 fund for the communication programs described in Article 29,
23 Section 1.

24 **Section 4.** The subscription rate of "Solidarity" shall be
25 sixty cents (.60) per annum, payable as provided in this
26 Constitution. Price of single copies shall be five cents (.05).

27 **Section 5.** This publication is to be sent through the United
28 States mail to each member in good standing.

29 **Section 6.** To non-members, the rate shall be five dollars
30 (\$5.00) per annum with postage additional for foreign
31 subscribers.

32 **Section 7.** Local publications shall conform with the
33 policies of the International Union and all Local Union Editors
34 and/or Editorial Committees shall be responsible to the
35 Officers and Executive Board of the Local Union who shall
36 have authority to effectuate such conformity. Where a unit of
37 an Amalgamated Local Union has a publication, such initial
38 responsibility shall be to the unit officers, but the Amalgamated
39 Local Union Officers and Executive Board shall

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1 still have the ultimate authority of effectuating such
2 conformity.

ARTICLE 30

Charges and Trials of International Officers

3 **Section 1.** Charges against International Officers or
4 International Executive Board Members may be filed in either
5 of these manners:

6 (a) Upon written affidavit signed by five (5) or more Board
7 Members and filed with the International Secretary-Treasurer.

8 (b) Upon written affidavit signed by a Local Union
9 member and endorsed by the member's own Local Union and
10 by at least ten (10) additional Local Unions in the International
11 Union, or in the case of charges against an International
12 Executive Board Member, upon written affidavit signed by the
13 Local Union member and endorsed by the member's own Local
14 Union and a majority of the Local Unions within the region
15 from which the International Executive Board Member is
16 elected.

17 **Section 2.** In case the charges to be filed are against the
18 International Secretary-Treasurer, they shall be filed with the
19 International President who shall in that case alone perform the
20 duties with reference to the trial procedure.

21 **Section 3.** Upon receipt of the charges the International
22 Secretary-Treasurer shall immediately send a copy of the
23 charges by receipted registered or certified mail to the accused
24 and copies to all International Executive Board Members,
25 notifying the accused that s/he has fifteen (15) days to prepare
26 a defense and notifying the International Executive Board
27 Members of a Special International Executive Board Meeting
28 to be called ten (10) days following filing of the charges.

29 **Section 4.** Pending the trial, the International Officer or
30 International Executive Board Member accused shall continue
31 to function in her/his elected capacity unless a Special
32 International Executive Board Meeting is convened and votes
33 by a two-thirds (2/3) vote for suspension as otherwise provided
34 in this Constitution.

35 **Section 5.** The first order of business at the Special
36 International Executive Board Meeting shall be the setting up

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1 of an International Union Trial Committee. This Committee
2 shall be chosen from among present members in good standing
3 who were seated delegates at the preceding International Union
4 Convention, but excluding any such who, at the time of
5 selection of the Trial Committee panel, are officers or
6 employees of the International Union or are members of the
7 International Executive Board. The name of each member
8 qualified as aforesaid for service on the Trial Committee shall
9 be written on a slip of paper on which shall also appear the
10 number and location of the Local Union from which s/he was a
11 delegate, the said slips being all of uniform size and
12 appearance. The said slips of paper shall be deposited in a box
13 by the Secretary-Treasurer in the presence of the International
14 Executive Board and the box shall be sealed and thoroughly
15 shaken. The International Secretary-Treasurer shall then open
16 the container and the member of the International Executive
17 Board selected for that purpose and blindfolded shall draw the
18 names of fifty (50) delegates, one by one. After these names
19 are drawn they shall be read by the International Secretary-
20 Treasurer in the presence of the International Executive Board
21 and each name in succession shall be set opposite a number
22 from one (1) to fifty (50).

23 **Section 6.** During the drawing of the names, the accused or
24 her/his personal representative shall have the right to be
25 present, as may the accuser or a representative of the accuser.

26 **Section 7.** Immediately following the drawing of the panel,
27 the Trial Committee shall be chosen. The accused and the
28 accuser shall each have the right to strike ten (10) names from
29 the panel. Either may waive the right in whole or in part,
30 striking in such case, less than ten (10) names, but the right of
31 either party to strike ten (10) names shall not be affected by
32 any such waiver by the other. The parties shall proceed
33 alternately in striking names from the panel, beginning with the
34 accused.

35 **Section 8.** After these challenges have been made, the first
36 twelve (12) persons whose names remain on the list shall be
37 notified to report to the International Office within five (5)
38 days to proceed with the trial. Local Unions shall also be
39 notified when any of their members' names are drawn for
40 service on the International Trial Committee.

41 **Section 9.** Such an order shall be mandatory upon any
42 member of the Union receiving this notice. Should s/he fail to
43 appear, unless her/his absence is excused by a signed affidavit
44 of illness or Local Union emergency, attested to by the

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1 Executive Board of the member's Local Union, such a member
2 may be subject to charges in her/his Local Union, and to
3 expulsion.

4 **Section 10.** Upon a member's appearance at the
5 International Office, each member of the Trial Committee thus
6 notified shall produce affidavit attesting her/his membership in
7 good standing in her/his Local Union, signed by the Financial
8 Secretary of the Local Union.

9 **Section 11.** In case one (1) or more members of the Trial
10 Committee thus notified shall fail to appear for the above
11 reasons or fail to produce such certificate of membership in
12 good standing, the next member of the panel, numbering down
13 from one (1) to fifty (50) shall be notified to report.

14 **Section 12.** The International Trial Committee shall go into
15 session immediately upon arrival of the full panel and shall
16 hear the charges brought by the accuser and all the witnesses
17 named for substantiation, and shall hear the defense of the
18 accused and all her/his witnesses for substantiation. The Trial
19 Committee shall decide its own rules of procedure relating to
20 the conduct of the trial and may elect its own Chairperson and
21 Secretary, providing that verbatim minutes of all evidence shall
22 be reported by a court stenographer. The accused and the
23 accuser shall have a right to be represented by counsel.

24 **Section 13.** The Trial Committee, upon completion of the
25 hearing on the evidence and arguments, shall go into closed
26 session to determine the verdict and penalty. A two-thirds (2/3)
27 vote shall be required to find the accused guilty. In case the
28 accused is found guilty, the Trial Committee may, by a
29 majority vote, reprimand the accused or it may, by two-thirds
30 (2/3) vote, suspend or remove the accused from office, or
31 suspend or expel her/him from membership in the International
32 Union.

33 **Section 14.** In case a Trial Committee finds the accused
34 innocent they may determine the honest or malicious intent of
35 the accuser. If they find the accuser guilty of obvious malice in
36 filing the charges, they may assess a penalty against her/him in
37 accordance with Section 13 of this Article.

38 **Section 15.** Charges against an International Officer or
39 International Executive Board Member, concerning her/his
40 own Local Union, shall not be filed according to Local Union
41 trial procedures, but in accordance with the above provisions.

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**ARTICLE 31
Trials of Members**

1 **Section 1.** A charge by a member or members in good
2 standing that a member or members have violated this
3 Constitution or engaged in conduct unbecoming a member of
4 the Union must be specifically set forth in writing and signed
5 by the member or members making the charges. The charges
6 must state the exact nature of the alleged offense or offenses
7 and, if possible, the period of time during which the offense or
8 offenses allegedly took place. Two (2) or more members may
9 be jointly charged with having participated in the same act or
10 acts charged as an offense or with having acted jointly in
11 commission of such an offense and may be jointly tried.

12 **Section 2.** Charges must be submitted to the Recording
13 Secretary of the Local Union or of the Unit Workplace
14 Organization, as the case may be, within sixty (60) days of the
15 time the complainant first became aware, or reasonably should
16 have been aware, of the alleged offense; provided, that if the
17 charges are against the Recording Secretary, they shall be
18 submitted to the President of the Local Union or the chief
19 executive officer of the Unit Workplace Organization, as the
20 case may be, and provided further, that charges preferred
21 against one for acts or conduct detrimental to the interest of the
22 Union or its members, committed while s/he was out of the
23 Union on withdrawal card, shall be submitted within sixty (60)
24 days from the time of the deposit of her/his withdrawal card.

25 **Section 3.** Upon charges being submitted, it is mandatory
26 that a trial be held unless the charges are withdrawn by the
27 accuser or considered by the Union to be improper under this
28 Article.

29 Prior to the notification to a member that charges have been
30 filed against her/him, the Local Union Executive Board or, in
31 the case of an Amalgamated Local Union, the Unit Workplace
32 Organization of which s/he is a member, shall review the
33 charges and consider them improper if:

34 (a) The charges do not state the exact nature of the alleged
35 offense as required by Section 1 of this Article;

36 (b) The charges are untimely under Section 2 of this
37 Article;

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1 (c) The act complained of does not sustain a charge of a
2 violation of the Constitution or conduct unbecoming a member
3 of the Union;

4 (d) The charges involve a question which should be
5 decided by the membership at a membership meeting and not
6 by the trial procedure.

7 (e) In all cases, an otherwise proper charge(s) must be
8 supported by substantial direct evidence, as well as the
9 evidence of at least one (1) corroborating witness, which, if not
10 rebutted, would establish all elements of the charge(s).

11 Both the accused and the accuser shall be notified in writing
12 of the Executive Board's or Unit Workplace Organization's
13 determination and either the accused or the accuser may appeal
14 from such determination, pursuant to Article 33, Section 3(d).
15 Such an appeal must be limited to the question of whether the
16 charges are proper or improper under items (a), (b), (c), (d) or
17 (e) of this Section.

18 If a trial is ordered by the Local Union Executive Board and
19 this order is appealed, no such trial shall be held until the
20 matter has been submitted to, and an order thereon received,
21 from the International President.

22 **Section 4.** A member against whom proper charges have
23 been filed shall be notified of such charges by receipted
24 registered or certified mail within seven (7) days after the
25 charges have been reviewed, as provided in Section 3 of this
26 Article, by the Local Union Executive Board or, in the case of
27 an Amalgamated Local Union, by the Unit Workplace
28 Organization of which s/he is a member.

29 **Section 5.** A member preferring charges, and a member
30 against whom charges are preferred, shall be permitted
31 representation by counsel of the member's own choice; such
32 counsel, however, shall be required to abide by the Trial
33 Procedure as established by the Trial Committee and as
34 outlined in this Constitution.

35 **Section 6.** A member against whom charges have been filed
36 may be suspended from any elective or appointive office or
37 position s/he may hold in her/his Local Union or Unit, as the
38 case may be, pending trial, by a two-thirds (2/3) vote at such
39 Local Union or Unit membership meeting.

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1 **Section 7.** The accused member shall be tried by a Trial
2 Committee selected by drawing names from the members
3 attending the first Local Union or Amalgamated Local Union
4 unit meeting which is held at least five (5) days after the
5 notification to the member charged. The presiding officer at the
6 meeting shall cause uniform cards bearing the names of each
7 member in attendance at that meeting (with the exception of
8 the presiding officer, the presiding officer's designee to draw
9 the cards, the charging member, the charged member, and any
10 representatives designated by either of them as counsel), to be
11 placed in a container. A list of the names of members
12 appearing on those cards shall be kept in the order in which
13 they are drawn.

14 (a) In Local Unions or units of Amalgamated Local Unions
15 with a membership of five hundred (500) or more, a total of
16 nineteen (19) names shall be so drawn. The names shall be read
17 off in the order in which drawn. It shall be an obligation of the
18 membership for any member whose name has been drawn to
19 serve on the Trial Committee; provided that any such member
20 who feels that s/he cannot serve for good and sufficient reasons
21 may state those reasons to the meeting and withdraw. If any of
22 the nineteen (19) named members shall so withdraw, additional
23 names shall be drawn so that the list shall again total nineteen
24 (19). The charging member and charged member, or their
25 designated counsel, shall each have the right to strike as many
26 as five (5) names without stating any grounds or reasons, it
27 being intended that each side be limited to five (5) challenges
28 even though more than one (1) charged or charging party is
29 involved. The Trial Committee shall consist of the seven (7)
30 members whose names were first drawn, and neither
31 withdrawn nor stricken, and the next two (2) members in order
32 of drawing who have not been withdrawn nor stricken shall
33 serve as alternates.

34 (b) In Local Unions authorized under Article 37, Section 4,
35 to hold annual general membership meetings with monthly
36 meetings of a workplace council, Trial Committees may be
37 selected at the monthly meetings of the plant or workplace
38 council.

39 (c) In Local Unions or units of Amalgamated Local Unions
40 with a membership of more than two hundred (200) but less
41 than five hundred (500), the same procedure shall be followed
42 except that the total names drawn shall be twelve (12). The
43 Trial Committee shall consist of five (5) members and one (1)
44 alternate, and the parties shall be limited to three (3)
45 challenges.

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1 (d) In Local Unions or units of Amalgamated Local Unions
2 with a membership of two hundred (200) or less, the same
3 procedure shall be followed except that the total names drawn
4 shall be eight (8). The Trial Committee shall consist of three
5 (3) members and one (1) alternate, and the parties shall be
6 limited to two (2) challenges.

7 (e) If the size of a unit of an Amalgamated Local Union is
8 such as to make application of Subsection (d) above
9 impractical, the delegate body, or the membership of the
10 Amalgamated Local Union if no delegate body exists shall be
11 substituted for the unit membership as the body from which the
12 Trial Committee is to be selected.

13 **Section 8.** Within seven (7) days after the Trial Committee
14 has been selected, the accused member shall be notified of the
15 time and place of the trial which shall be held not less than
16 fifteen (15) days nor more than thirty (30) days from the date
17 of the member's receipt of such notification. The Trial
18 Committee shall submit its findings to the Local Union not
19 later than sixty (60) days from the time such committee was
20 selected.

21 All of the time periods provided herein may be extended by
22 the International President where, in her/his judgment, justice
23 will be served by such an extension.

24 **Section 9.** Any Officer, Executive Board Member or Joint
25 Council delegate, where such council exists, if charged with a
26 violation of the Amalgamated Local Union Bylaws or
27 International Constitution or if charged with being derelict in
28 performing her/his duties as a Local Union officer or failure to
29 carry out the union obligation which s/he accepted, shall be
30 tried by a Trial Committee selected either from the delegate
31 body of such Amalgamated Local Union, where such delegate
32 body exists, or from a general membership meeting where no
33 delegate body exists. Any disciplinary action taken by said
34 Trial Committee against such Officer, Executive Board
35 Member, or Joint Council delegate shall be limited to her/his
36 membership in the Joint Council or governing body of the
37 Amalgamated Local Union.

38 **Section 10.** The Trial Committee, upon completion of the
39 hearing on the evidence and arguments, shall go into closed
40 session to determine the verdict and penalty. A two-thirds (2/3)
41 vote shall be required to find the accused guilty. In case the
42 accused is found guilty, the Trial Committee may:

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1 (a) By a majority vote, reprimand the accused; or

2 (b) It may, by a two-thirds (2/3) vote, suspend or remove
3 the accused from office or suspend or expel her/him from
4 membership in the International Union.

5 The Trial Committee may not apply more than one (1) of
6 the above two (2) penalties against the accused.

7 **Section 11.** The Trial Committee shall thereupon report its
8 verdict and judgment to the body from which it was selected at
9 the membership meeting of that body next following the
10 determination of the verdict and judgment of the Trial
11 Committee, after giving the accused written notification of its
12 verdict and judgment and of said membership meeting. In case
13 of a verdict of acquittal, such verdict and judgment shall
14 become final upon being reported at said membership meeting
15 and no further action may be taken, except as provided in
16 Section 17 of this Article. In case of a verdict of guilty, such
17 verdict and judgment shall become effective upon approval by
18 a majority vote taken by secret ballot at the membership
19 meeting. In case of a verdict of guilty, the membership meeting
20 may, by a majority vote taken by secret ballot, modify the
21 verdict or order a new trial. The vote shall first be upon the
22 verdict of guilty. If such verdict is not approved by such
23 majority vote, the accused shall stand acquitted. If the verdict
24 of guilty is approved by such majority vote, the vote shall then
25 be upon the penalty recommended by the Trial Committee.
26 This vote shall be conducted by first voting by secret ballot
27 upon the penalty recommended by the Trial Committee. If a
28 majority vote supports the recommended penalty, it shall be
29 considered approved. If a majority vote rejects the
30 recommended penalty, the membership shall then decide upon
31 an appropriate penalty by majority vote by secret ballot. The
32 Recording Secretary shall notify the accused member in
33 writing of the verdict and judgment resulting from that
34 meeting.

35 **Section 12.** A member, who is under suspension from
36 membership, including a temporary suspension, shall be
37 required to pay all dues during the period of suspension.
38 Suspended members shall not be entitled to "Out-of-Work"
39 credits. In the case of a workplace in which Union membership
40 is a condition of employment, suspension from membership,
41 including temporary suspension, shall not require removal from
42 the job; provided that in cases of extreme emergency, removal
43 from the job may be required by two-thirds (2/3) vote of the
44 Local Union or unit membership

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1 suspending the member or approving the member's suspension.
2 In the case of a workplace in which Union membership is a
3 condition of employment, expulsion from membership shall
4 require removal from the job. Application of this Section shall
5 in all cases, however, be limited by applicable state or federal
6 laws, and no provision of this Section shall be applied in any
7 situation where the application would violate any controlling
8 state or federal law.

9 **Section 13.** In case the Trial Committee finds the accused
10 obviously innocent, it may determine the honest or malicious
11 intent of the accuser. Should the Trial Committee tentatively
12 conclude that the accuser was guilty of obvious malice, it shall
13 so notify her/him in writing and afford the accuser an
14 opportunity for a hearing. If, as a result of such hearing, it finds
15 the accuser guilty of obvious malice in filing the charges, it
16 may assess a penalty against the accuser in accordance with
17 Section 10 of this Article. The procedures of Sections 10 and
18 11 of this Article shall be followed.

19 **Section 14.** In the event the charged party is acquitted on
20 her/his trial, the Trial Committee may determine whether the
21 accuser should be reprimanded because the charge was
22 frivolous or insubstantial. Should the Trial Committee
23 tentatively conclude that the charge was frivolous or
24 insubstantial, it shall so notify the accuser in writing and afford
25 the accuser an opportunity for a hearing. If, as a result of such
26 hearing, it finds that the charge was frivolous or insubstantial,
27 it shall submit to the membership of the body from which it
28 was selected, a recommendation that the accuser who filed the
29 frivolous or insubstantial charges, be assessed a penalty in
30 accordance with Section 10 of this Article. Such verdict and
31 penalty in relation to the accuser shall become effective only
32 upon approval of that membership. The procedures of Sections
33 10 and 11 of this Article shall be followed.

34 **Section 15.** Any higher body to which an appeal from the
35 decision of the Trial Committee is made shall have the
36 authority not only to accept or reject the verdict, but may
37 modify such a verdict or order a new trial.

38 **Section 16.** Where a member against whom charges have
39 been filed has been duly suspended in compliance with the
40 provisions of Section 6 of this Article and has been found
41 guilty by the Trial Committee, s/he shall have the right to
42 attend the meeting of the Unit Workplace Organization or of

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1 the Local Union, as the case may be, in which any verdict and
2 judgment is presented for approval, and shall be afforded full
3 opportunity to present to the meeting her/his position on all
4 matters bearing upon the trial, verdict and judgment.

5 **Section 17.** In any case in which a member shall have been
6 tried upon charges alleging one or more of the following
7 offenses:

8 (a) Illegally seeking or holding office or position in
9 violation of Section 9 of Article 10;

10 (b) Misappropriation or embezzlement of Union funds;

11 (c) Fraud in a Local Union election as defined in Article
12 49;

13 (d) Any other offense concerning which the International
14 Executive Board has the present authority to act under the
15 emergency provisions of Article 31, Section 20;

16 an acquittal by the Trial Committee or by the Local Union, if
17 appealed, shall be reviewed directly by the International
18 Executive Board pursuant to the procedures of Article 33,
19 Section 3. Such appeal must be taken within thirty (30) days by
20 any member of the Local Union or the Regional Director.

21 In case of a conviction, the penalty may be reviewed by the
22 International Executive Board upon an appeal taken within
23 thirty (30) days by any member of the Local Union or the
24 Regional Director on the ground that the penalty imposed is
25 grossly disproportionate to the gravity of the offense.

26 **Section 18.** Upon appeal from an acquittal, the International
27 Executive Board shall review the record of the trial and
28 subsequent proceedings in the Local Union and such other
29 matters relevant to the charges and the appeal as it feels
30 necessary in order to assure justice. The Board shall be
31 empowered, if it finds that the verdict was against the great
32 weight of the evidence, to set it aside and to order a new trial
33 by an International Union Trial Committee in accordance with
34 Sections 22 and 23 of this Article.

35 Upon appeal from a penalty, the International Executive
36 Board may refer the penalty to an International Union Trial
37 committee selected in accordance with Sections 22 and 23 of
38 this Article. The International Union Trial Committee may in

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1 any such case prescribe any penalty provided by this
2 Constitution but without reviewing the verdict of guilt.

3 Any decision by the International Executive Board pursuant
4 to this Section shall be appealable through the normal
5 procedures of Article 33, Section 3, but the action of any
6 subsequent appellant body regardless of any other provisions of
7 this Constitution shall be confined within the area of relief
8 permitted by this Section.

9 **Section 19.** Any member expelled or suspended from
10 membership for more than two (2) years may be reinstated to
11 full membership or to membership without right to hold office
12 or appointive position at any time after two (2) years following
13 the final action which affected the member's expulsion or
14 suspension. Such reinstatement may be ordered only by a
15 majority vote of the body which initiated the action resulting in
16 the member's expulsion or suspension; provided that if that
17 body is subordinate to the International Executive Board, the
18 reinstatement shall be effective only if and when it is approved
19 by a majority vote of the International Executive Board. If the
20 body initially passing on the petition for reinstatement denies
21 that petition in whole or in part, it shall be subject to the normal
22 appeal procedure provided in Article 33 of this Constitution;
23 provided that if the initial expulsion or suspension was
24 approved by either a Convention of the International Union or
25 the Public Review Board, any appeal from the decision of the
26 International Executive Board in connection with the petition
27 for reinstatement may be appealed only to whichever of the
28 two (2) bodies (the Convention or the Public Review Board)
29 passed on the initial expulsion or suspension.

30 **Section 20.** In cases of extreme emergency and when it
31 appears to the International Executive Board that irreparable
32 injury may result to the International Union or to a subordinate
33 body from offenses punishable under this Constitution recently
34 committed or being committed by any member or members
35 unless the Board shall intervene; and, without regard to the
36 existence of a present emergency, in any case in which it shall
37 appear to the Board that two (2) or more members have
38 engaged at any time since the original adoption of this Section
39 at the Twelfth Constitutional Convention in a conspiracy to
40 commit an offense against the Union; the Board may, if two-
41 thirds (2/3) of its members concur, prefer charges against such
42 member or members for the violation of this Constitution or for
43 conduct unbecoming a member of the Union, which charges
44 shall be specifically set forth in writing and signed by

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1 the Secretary-Treasurer of the International Union. At the same
2 session at which any such charges are voted, the Board shall
3 select one (1) of its members who shall serve as the
4 representative for the Board in the trial of the charges.

5 **Section 21.** If it shall be charged by the International
6 Executive Board that two (2) or more members have
7 participated in the same act or acts charged as an offense or
8 having acted jointly in the commission of an offense, or have
9 engaged in a conspiracy to commit an offense punishable under
10 this Constitution, any such members may be jointly tried.

11 **Section 22.** Charges preferred against a member or
12 members by the International Executive Board shall be tried by
13 an International Union Trial Committee chosen in the manner
14 provided for the selection of such a committee in Article 30,
15 Sections 5 through 12 inclusive, except that the accused and
16 the representative for the International Executive Board shall
17 each be entitled to strike only five (5) names from the panel. In
18 cases where two (2) or more members are charged jointly, the
19 panel drawn by the Secretary-Treasurer shall consist of a
20 number of names equal of fifty (50), plus ten (10) times the
21 number by which the number of accused exceeds one (1); so
22 that if there are two (2) accused, sixty (60) names shall be
23 drawn; if three (3) are accused seventy (70) names shall be
24 drawn, and so on. Each of the accused shall be entitled to strike
25 five (5) names and the representative for the International
26 Executive Board shall be entitled to strike a number equal to
27 five (5) times the number of accused. The accused shall
28 proceed in striking names from the panel in the alphabetical
29 order of their names and in the manner provided in Article 30,
30 Section 7.

31 **Section 23.** Upon completion of the trial, the International
32 Union Trial Committee shall go into closed session to
33 determine the verdict and penalty. A two-thirds (2/3) vote shall
34 be required to find the accused guilty. In the event the accused
35 is found guilty, the International Union Trial Committee may
36 impose the penalties provided by Section 10 of this Article. In
37 the event the International Union Trial Committee finds the
38 accused guilty, the accused may appeal the decision to the
39 Convention Appeals Committee or the Public Review Board in
40 the same way as provided in Article 33 for an appeal from a
41 decision of the International Executive Board. In the event the
42 International Union Trial Committee finds the accused not
43 guilty the decision shall be final.

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1 **Section 24.** Whenever it is charged that a member is
2 affirmatively engaged in the promotion, implementation,
3 furtherance or support of any other union or collective
4 bargaining group with the purpose or intent of supplanting the
5 International Union, or any subordinate body thereof, as the
6 recognized collective bargaining agent, or if the member is
7 affirmatively engaged in efforts to decertify the International
8 Union or any subordinate body thereof as the recognized
9 collective bargaining agent, such charge will be filed with the
10 International Executive Board and a copy shall be sent to such
11 member. The member shall be subject to suspension or
12 expulsion by the International Executive Board after hearing on
13 such charges, with the Board designating a special committee
14 to conduct a hearing and make recommendations in a manner
15 similar to that provided for the operation of International
16 Executive Board Appeals Committees under Article 33 of this
17 Constitution.

18 The special committee shall make recommendations to the
19 International Executive Board which recommendations shall be
20 processed by the International Executive Board in the same
21 manner that it processes recommendations of said Appeals
22 Committees; provided that if the special committee
23 recommends that the charged member be suspended or
24 expelled, it shall have the authority to temporarily suspend the
25 charged member until the International Executive Board has
26 taken action on the recommendations. The International
27 Executive Board, if it finds the member guilty of the offense
28 charged by a two-thirds (2/3) vote, may suspend or expel the
29 member. Any member suspended or expelled under this
30 Section shall have the right to appeal such suspension or
31 expulsion either to the Public Review Board or the Convention
32 Appeals Committee as provided in Article 33 of this
33 Constitution. The procedure provided for in this Section shall
34 be in addition to and exclusive of, any other action which may
35 be taken against such member.

ARTICLE 32
Public Review Board

36 **Section 1.** For the purpose of ensuring a continuation of
37 high moral and ethical standards in the administrative and
38 operative practices of the International Union and its
39 subordinate bodies, and to further strengthen the democratic
40 processes and appeal procedures within the Union as they
41 affect the rights and privileges of individual members or
42 subordinate bodies, there shall be established a Public Review

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1 Board consisting of impartial persons of good public repute not
2 working under the jurisdiction of the UAW or employed by the
3 International Union or any of its subordinate bodies.

4 **Section 2.** The Public Review Board shall consist of **six (6)**
5 members, including the Chairperson. **In the event of death,**
6 **retirement or resignation of any of the six (6) members, the**
7 **International Executive Board shall have the authority to**
8 **reduce the number of members from six (6) to five (5).**
9 Their terms shall be for the period between International
10 Constitutional Conventions. At **each regular** International
11 Constitutional Convention, the International President shall,
12 subject to the approval of the International Executive Board,
13 propose the names of the Chairperson and members of the
14 Public Review Board for ratification by said International
15 Constitutional Convention. Should any vacancy on the Public
16 Review Board occur between International Constitutional
17 Conventions, the vacancy shall be filled by appointment by the
18 International President, subject to the approval of the
19 International Executive Board, from a list of names submitted
20 by the remaining members of the Public Review Board.

21 **Section 3.** (a) The Public Review Board shall have the
22 authority and duty to make final and binding decisions on all
23 cases appealed to it in accordance with Article 33 of the
24 International Constitution, and to deal with matters related to
25 alleged violation of any UAW Ethical Practices Codes that
26 may be adopted by the International Union.

27 (b) The Public Review Board shall have the authority and
28 duty to make final and binding decisions on all cases appealed
29 to it in accordance with Article 16, Section 7 of the
30 International Constitution.

31 **Section 4.** Any complaint filed under Section 5(a) or (b) of
32 this Article alleging violation of any UAW Ethical Practices
33 Codes that may be adopted by the International Union, must be
34 filed within sixty (60) days of the time the charging member
35 first becomes aware or reasonably should have become aware
36 of the alleged violation.

37 **Section 5.** To facilitate the orderly handling of complaints
38 related to alleged violations of any UAW Ethical Practices
39 Codes, the following procedures shall apply:

40 (a) If a complaint is against the operation of a subordinate
41 body or any officer or representative thereof, the complaint
42 must be initiated by a member of that subordinate body who

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1 shall be obligated to first attempt to seek redress and correction
2 of the matter complained of through appeal to the membership
3 of the Local Union. Failing to get redress from the Local
4 Union, the member shall submit her/his complaint to the
5 International Executive Board through the International
6 President who shall forward a copy of the complaint directly to
7 the Chairperson of the Public Review Board. The International
8 Executive Board shall have the initial responsibility for
9 investigating the complaint. The Chairperson of the Public
10 Review Board will be kept advised of the case by the
11 International Executive Board. Upon completion of the
12 International Executive Board's investigation and action, the
13 Chairperson of the Public Review Board and the complaining
14 member will be informed as to the disposition made of the case
15 by the International Executive Board. In the event the
16 complaining member is dissatisfied with the decision and
17 action of the International Executive Board, s/he may, within
18 thirty (30) days, appeal such decision to the Public Review
19 Board.

20 In the absence of such an appeal, the Public Review Board
21 may act on the matter if it concludes that there is substance to
22 the original complaint and that the action of the International
23 Executive Board does not satisfactorily meet the problem.

24 (b) If a complaint is against the operation of the
25 International Union or any officer or representative thereof, the
26 complaint must be made by a member of a Local Union and
27 approved by membership action of that Local Union. The
28 complaint and a certification of the approval shall be submitted
29 to the International President who shall forward a copy of the
30 complaint directly to the Chairperson of the Public Review
31 Board. The complaint shall be processed by the International
32 Executive Board and the Public Review Board in the same
33 manner as a complaint under (a) above.

34 (c) However, if any member files a complaint under either
35 subsection (a) or (b) above but does not seek approval, redress
36 or action from the member's Local Union, s/he shall set forth
37 the reasons for such failure to seek or obtain such approval,
38 redress or action from the Local Union at the time s/he files the
39 complaint with either the International Executive Board or the
40 Public Review Board. When, in the judgment of the
41 International Executive Board and/or the Public Review Board,
42 there are valid and substantial reasons for the request to bypass
43 the Local step, the matter may be processed without
44 compliance with the Local step.

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1 (d) Any matter within the coverage of this Section may be
2 submitted to the Public Review Board by majority action of the
3 International Executive Board.

4 When a complaint is properly before the Public Review
5 Board, the Public Review Board shall assume jurisdiction over
6 the matter complained of and process the matter in accordance
7 with the provisions of subsequent Sections of this Article.

8 **Section 6.** The Public Review Board shall formulate such
9 rules of procedure and establish such practices as are necessary
10 to facilitate its proper functioning. In order to minimize the
11 time requirements and to expedite the disposition of cases, the
12 Chairperson shall be authorized to create panels of not less than
13 three (3) members of the Public Review Board to act for and in
14 behalf of the Public Review Board. When, as a result of
15 preliminary investigation, the Public Review Board or the
16 panel thereof, concludes that the complaint fails to state
17 allegations sufficiently serious and substantial to justify a
18 hearing, or when it appears that there is no reasonable
19 possibility that any substantial evidence in support of the
20 allegations can be produced, the Board or the panel in its
21 discretion may dismiss such matter without any hearing. The
22 Public Review Board or the panel thereof, shall advise the
23 complaining member, the International Union, and any
24 subordinate body or bodies concerned of its decision or
25 findings.

26 **Section 7.** In case the Public Review Board or the panel
27 thereof finds that the accused is obviously innocent of any
28 violation of the Ethical Codes, the Board or the panel thereof,
29 may make judgment with respect to the lack of good faith of
30 the accuser, and if the facts indicate that the accuser acted in
31 bad faith or with malicious intent and in a willful effort to
32 divide and disrupt the Union, the Public Review Board may
33 assess a non-monetary penalty against the accuser; provided,
34 however, that such penalty shall be limited to suspension from
35 membership for a period of not less than three (3) months.

36 **Section 8.** The Public Review Board shall prepare and
37 submit to the membership an Annual Report of its activities, in
38 which report it shall draw the attention of the membership to
39 any situation or action which it has investigated upon
40 complaint and found to be improper, and shall comment upon
41 the steps that have been taken by the Union to correct such a
42 situation. The Public Review Board shall further include a
43 summary of all appeals it has handled during the year. Copies
44 of the Public Review Board's Annual Report shall be mailed to

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1 all Local Unions and notice of this fact shall be published in
2 the next edition of "Solidarity." Copies shall be available to
3 members upon request and during convention years copies
4 shall be distributed to all delegates. The Annual Report shall be
5 made available to the public press and all other media of public
6 communication. The Public Review Board may, in its
7 discretion, submit an Interim Report. Such an Interim Report
8 shall also be made available to all members and the public in
9 the same manner as the Annual Report.

10 **Section 9.** The International Executive Board is instructed
11 and authorized to provide for an annual operating budget to
12 insure the proper functioning of the Public Review Board. The
13 International Secretary-Treasurer is instructed and authorized
14 to deposit quarterly, in a depository designated by the Public
15 Review Board, to the account of the Public Review Board the
16 necessary funds required by the budget submitted by them.
17 Such a budget shall cover all necessary expenses, including
18 office, staff, travel and operating expenses, and shall provide
19 for reasonable compensation to the members of the Public
20 Review Board. The Public Review Board shall establish an
21 office separate and apart from any Union building. The staff
22 and office personnel essential to the proper functioning of the
23 Public Review Board shall be selected by the members thereof
24 and shall be compensated out of its operating budget. The
25 Chairperson of the Public Review Board shall be required to
26 have its books and financial records audited annually; such
27 audits and the summary of the financial transactions shall be
28 submitted to the International Secretary-Treasurer, who in turn
29 shall make such information available to the delegates at each
30 Constitutional Convention.

ARTICLE 33

Appeals

31 **Section 1. WHAT MAY BE APPEALED.** Any subordinate
32 body or member thereof shall have the right under this Article
33 to appeal any action, decision, or penalty by any of the
34 following, unless otherwise provided:

35 (a) The International Union, its International Executive
36 Board or any of its Officers, Regional Directors or
37 International Representatives;

38 (b) Any administrative arm of the International Union,
39 including its National Departments and Bargaining Councils;

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1 (c) A Local Union, or any of its units, committees, officers,
2 committeepersons or stewards; or

3 (d) Any other subordinate body of the International Union.
4 A failure or refusal to act by any of the foregoing, where it
5 allegedly results in an injury, may also be appealed.

6 **Section 2. LEVELS OF APPEAL.** This Section specifies
7 the levels of appeal for various types of cases.

8 (a) The normal route of appeal is: FIRST, to the
9 membership or delegate body immediately responsible for the
10 official, officer, action or decision under challenge; SECOND,
11 to the International Executive Board, unless the appeal begins
12 there; and THIRD, to the Convention Appeals Committee or
13 Public Review Board, as may be appropriate. This normal
14 route of appeal shall be followed in all cases, except where this
15 Constitution makes specific provision for an alternate route of
16 appeal. For purposes of illustration, in the following common
17 cases the normal route of appeal is as follows:

18 In any challenge to the handling or disposition of a
19 grievance: Where the challenge is against a Local Union
20 committeeperson, steward, Bargaining Committee, officer or
21 other Local Union official the levels of appeal are first to the
22 unit of an Amalgamated Local Union, then to the Union; then
23 to the International Executive Board and then to the
24 Convention Appeals Committee, or where appropriate the
25 Public Review Board. Where the challenge is against an
26 International Representative, Regional Director, International
27 Officer or National Department the levels of appeal are first to
28 the International Executive Board, and then to the Convention
29 Appeals Committee, or where appropriate to the Public Review
30 Board.

31 For any decision of a Local Union, or unit of an
32 Amalgamated Local Union, on a Trial Committee's
33 recommendation the levels of appeal are first to the
34 International Executive Board and then to the Convention
35 Appeals Committee or the Public Review Board. For disputes
36 or questions in controversy, including all questions involving
37 interpretation of this Constitution by the International President
38 under Article 13, Section 8 the levels of appeal are to the
39 International Executive Board and then to the next
40 Constitutional Convention. For any decision of the
41 International President under Article 48, Section 5 the levels of
42 appeal are to the International Executive Board and then to

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1 the Convention Appeals Committee or the Public Review
2 Board.

3 (b) In the types of cases listed below, the appeal shall be
4 limited as specified:

5 For any action or decision by a national or corporate
6 bargaining council or sub-council, or by a national or regional
7 wage-hour council or sub-council, the route of appeal shall be
8 directly to the International Executive Board. There shall be no
9 further appeal from the decision of the International Executive
10 Board. For any action or decision pertaining to the following
11 matters: sports and other recreational activities; rulings of the
12 Chair on procedural questions arising during Local Union
13 membership and other meetings; the appointment and/or
14 removal of appointed officials on Local Union committees; and
15 the sending of authorized members from a Local Union to any
16 convention, conference, or other meeting, whether sponsored
17 by the UAW or some other organization, except for the UAW's
18 Constitutional Convention; unless Article 46, Section 1, or
19 some other substantive provision of this Constitution is
20 implicated, the appeal shall be to the membership of the Local
21 Union, or in the case of an Amalgamated Local Union, first to
22 the membership of the appellant's unit, if necessary, and then to
23 the delegate body or general membership of the Amalgamated
24 Local Union. There shall be no further appeal from the
25 decision of the membership of the Local Union or
26 Amalgamated Local Union.

27 For any action or decision pertaining to the seating of
28 members at any conference or other meeting sponsored by the
29 UAW, if there is a Credentials Committee for the conference or
30 meeting, the appeal shall be first to the Credentials Committee
31 and then to the general delegate body of the conference or
32 meeting. If there is no Credentials Committee for the
33 conference or meeting, the route of appeal shall be directly to
34 the Director of the National Department or Region responsible
35 for the conference or meeting. There shall be no further appeal
36 from the decision of the general delegate body or the Director
37 of the National Department or Region, as the case may be.
38 For any action or decision pertaining to the appointment or
39 removal of special-purpose representatives, such as Benefit
40 Representatives or Health and Safety Committee persons by a
41 National Department under the provisions of a collective
42 bargaining agreement, the appeal shall be directly to the
43 International Executive Board. There shall be no further appeal
44 from the decision of the International Executive Board.

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1 For any appeal of a Local Union decision pertaining to
2 Skilled Trades Lines of Demarcation, the appeal shall be to the
3 International Executive Board and there shall be no further
4 appeal from that decision.

5 For an interpretation of a collective bargaining agreement
6 by a National Department or Regional Director, where the
7 interpretation is so obviously correct that no purpose will be
8 served by an appeal, and where it is consistent with other
9 provisions of this Constitution and International Union policy,
10 the appeal shall be directly to the International President. There
11 shall be no further appeal from that decision.

12 For any action or decision of the UAW National Skilled
13 Trades Department pertaining to a journeyman card, the
14 appeal shall be to the International President and there shall be
15 no further appeal from that decision.

16 **Section 3. PROCEDURES AT EACH LEVEL OF**
17 **APPEAL.** This Section specifies the procedures at each level of
18 appeal. In addition, any appeal is subject to the general
19 requirements of Section 4 of this Article. Where this
20 Constitution makes specific provision for alternate procedures,
21 those procedures shall control.

22 (a) *LOCAL UNION.* An appeal to the Local Union may be
23 made at a meeting of the membership body, or may be made in
24 writing addressed to the Recording Secretary. When no
25 regularly scheduled meeting of the membership body is held
26 within forty-five (45) days of receipt of the appeal, the Local
27 Union Executive Board may consider and rule on the appeal.

28 (b) *AMALGAMATED LOCAL UNION.* In an Amalgamated
29 Local Union an appeal must be made first at a meeting of the
30 membership body of the appellant's unit or in writing addressed
31 to the Recording Secretary or Chairperson of the appellant's
32 unit. When no regularly scheduled meeting of the membership
33 body of the unit is held within forty-five (45) days of the
34 receipt of the appeal, the unit Committee or unit Executive
35 Board may consider and rule on the appeal. An appeal from
36 the unit is made to the Amalgamated Local Union's delegate
37 body, where such exists, or to the general membership meeting
38 when no delegate body exists. This appeal shall be taken by
39 submitting a written appeal to the Amalgamated Local Union's
40 Recording Secretary. When no membership or delegate body
41 meeting is held within forty-five (45) days of receipt of this
42 appeal, the Local Union Executive Board may consider and
43 rule on the appeal.

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1 The Amalgamated Local Union shall review the appeal, with
2 the aid of an investigating committee or otherwise, and shall
3 determine the appeal; but if a unit Trial Committee is involved
4 in the proceedings, it shall not select its own Trial Committee
5 to retry the case.

6 (c) *OTHER SUBORDINATE BODIES.* An appeal to other
7 subordinate bodies, in matters within their areas of
8 responsibility under this Constitution, may be made at a
9 meeting of the membership or delegate body or may be made
10 in writing to the Recording Secretary. When no regularly
11 scheduled meeting of the membership or delegate body is held
12 within forty-five (45) days of receipt of the appeal, the
13 Executive Board of the subordinate body may consider and
14 rule on the appeal.

15 (d) *INTERNATIONAL EXECUTIVE BOARD.* An appeal to
16 the International Executive Board shall be made in writing,
17 signed by the member(s) and addressed to the International
18 Executive Board in care of the International President. The
19 appeal shall set forth the action or decision being appealed,
20 shall be as specific and detailed as possible, and shall include
21 all information available in support of the appeal.

22 *Appellate Cases.* The International Executive Board has
23 appellate jurisdiction to consider and decide all appeals
24 submitted to it from any decision or action of a Local Union,
25 Amalgamated Local Union or other subordinate body; except
26 in the relevant types of cases set forth in Section 2(b) of this
27 Article, the International Executive Board shall entertain an
28 appellate case only when it has been ruled upon by the
29 appropriate membership or delegate body. In this sort of
30 appeal, the appellant should also send a copy of her/his appeal
31 to that body's Recording Secretary. Upon receipt of an appeal,
32 the International President shall secure from the Local Union,
33 Amalgamated Local Union or other subordinate body, a
34 complete statement of the matters at issue, including copies of
35 all charges and records, minutes, transcripts of testimony and
36 other material relating to the appeal.

37 *Original Matters.* The International Executive Board has
38 original jurisdiction to consider and decide all appeals
39 submitted to it from any decision or action of an International
40 Officer, Regional Director, International Representative or any
41 administrative arm of the National Department of the
42 International Union, except in the relevant types of cases set
43 forth in Section 2(b) of this Article.

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1 *Disposition By An Appeals Committee.* The International
2 Executive Board shall appoint a two (2) member Appeals
3 Committee to consider the appeal and make recommendations.
4 This Appeals Committee shall be composed of members of the
5 International Executive Board, but shall not include the
6 Regional Director of the region from which the appeal
7 originates. The appeal and any information secured by the
8 International President shall be forwarded to the Appeals
9 Committee. After a review of the appeal and record, the
10 Appeals Committee may hold a hearing before either the full
11 Committee or in its discretion one of its members unless the
12 Appeals Committee concludes that no useful purpose would be
13 served by a hearing, in which event the Appeals Committee in
14 its discretion may make recommendations on the appeal
15 without a hearing. The Appeals Committee shall make a
16 recommendation which, together with the full record, shall be
17 submitted to a Nine (9) Member Committee of the
18 International Executive Board, of which five (5) members, or
19 their designee(s), shall constitute a quorum. The Nine (9)
20 Member Committee shall consider the record, together with the
21 Appeals Committee's recommendations, and shall make a
22 decision on the appeal.

23 *Disposition By The International President.* The
24 International President may, in his discretion, decide an appeal
25 rather than submitting it to an Appeals Committee. In such a
26 case, the International President may designate a representative
27 to conduct any investigation or hearing deemed necessary, in
28 accordance with the procedures of this Subsection. The
29 International President shall base her/his decision on the files
30 and records of the case, and such briefs as may be submitted. In
31 any appeal involving the handling or disposition of a grievance
32 against an employer, the decision of the International President
33 shall be submitted to the Nine (9) Member Committee of the
34 International Executive Board.

35 *Review By The Full International Executive Board.* Both
36 where the appeal has been decided by the Nine (9) Member
37 Committee of the International Executive Board and where it
38 has been decided by the International President, copies of the
39 decision shall be sent to all members of the International
40 Executive Board. The decision shall become the decision of the
41 full International Executive Board unless, within ten (10) days,
42 one or more members of the International Executive Board
43 raises an objection to the decision, in which case the appeal
44 shall be referred for decision to the International Executive
45 Board at its next regular meeting. The International President
46 shall promptly notify all parties concerned of the

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1 decision of the International Executive Board. The
2 International Executive Board shall use its best efforts to
3 render its decision within sixty (60) days of receipt of the
4 appeal by the International President.

5 (e) *CONVENTION APPEALS COMMITTEE.* An appeal to
6 the Convention Appeals Committee shall be made in writing,
7 signed by the member(s) and addressed to the Convention
8 Appeals Committee in care of the International President.

9 *Jurisdiction And Procedure.* The Convention Appeals
10 Committee has jurisdiction to consider and decide all appeals
11 submitted to it from any decision or action of the International
12 Executive Board or an International Trial Committee, except in
13 the types of cases set forth in Section 2(b) of this Article. The
14 Convention Appeals Committee shall meet at least semi-
15 annually, at the International Union Headquarters, to act on all
16 appeals that have been submitted to it at least thirty (30) days
17 prior to the date established for its meeting. The administrative
18 procedures for the Convention Appeals Committee in handling
19 appeals shall be established by the International Executive
20 Board, subject to review by subsequent Constitutional
21 Conventions. All decisions of the Convention Appeals
22 Committee shall be final and binding.

23 *Selection Of Convention Appeals Committee.* The
24 Convention Appeals Committee shall consist of a member and
25 a first and second alternate from each region to be selected by
26 lot from the delegates from each region, when they elect their
27 Regional Director. To provide continuity, members of the
28 Convention Appeals Committee shall be selected from one-half
29 of the regions at each Convention. Such members selected shall
30 serve for two (2) Convention terms. In the event a vacancy
31 occurs on the Convention Appeals Committee, it shall be filled
32 by the ranking alternate from that region. All remaining
33 vacancies shall be filled by lot at the next regular
34 Constitutional Convention.

35 (f) *PUBLIC REVIEW BOARD.* An appeal to the Public
36 Review Board shall be made in writing, signed by the
37 appellant, and addressed to the Public Review Board in care of
38 the International President.

39 *Jurisdiction.* In addition to the jurisdiction conferred
40 elsewhere in this Constitution, the Public Review Board has
41 jurisdiction to consider and decide appeals from any decision
42 or action of the International Executive Board or an
43 International Trial Committee:

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1 Where the case arises under Article 10, Section 12; Article
2 12, Sections 2 and 3; Article 16, Section 7; Article 30; Article
3 31; Article 36, Sections 9 and 10; Article 38, Sections 11 and
4 12; or Article 48 Sections 5 and 6;

5 Where the International Executive Board, pursuant to
6 Article 12, Section 17, has reviewed the action or decision of
7 its administrative arm, or where the International Executive
8 Board has decided an appeal which concerns action or inaction
9 relative to the processing of a grievance against an employer,
10 subject however, to the limitation of Section 4(i) of this
11 Article; and

12 In any other case in which the International Executive Board
13 has passed upon an appeal from the action of a Local Union,
14 Amalgamated Local Union, or other subordinate body, except
15 in the relevant types of cases set forth in Section 2(a) and (b) of
16 this Article.

17 *Determining Jurisdiction.* In cases that involve the
18 processing of grievances, the Public Review Board shall first
19 determine whether the specific allegation upon which appellant
20 claims the Public Review Board's jurisdiction to be based is or
21 is not true. If the jurisdictional allegation is found to be false, it
22 shall dismiss the appeal. If the appeal is thus dismissed, the
23 appellant may, within thirty (30) days of notification of the
24 dismissal, appeal the case to the Convention Appeals
25 Committee, provided that in such an appeal, the appellant may
26 not again raise any issue which the Public Review Board
27 resolved in dismissing for lack of jurisdiction.

28 *Limitation.* In no event shall the Public Review Board,
29 under this or any other article, have jurisdiction to review in
30 any way an official collective bargaining policy of the
31 International Union.

32 *Procedures.* If the appellant elects to appeal to the Public
33 Review Board, the appeal shall be considered by the full
34 Board, or a panel thereof. Where the Public Review Board has
35 jurisdiction, the full Board or panel shall decide and dispose of
36 all matters raised by the appeal. The Public Review Board,
37 pursuant to Article 32, Section 6, shall establish its own rules
38 of procedure including those governing the extent and scope of
39 hearings. When notified that an appeal to the Public Review
40 Board has been filed, the International President shall forward
41 to the Chairperson of the Public Review Board all documents
42 and records in the case. After studying said documents and
43 records, the Public Review Board, or a panel thereof, shall

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1 hold a hearing, unless it concludes that the appeal is
2 unsubstantial or that no useful purpose would be served by a
3 hearing; in which event the appeal may be decided or
4 dismissed without a hearing.

5 The Public Review Board or panel thereof shall upon due
6 consideration issue its decision, which shall be final and
7 binding on all parties.

8 **Section 4. GENERAL REQUIREMENTS.** The following
9 rules, unless otherwise indicated, shall govern all levels of the
10 foregoing appeal procedure:

11 (a) **FORM AND CONTENTS OF APPEAL.** Any appeal
12 should set forth the action or decision being appealed, **shall be**
13 **made in writing, except as otherwise provided for in this**
14 **Constitution**, and should include all information available in
15 support of the appeal. The appeal should be as specific and
16 detailed as possible and must **include an original physical**
17 **signature**, signed by the member(s). **Electronic submissions**
18 **and electronic signatures shall not be permitted.**

19 (b) **CALCULATION OF TIME.** The time limits of Section
20 4(c) of this Article begin to run from the time the appellant first
21 becomes aware, or reasonably should have become aware, of
22 the alleged action or decision appealed. In the case of an appeal
23 from a decision of the International Executive Board, the time
24 limit shall begin to run when the appellant first receives notice
25 of the decision. For purposes of this Article, "day" means a
26 calendar day. If mailed, an appeal will be considered filed on
27 the date it is postmarked.

28 (c) **TIME LIMITS FOR APPEAL.** To be considered, an
29 appeal must comply with these time limits, if no other time
30 limit is specifically set forth in this Constitution: Appeal to
31 Local Union sixty (60) days; Amalgamated Local Union
32 Appeal to unit, sixty (60) days, appeal from unit to
33 Amalgamated Local Union itself, thirty (30) days; appeal to
34 other subordinate body sixty (60) days; appeal to International
35 Executive Board appellate or original cases, thirty (30) days;
36 appeal to Convention Appeals Committee thirty (30) days;
37 appeal to Public Review Board thirty (30) days.

38 (d) **EXTENSIONS OF TIME.** In the case of an appeal to a
39 Local Union, Amalgamated Local Union, or other subordinate
40 body, or in the case of an appeal to the International Executive
41 Board or Convention Appeals Committee, the International

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1 President may waive the time for filing the appeal if warranted
2 by the circumstances.

3 (e) *COMPLIANCE PENDING APPEAL*. The decision of
4 the lower tribunal, in all cases, must be complied with before
5 an appeal can be accepted by the next tribunal in authority and
6 shall remain in effect until reversed or modified. The
7 International President may, upon written application of an
8 appellant, waive in whole or in part requirements of such
9 compliance where unusual circumstances warrant it.

10 (f) *COUNSEL*. Any party to an appeal before the
11 International Executive Board, Convention Appeals
12 Committee or Public Review Board, shall be permitted
13 representation by counsel or other representative of her/his
14 choice. Unless otherwise specified in this Constitution, counsel
15 are not permitted before a Local Union, Amalgamated Local
16 Union, or other subordinate body, except as provided in Article
17 31, Section 5. The party retaining counsel, or other
18 representative, shall bear any cost of such representation.

19 (g) *BRIEFS*. Any party to an appeal may submit a brief or
20 other written statement of position.

21 (h) *HEARINGS*. Hearings, when held, shall be such as, in
22 the discretion of the tribunal, and shall bring to light all the
23 facts and issues involved. The appellant and appellee (or their
24 representatives) shall be required to appear, with such
25 witnesses as they may choose, and shall answer fully and
26 truthfully all questions put to them. The parties shall be
27 afforded full opportunity to present their respective positions
28 on all matters bearing on the action, decision or penalty under
29 review. A hearing held by the International Executive Board,
30 through its Appeals Committee or the International President,
31 shall be held as close to the locality from which the appeal
32 originates as possible in order to minimize the expense and
33 inconvenience to the parties. A hearing before a panel or
34 committee of a reviewing tribunal is deemed a hearing before
35 the full reviewing tribunal.

36 (i) *GRIEVANCE AND RELATED APPEALS*. In any
37 appeal to the Public Review Board, under Section 3(f) of this
38 Article, concerning the handling of a grievance or other issue
39 involving a collective bargaining agreement, the Public Review
40 Board shall not have jurisdiction unless the appellant has
41 alleged before the International Executive Board that the matter
42 was improperly handled because of fraud, discrimination or

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1 collusion with management, or that the disposition or handling
2 of the matter was devoid of any rational basis.

3 **Section 5. OBLIGATION TO EXHAUST INTERNAL**
4 **UNION REMEDIES.** It shall be the duty of any individual or
5 body, if aggrieved by any action, decision or penalty imposed,
6 to exhaust fully the individual or body's remedy and all appeals
7 under this Constitution and the rules of this Union before going
8 to a civil court or governmental agency for redress.

ARTICLE 34
District Councils

9 **Section 1.** When a majority of Local Unions of this
10 International Union representing a majority of the membership
11 within their geographical district request the establishment of a
12 District Council, such Local Union representatives shall be
13 assembled by the Regional Directors of that area for the
14 formation of such a Council.

15 **Section 2.** When such a District Council is established, it
16 shall be mandatory for all Local Unions of this International
17 Union to affiliate with the Council of their geographical district
18 and obtain a charter from the International Union.

19 **Section 3.** The purpose of the District Council shall be to
20 recommend to the Regional Director and the International
21 Union, constructive measures for the welfare of Local Unions
22 and their members. It shall discuss comparative wages, rates,
23 agreements, methods of approach, organizational problems,
24 national, state and provincial legislative programs and such
25 other problems as may be of general interest to the Local
26 Union membership.

27 **Section 4.** The District Council shall be composed of
28 delegates elected from the Local Unions in accordance with
29 appropriate procedures established in the bylaws of each
30 member's Local Union. The term of the delegates elected by a
31 Local Union shall be three (3) years. To avoid unnecessary
32 expense in District Councils, Local Unions may empower as
33 many delegates as they desire to carry and vote the entire vote
34 of the Local Union.

35 **Section 5.** Activities of the District Councils shall be
36 financed by the payment of a per capita tax by each Local

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1 Union affiliated with the District Council, which shall require
2 the approval of the International Executive Board.

3 **Section 6.** The per capita tax may be used to assist in
4 organizational work, prepare educational literature, lobby for
5 legislative programs and programs of benefit to its affiliated
6 Local Unions.

7 **Section 7.** When a subordinate body has failed to report and
8 pay the per capita tax to the District Council, the District
9 Council Secretary-Treasurer shall report this fact to the
10 International Secretary-Treasurer; the International Secretary-
11 Treasurer shall notify the subordinate body President and
12 Board of Trustees. Such subordinate body shall stand
13 suspended until such deficiency is made good.

14 **Section 8.** The District Council shall draft its bylaws in
15 conformity with this Constitution and subject to the approval of
16 the International Executive Board.

17 **Section 9.** To dissolve a District Council the Regional
18 Director(s), on the request of three (3) Local Unions within the
19 geographical district, shall call a special meeting of the Council
20 to be held within thirty (30) days of such request, with proper
21 notice of the purpose of the meeting to vote upon the
22 dissolution of the Council. At this meeting the District Council
23 may be dissolved by a vote of a majority of the Local Unions
24 representing a majority of the membership within the
25 geographical district.

ARTICLE 35

Amalgamated Local Unions

26 **Section 1.** Any two (2) or more units which are not a part of
27 an Amalgamated Local Union may petition the International
28 Executive Board for the formation of an Amalgamated Local
29 Union. Such petitions must be approved by the membership of
30 the units desiring an Amalgamated Local Union in a specially
31 called membership meeting for that purpose. Upon receipt of
32 such petitions the International Executive Board shall
33 investigate the feasibility of an Amalgamated Local Union and
34 if their decision is that an Amalgamated Local Union be set up,
35 the Regional Director shall without delay set up an
36 Amalgamated Local Union comprising the units as determined
37 by the International Executive Board.

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1 **Section 2.** Any two (2) or more units of an Amalgamated
2 Local Union may petition the International Executive Board to
3 set up a Joint Council in their Local Union. The International
4 Executive Board shall without undue delay investigate the
5 practicality of a Joint Council for that Local Union and if they
6 determine that a Joint Council shall be set up, the Local Union
7 shall without delay set up a Joint Council based on the
8 principles in Section 3 of this Article. Members of such a Joint
9 Council, whether directly elected thereto or holding
10 membership thereon by virtue of being elected to some other
11 office or position, shall be elected by secret ballot with the
12 same notice procedures as set forth in Section 2 of Article 38.

13 **Section 3.** The membership of the Local Union shall be
14 guaranteed:

15 (a) Proportional representation from each unit, based on the
16 dues dollar each unit pays to the Local Union. In no case shall
17 any unit be entitled to less than two (2) representatives to the
18 Joint Council.

19 (b) The right to appeal from any decision of the Joint
20 Council by referendum vote of the membership.

21 (c) That each unit will have unit autonomy on matters
22 pertaining strictly to that unit.

23 (d) That a percentage of every dues dollar which a unit
24 pays to the Local Union may be set aside as a fund for the use
25 of that unit for whatever purpose they so desire.

26 **Section 4.** Additional organized units may be added to
27 Amalgamated Local Unions only upon approval of the
28 International Executive Board and subject to the majority vote
29 of the membership of the unit and the Joint Council or
30 membership of the Amalgamated Local Union. Unorganized
31 units may be added to an Amalgamated Local Union upon the
32 approval of the Regional Director.

ARTICLE 36

Local Union Charters and Subordinate Bodies

33 **Section 1.** A Local Union may be formed by fifteen (15) or
34 more persons working within the jurisdiction of the
35 International Union by applying to the International Secretary-
36 Treasurer for a charter.

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1 **Section 2.** The International Secretary-Treasurer shall
2 furnish the applicants for a charter with an application blank,
3 and when the same has been properly filled out and returned
4 with fifteen dollars (\$15.00) charter fee, upon approval of the
5 International Executive Board, a charter shall be granted and
6 initial supplies furnished.

7 **Section 3.** The charter fee for Local Unions shall be fifteen
8 dollars (\$15.00), which shall entitle the Local Union to a
9 charter, one (1) membership receipt book, one (1) International
10 bookkeeping set, one (1) Recording Secretary's minute book,
11 fifteen (15) Constitutions, one (1) roll call book and one (1)
12 gavel.

13 **Section 4.** The charter and supplies shall remain the
14 property of the International Union, to be used by the Local
15 Union only as long as said Local Union and its members
16 comply with the laws of the International Union.

17 **Section 5.** Any member who shall counterfeit, imitate or
18 falsify the International Union dues receipts, insignia, label or
19 buttons, or knowingly use such imitations or counterfeits, shall
20 be expelled from this Union as the circumstances may warrant
21 after trial has been accorded the accused.

22 **Section 6.** The charters to be issued to Local Unions shall
23 be in the following form:

CHARTER

24 To All Whom These Presents Shall Come:

25 Know Ye, that the International Union, UNITED
26 AUTOMOBILE, AEROSPACE AND AGRICULTURAL
27 IMPLEMENT WORKERS OF AMERICA (UAW),
28 established for the purpose of effecting through organization of
29 the Automobile, Aerospace, Agricultural Implement, and other
30 industries and composed of Local Unions and Members in
31 different sections of the United States and Canada, doth, upon
32 proper application and under conditions herein provided hereby
33 grant unto

34
35
36
37 and to their successors, this Charter for the establishment and
38 future maintenance of a Local Union

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1 at.....
2 to be known as Local Union No.....
3 of

4 Now, the conditions of this Charter are such: That said
5 Union forever and under any and all circumstances shall be
6 subordinate to and comply with all the requirements of the
7 Constitution, Bylaws and General Laws or other laws of the
8 International Union, UNITED AUTOMOBILE, AEROSPACE
9 AND AGRICULTURAL IMPLEMENT WORKERS OF
10 AMERICA (UAW), as they may from time to time be altered
11 or amended: That said Union shall for all time be guided and
12 controlled by all acts and decisions of the International Union,
13 UNITED AUTOMOBILE, AEROSPACE AND
14 AGRICULTURAL IMPLEMENT WORKERS OF AMERICA
15 (UAW), as they may from time to time be enacted: That should
16 the Local Union above chartered take advantage of any powers,
17 privileges or rights conferred under the laws as they may exist
18 at any time, said action shall not prevent the International
19 Union, UNITED AUTOMOBILE, AEROSPACE AND
20 AGRICULTURAL IMPLEMENT WORKERS OF AMERICA
21 (UAW) from recalling, amending, changing or abolishing any
22 such powers, privileges or rights.

23 So long as the said Union adheres to these conditions, this
24 Charter to remain in full force; but upon infraction thereof, the
25 International Union, UNITED AUTOMOBILE, AEROSPACE
26 AND AGRICULTURAL IMPLEMENT WORKERS OF
27 AMERICA (UAW) may revoke this Charter, thereby annulling
28 all privileges secured hereunder.

29 In Witness Whereof, We have hereunto set our hands and
30 affixed the Seal of the International Union, UNITED
31 AUTOMOBILE, AEROSPACE AND AGRICULTURAL
32 IMPLEMENT WORKERS OF AMERICA (UAW) This
33 ____ day of _____, 20__.

34 INTERNATIONAL EXECUTIVE BOARD

35
36 International President

37
38 International Secretary-Treasurer.

39 **Section 7.** No Local Union, Family Auxiliary or subordinate
40 body shall disband as long as fifteen (15) members or two (2)

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1 Local Unions desire to retain the Charter, and then only upon
2 the approval of the International Executive Board. In localities
3 where there are two (2) or more Local Unions and where the
4 membership of any Local Union drops below fifteen (15)
5 members in good standing, such Local Union may be merged
6 with another Local Union in that locality, at the discretion of
7 the International Executive Board.

8 **Section 8.** The above Section shall not apply to the issuance
9 of charters covering plants under the jurisdiction of a
10 previously chartered Amalgamated Local Union.

11 **Section 9.** If a Local Union disbands or if a Local Union
12 goes out of existence by reason of cessation of production at
13 the workplace over which it has jurisdiction, all of the funds,
14 property and assets of the Local Union shall forthwith revert to
15 and become the property and assets of the International Union.
16 If within one (1) year thereafter a new charter is issued to a
17 Local Union with the same or similar jurisdiction, the
18 International Executive Board shall, in order to aid such newly
19 chartered Local Union in the commencement of its operations,
20 make an appropriation to it in an amount not to exceed the
21 value of such funds, property and assets.

22 **Section 10.** If as the result of a drastic reduction in the
23 membership of a Local Union because of layoffs or other
24 reasons, the funds, property and assets of such Local Union
25 become grossly disproportionate to the number of members
26 remaining, the International Executive Board may, by seven-
27 eighths (7/8) vote, after a hearing, and for such period of time
28 as it may deem necessary, take possession of and assume
29 control over the expenditure and use of such funds, property
30 and assets for the purpose of insuring their application in
31 furtherance of the objectives of the Local Union and the
32 International Union, and their conservation in the interest of the
33 membership of the Local Union as then existing and as
34 subsequently augmented.

35 **Section 11.** In case the membership of a unit covered by the
36 jurisdiction of an Amalgamated Local Union feels that there is
37 just cause for withdrawal from the Local Union, the question
38 may be raised in any regularly called meeting. If approved by a
39 majority vote of such meeting, a date shall be set for a special
40 meeting to discuss and decide whether or not to petition

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1 the International Executive Board for withdrawal from the
2 Local Union. The membership of such unit shall be given at
3 least seven (7) days' notice of the time, place and purpose of
4 such special meeting. If at this meeting, in a vote by secret
5 ballot, a two-thirds (2/3) majority of the members present vote
6 to petition the International Executive Board, such a petition,
7 containing a detailed statement setting forth the reasons for
8 withdrawal from the Local Union shall be forwarded to the
9 International Executive Board. The International Executive
10 Board upon receipt of such petition shall investigate the
11 circumstances and determine if just cause for withdrawal exists
12 and the effect such withdrawal would have upon the Local
13 Union and the petitioning unit. If, following its investigation,
14 the International Executive Board is satisfied that the
15 petitioning unit has just cause for withdrawal and that such
16 withdrawal will not adversely affect the Local Union or the
17 unit, the International Executive Board will direct a referendum
18 vote of the unit membership.

19 The membership of such unit shall be given at least seven
20 (7) days' notice of the time, place, and purpose of such
21 referendum vote. Voting in such election shall be by secret
22 ballot in booths conveniently located to allow all members an
23 opportunity to vote. All ballots shall have printed thereon the
24 following words: "Are you in favor of withdrawal from Local?
25 Yes ☐ No ☐.

26 In the event that the members present at the special meeting
27 provided for in this Section decide against petitioning the
28 International Executive Board for withdrawal, or if a petition is
29 submitted but the International Executive Board denies it, or in
30 the event the referendum vote fails to obtain the required two-
31 thirds (2/3) majority, the question shall not be acted or voted on
32 again for a period of two (2) years. In case a two-thirds (2/3)
33 majority of the unit membership voting in such referendum
34 vote in favor of withdrawal, the International Executive Board
35 shall issue a separate charter.

36 **Section 12.** In the event an Amalgamated Local Union
37 desires to discontinue the affiliation of a unit of the Local
38 Union, such desire may be raised in any regularly called
39 meeting of the Local Union membership or the Joint Council
40 where such body exists. If approved by a majority vote of such
41 meeting, a date shall be set for a special meeting to discuss and
42 decide whether a vote shall be taken on the proposed
43 discontinuation of affiliation. The membership, or Joint
44 Council delegates where such body exists, shall be given at
45 least seven (7) days' notice of the time, place and purpose of

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1 such special meeting. If at this meeting a two-thirds (2/3)
2 majority of the members (or Joint Council delegates) present
3 vote in favor of holding an election to decide the issue, the
4 Local Union membership shall be given at least seven (7) days'
5 notice of the time, place and purpose of such election. Voting
6 in such election shall be by secret ballot in booths conveniently
7 located to allow all members an opportunity to vote.

8 All ballots shall have printed thereon the following words
9 only: "Are you in favor of discontinuing the affiliation of the
10 Unit of Local _____? Yes ☐ No ☐.

11 In the event that the members (or Joint Council delegates,
12 where such body exists) present at the special meeting
13 provided for in this Section decide against holding an election
14 or in the event that the vote of the Local Union membership
15 voting in such election does not obtain the required majority,
16 the question shall not be acted or voted on again for a period of
17 two (2) years.

18 **Section 13.** In case a two-thirds (2/3) majority of an
19 Amalgamated Local Union membership voting vote in favor of
20 discontinuing the affiliation of a unit as provided in Section 12,
21 the International Executive Board may issue a separate charter.

22 **Section 14.** All funds and other assets of an Amalgamated
23 Local Union shall be and remain the property of the
24 membership of that Local Union, and any unit withdrawing
25 from an Amalgamated Local Union and obtaining a separate
26 charter shall only be entitled to the balance of such funds or
27 property as may have been allocated to it by the Local Union
28 up to the time of separation where such unit funds are
29 established.

30 **Section 15.** Local Unions, District Councils organized
31 pursuant to Article 34, Family Auxiliaries and Community
32 Action Program (CAP) Councils shall be the only chartered
33 subordinate bodies of this International Union. All other
34 subordinate bodies of the International Union which may at
35 any time exist shall not be chartered and shall have no
36 autonomy under this Constitution, but shall exist upon the
37 authority of, and be generally supervised by and responsible to,
38 the International Executive Board.

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ARTICLE 37

Duties and Powers of Subordinate Bodies

1 **Section 1.** It shall be mandatory for all Local Unions of the
2 International Union to affiliate with UAW state Community
3 Action Program (CAP) or Provincial Industrial Union
4 Councils, unless this requirement is otherwise waived by the
5 Executive Board of the International Union.

6 **Section 2.** It shall be mandatory for all Local Unions to
7 affiliate with UAW city, county or area Community Action
8 Program (CAP) bodies and Councils of the Canadian Labour
9 Congress (CLC) wherever such bodies are established, unless
10 this requirement is otherwise waived by the Executive Board of
11 the International Union.

12 **Section 3.** It shall be mandatory for all Local Unions to
13 establish bylaws and submit them to the International
14 Executive Board for ratification. By-laws, although enacted by
15 a subordinate body, are not effective until submitted to the
16 International Executive Board except for those enacted
17 pursuant to Section 5 of this Article. Bylaws, once submitted
18 remain effective unless repealed by the International Executive
19 Board, pursuant to Article 12, Section 5 of this Constitution.

20 **Section 4.** (a) Each Local Union, other than an
21 Amalgamated Local Union, and each unit of an Amalgamated
22 Local Union, shall hold a regular general membership meeting
23 at least once a month unless the Local Union or unit of an
24 Amalgamated Local Union provides in its bylaws for general
25 membership meetings at least once every three (3) months.
26 Where a Local Union or unit of an Amalgamated Local Union
27 holds general membership meetings every three (3) months, it
28 shall be required to establish a Workplace Council which shall
29 meet and serve as the membership body in each of the
30 intervening two months. The Workplace Council shall be
31 composed of all elected officers of the Local Union or unit,
32 plus additional elected, proportional representation as approved
33 by the International Executive Board and as provided in the
34 bylaws of the Local Union or unit. Upon petition of a Local
35 Union with substantial membership, the International
36 Executive Board is authorized to establish in such Local Union
37 a Representative Workplace Council consisting of all elected
38 officers of the Local Union with additional elected,
39 proportional representation, which shall serve as the
40 membership body within the Local Union. Such Council shall
41 meet once each month, and a general membership meeting

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1 shall be held at least once each year. The procedures and
2 representation for such Council must receive the prior approval
3 of the International Executive Board and must be set forth in
4 the bylaws of the Local Union.

5 (b) An Amalgamated Local Union that has a Joint Council
6 established in accordance with Article 35, Section 2, shall have
7 meetings of such Joint Council at least once a month and shall
8 hold a general membership meeting at least once a year.
9 Amalgamated Local Unions without a Joint Council shall hold
10 a regular general membership meeting at least once every three
11 (3) months.

12 (c) A Local Union or unit may by appropriate action
13 postpone meetings during the summer months.

14 **Section 5.** All Local Unions shall include in their bylaws
15 reasonable provisions for rules governing the attendance at
16 meetings by members holding any Local Union elective
17 position. The Local Union shall establish non-monetary
18 penalties that may include automatic removal from such office
19 or position upon their failure to attend a stipulated number of
20 meetings as required by their bylaws. Local Union bylaws on
21 this subject must be submitted to and approved by the
22 International Executive Board before becoming effective.

23 **Section 6.** Each subordinate body shall strive to attain the
24 objectives set forth in this Constitution; to maintain free
25 relations with other organizations; to do all in its power to
26 strengthen and promote the labor movement; to cooperate with
27 Regional Board Members, the International Representatives
28 and help promote organizational activities.

29 **Section 7.** No Local Union or other subordinate body, and
30 no officer, agent, representative or member thereof shall have
31 the power or authority to represent, act for, commit or bind the
32 International Union in any matter except upon express
33 authority having been granted therefore in writing by the
34 International Executive Board or the International President.

35 **Section 8.** A Local Union may organize a corporation,
36 provided it is a membership corporation, if possible under state
37 or provincial law, for the purpose of holding title to real
38 property for the benefit of the Local Union. The membership of
39 and voting privileges in any such corporation shall be the same
40 and identical with the membership of and voting privileges in
41 the Local Union, and the Board of Directors of any such
42 corporation shall be the duly elected Executive Board Members

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1 of the Local Union. All provisions of this Constitution in any
2 way relating to the relationship between the International
3 Union and Local Unions including, but without limitation
4 thereof, those provisions found in Article 12, Sections 2, 3 and
5 5; Article 36, Sections 9 and 10; Article 37, Section 3; and
6 Article 48 shall apply with equal force and effect to the
7 relationship between the International Union and any such
8 corporation, insofar as such provisions of the International
9 Constitution may be applicable to Local Union building
10 corporations.

11 **Section 9.** A Local Union shall not make its membership
12 list available to anyone except for the performance of official
13 Union business or to satisfy the requirements of law.

ARTICLE 38

Local Union Officers

14 **Section 1.** Each Local Union shall have the following
15 Executive Officers: President, Vice President or Vice
16 Presidents, Recording Secretary, Financial Secretary,
17 Treasurer, three (3) Trustees, Sergeant-at-Arms and Guide.
18 Should one or more of these officers be absent, the absent
19 officer(s) shall be temporarily replaced by the next officer
20 present, following the above order of hierarchy.

21 **Section 2.** The election of Local Union Executive Officers
22 shall take place by secret ballot during May and June and
23 installation shall take place at the regular meeting following the
24 election, except as otherwise authorized by the International
25 Executive Board. After the deadline on accepting nominations
26 has expired, no election of so-called "sticker" or "write-in"
27 candidates shall be considered legal. Election of all Local
28 Union Executive Officers shall require a majority of the votes
29 cast for the office. The membership shall be duly notified at
30 least seven (7) days in advance of the time and place of
31 nominations. A notice containing both the time and place of
32 elections and the time and place of any possible run-off
33 election, shall be given at least fifteen (15) days in advance of
34 the election. At least seven (7) days shall elapse between the
35 time of nominations and the date the election shall take place.

36 The Executive Officers and all other elected officials of
37 Local Unions and units of Amalgamated Local Unions (except
38 Stewards and Committee-persons, who are subject to Article

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1 45) who are elected following the 24th Constitutional
2 Convention shall serve for a three (3) year term.

3 **Section 3.** No member shall be eligible for election as an
4 Executive Officer of the Local Union until s/he has been a
5 member in continuous good standing in the Local Union for
6 one (1) year immediately prior to the nomination, except in the
7 case of a newly organized Local Union.

8 **Section 4.** Eligibility for election to other Local Union
9 offices, committees, etc., shall be determined by the Local
10 Union.

11 **Section 5.** The Executive Board of each Local Union shall
12 consist of all the elected Local Union Executive Officers and
13 such Members-at-Large as the Local Union may deem
14 necessary. The election of any such Executive Board
15 Members-at-Large, whether directly elected thereto or holding
16 membership thereon as the result of election to some other
17 office or position, shall be by secret ballot with the same notice
18 procedures as set forth in Section 2 of this Article. Executive
19 Board Members-at-Large shall be elected by plurality vote,
20 unless the Local Union membership by affirmative action
21 requires a majority vote.

22 **Section 6.** It shall be the duty and obligation of all Local
23 Union officers and Executive Board Members and all other
24 official representatives of the Local Union, whether elected or
25 appointed, to support, advance and carry out all provisions of
26 this Constitution, official policies of the International Union;
27 and, to the extent not inconsistent with the foregoing, all
28 official policies of the Local Union.

29 **Section 7.** The Executive Board shall be empowered to
30 represent the Local Union between meetings of the Local
31 Union when urgent business requires prompt and decisive
32 action. In no case, however, shall the Executive Board transact
33 any business that may affect the vital interests of the Local
34 Union until the approval of the membership is secured, or of
35 the Unit Workplace Organization in the case of an
36 Amalgamated Local Union.

37 **Section 8.** Any member of the Executive Board who is not
38 directly elected to the Board, but who holds such office by
39 virtue of her/his holding some other office or position in the
40 Local Union or Unit Workplace Organization shall, upon
41 ceasing to hold the latter office or position, automatically cease
42 to hold the office of Executive Board Member.

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1 **Section 9.** At the discretion of the Local Union the offices
2 of Financial Secretary and Treasurer may be combined.

3 **Section 10.** The following rules shall be mandatory in all
4 Local Union elections for executive officers, and insofar as
5 these rules are not inconsistent with any provisions of Article
6 8, for International Convention delegates:

7 (a) Every member in good standing shall be entitled to vote
8 at all Local Union elections.

9 (b) Such elections shall be held during specified dates and
10 hours at a specified polling place or polling places where each
11 member shall personally cast her/his vote. The use of absentee
12 ballots is not permitted in Local Union elections, except as
13 allowed by a uniform policy established by the International
14 Executive Board.

15 (c) All elections shall be held under the supervision of a
16 democratically elected Election Committee.

17 (d) The date or dates for all elections must be established
18 by the membership body of the Local Union.

19 (e) No candidate in any election shall be a member of the
20 Election Committee having supervision over such an election.

21 (f) Any eligible candidate in any election shall have the
22 right to submit her/his commonly known name to the Election
23 Committee in writing as the candidate desires it to appear on
24 the ballot, and it shall so appear.

25 (g) Each candidate shall have the right to have one (1)
26 challenger present when the votes are cast and when they are
27 tabulated, provided that such a challenger shall be a member of
28 the Local Union.

29 **Section 11.** Following each election, the Election
30 Committee shall report in writing the canvass of the results of
31 the election to the membership's next membership meeting. No
32 protest to an election shall be considered unless raised within
33 seven (7) days of the closing of the polls or at the next
34 membership meeting, whichever is later. A protest must either
35 be in writing, or made at the membership meeting. If written,
36 the protest must be actually received by the Local Union
37 Recording Secretary before the deadline. In the event that
38 membership meeting(s) have been suspended by affirmative
39 membership action(s) pursuant to Article 37, Section 4(c), the

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1 protest must be submitted to the Local Union Recording
2 Secretary within seven (7) days of the closing of the polls or
3 the next Local Union Executive Board meeting (not to exceed
4 thirty (30) days from the date of the election), whichever is
5 later. The protest will be directed to the Local Executive Board,
6 which shall rule on the protest within thirty (30) days after
7 receipt.

8 **Section 12.** In the event the membership, either in acting
9 upon a protest or in ratification of an Election Committee
10 recommendation, should order a new election, no such election
11 shall be held until the matter has been submitted to and an
12 order thereon received from the International President. In such
13 an event, the Local Union shall submit a complete report of the
14 circumstances which influenced the membership to order a new
15 election, as well as the official minutes of the pertinent
16 membership meeting, to the International President. Any
17 member of the Local Union shall have the right to submit a
18 written statement to the International President. The
19 International President, acting as expeditiously as possible,
20 may either make her/his order upon the information available
21 to her/him or, if s/he feels the facts sufficiently contradictory to
22 warrant the step, submit the matter to an Appeals Committee
23 constituted pursuant to Article 33, Section 3 of this
24 Constitution for investigation. In that event the International
25 President shall make her/his order pursuant to the
26 recommendations of said Appeals Committee. During this
27 interim period, the Local Union offices shall be temporarily
28 occupied by those candidates who would have been elected if
29 the election had not been challenged. If the International
30 President approves membership action ordering a new election,
31 the election shall be held as soon as possible and the officers
32 elected at that second election shall hold office during the
33 pendency of any higher appeal and until otherwise directed by
34 a superior appellate body.

35 Any appeal from the International President's order shall be
36 taken in the usual way pursuant to Article 33 of this
37 Constitution provided, however, that if the President's order is
38 based upon an Appeals Committee recommendation, the appeal
39 shall omit the step provided for in Article 33, Section 3(d), and
40 the appeal shall commence with review of and action on the
41 Appeals Committee recommendations pursuant to Section 3(d)
42 of Article 33.

43 Any appeal from a decision of the membership refusing to
44 order a new election shall be taken in the usual manner
45 pursuant to Article 33, and the members elected as the result

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1 of the election being appealed from shall hold office during the
2 pendency of the appeal and until otherwise directed by a
3 superior appellate body.

4 All ballots and other pertinent records in any election shall
5 be preserved for a period of one (1) year and may then be
6 destroyed by the Local Union unless an appeal is pending, in
7 which event they must be preserved until the appeal has been
8 decided and the decision is final.

9 **Section 13.** If upon investigation by the International
10 Union, it should appear by convincing evidence that any
11 member has misrepresented returns, altered, mutilated or
12 destroyed deposited ballots, or engaged in any other fraudulent
13 acts in connection with the conduct of a Local Union election,
14 the International Executive Board may remove such member
15 from any office or appointive position s/he may hold pending a
16 hearing. The Board shall designate a special committee to
17 conduct a hearing, after due notice in writing of the charges
18 against the member, and make recommendations in a manner
19 similar to that provided for under Article 33 of this
20 Constitution. The special committee shall make
21 recommendations to the International Executive Board, which
22 recommendations shall be processed by the International
23 Executive Board in the same manner that it processes
24 recommendations of said Appeals Committees. The
25 International Executive Board, if it finds the member guilty of
26 the offense charged by a two-thirds (2/3) vote, may remove the
27 member from any office or appointive position s/he may hold
28 and/or suspend the member's right to seek any office or hold
29 any appointive position in the International Union for a period
30 not to exceed five (5) years, or suspend or expel her/him from
31 membership. Any member so disciplined shall be notified in
32 writing and shall have the right to appeal pursuant to Article
33 33, Section 3. The procedure provided for in this Section shall
34 be in addition to and exclusive of any other action which may
35 be taken against such member.

36 **Section 14.** All vacancies in Local Union offices, except the
37 office of President, shall be promptly filled by election,
38 provided that the Local Union may provide other means for
39 filling such vacancies for the temporary period pending the
40 holding of the election. In case of a vacancy in the office of
41 President, the Vice President shall fill the vacancy for the
42 unexpired term, provided that where there are two (2) or more
43 Vice Presidents, the Local Union shall establish fair and
44 reasonable procedure for determining which of the Vice
45 Presidents shall fill the vacancy.

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1 **Section 15.** A Local Union may employ service and
2 organizational staff; if such employment is authorized by the
3 Local Union's bylaws; and provided that any such staff
4 member who serves the membership of the Local Union and
5 represents the membership in collective bargaining with
6 employers, must have been a member of the International
7 Union in continuous good standing for a period of one (1) year.

8 **Section 16.** If a member holding Executive Office, the term
9 of which is not expiring, desires to become a candidate for
10 another Executive Office, such member is obligated to notify
11 the Local Union of her/his resignation from the member's
12 present office sufficiently in advance of the nominating
13 meeting to permit the nomination and election of candidates for
14 both offices during the same election. Such resignation would
15 become effective at the time of installation.

16 **Section 17.** Whenever there are unopposed candidates for
17 Local Union Executive Office, such candidates shall be
18 considered elected without the necessity of an election. Where
19 run-off elections are necessary because a candidate for Local
20 Union Executive Office fails to receive a majority vote, the
21 run-off shall be confined to the two (2) candidates receiving the
22 highest number of votes for the office involved.

ARTICLE 39
Installation Ceremony

23 The installation ceremony may be performed by the retiring
24 President, Acting President or any regular commissioned
25 International Representative.

26 The Installing Officer says:

27 "Give attention while I read to you the obligation:

28 "Do you hereby pledge on your honor to perform the duties
29 of your respective offices as required by the Constitution of
30 this Union; to bear true and faithful allegiance to the
31 International Union, UNITED AUTOMOBILE, AEROSPACE
32 AND AGRICULTURAL IMPLEMENT WORKERS OF
33 AMERICA (UAW); to the best of your ability and with
34 complete good faith to support, advance and carry out all
35 official policies of the International Union and this Local
36 Union; to deliver all books, papers and other property of the
37 Union that may be in your possession at the end of your

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1 term to your successor in office, and at all times conduct
2 yourself as becomes a member of this Union?"

3 Officers respond, "I do."

4 The Installing Officer then says:

5 "Your duties are defined in the laws of the International
6 Union, UNITED AUTOMOBILE, AEROSPACE AND
7 AGRICULTURAL IMPLEMENT WORKERS OF AMERICA
8 (UAW) and in your obligation; should any emergency arise not
9 provided for in these, you are expected to act according to the
10 dictates of common sense, guided by an earnest desire to
11 advance the best interest of the International Union and this
12 Local Union. I trust you will all faithfully perform your duties
13 so that you may gain not only the esteem of your brothers and
14 sisters, but what is of even more importance, the approval of
15 your conscience.

16 "You will now assume your respective stations."

ARTICLE 40

Duties of Local Union Officers

President

17 **Section 1.** It shall be the duty of the President to preside at
18 all meetings of the Local Union, sign all orders on the treasury
19 authorized by the Local Union, countersign all checks issued
20 by the Financial Secretary against accounts of the Local Union
21 when ordered by the Union, enforce the provisions of the
22 Constitution and appoint committees not otherwise provided
23 for. S/He shall be a member exofficio of all committees.

Vice President

24 **Section 2.** The Vice President or Vice Presidents shall assist
25 the President in the discharge of her/his duties and shall attend
26 all sessions of the Local Union. In case of the absence or
27 incapacity of the President, the President's duties shall be
28 performed by the Vice President, provided that where there are
29 two (2) or more Vice Presidents, the Local Union shall
30 determine which of them shall perform such duties.

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Recording Secretary

1 **Section 3.** It shall be the duty of the Recording Secretary to
2 keep a correct record of the proceedings of the Local Union,
3 sign all orders on the treasury authorized by the Local Union,
4 read all documents and conduct the general correspondence
5 received by the Local Union which does not pertain directly to
6 the duties of the other officers of the Local Union and keep
7 same on file for future reference. The Recording Secretary
8 shall bring to the attention of the membership of the Local
9 Union any correspondence upon which the membership must
10 take action. The Recording Secretary shall comply with the
11 provisions of Article 50, Section 2. The Recording Secretary is
12 obligated to keep on file with both the Research Department of
13 the UAW and her/his Regional Director, the current version of
14 each of the following: (1) Three (3) copies of the existing
15 contract(s); (2) A complete revised list of all classifications and
16 rates for the workplaces covered by the contract(s); (3) Any
17 additional information gained through negotiations with the
18 respective workplace management that may be useful to other
19 Local Unions in their collective bargaining. The Recording
20 Secretary shall update this information as often as necessary,
21 but must furnish a current, updated version no later than sixty
22 (60) days after the ratification of any contract or supplement.

Financial Secretary

23 **Section 4.** It shall be the duty of the Financial Secretary to
24 receive all dues, initiation fees, readmission fees, and all other
25 income of the Local Union for any fund from any source and to
26 give official receipts for same, as provided in this Constitution.
27 Financial Secretaries of Local Unions having a check-off
28 arrangement shall issue one (1) receipt for the check received
29 from the company, and otherwise use the procedure outlined
30 above for any other income. No receipt shall be issued to
31 individual members unless the company does not show on the
32 check stub or pay envelope the amount of the deduction and
33 the reason therefore.

34 **Section 5.** The Financial Secretary shall write all checks
35 drawn on the Local Union funds and report in writing every
36 month at a regular meeting of the Local Union giving the
37 amount of monies received and paid out during the previous
38 calendar month, divided as between the various income and
39 expenditure classifications, and the remaining balances in the
40 fund accounts of the Local Union.

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1 **Section 6.** The Financial Secretary shall deposit all
2 collections either with the Treasurer, taking a receipt therefore,
3 or in such banks as Local Union Trustees may direct, with
4 advice to the Treasurer as to the amount so deposited.

5 **Section 7.** The Financial Secretary shall by the 20th of each
6 month, send a report to the International Secretary-Treasurer
7 on blanks furnished by the International Union, together with
8 the correct amount of money due the International Union for
9 the preceding month which begins on the first and ends with
10 the last day of the month. S/He shall receive applications for
11 membership and notify the candidates of their election or
12 rejection. S/He shall assist the International Union in seeing
13 that all members receive the official publication regularly when
14 eligible, provide each member with an official receipt for all
15 monies paid and make available to each member a copy of the
16 International Constitution and bylaws of the Local Union.
17 Union membership cards and/or dues buttons may be issued at
18 the option of the Local Union.

19 **Section 8.** The Financial Secretary shall furnish the
20 International Secretary-Treasurer with the names and addresses
21 of all the officers of the Local Union. S/He shall keep a record
22 of all members initiated, suspended, expelled or deceased,
23 transfers in and out and reinstatements, during her/his term of
24 office and notify the International Secretary-Treasurer of same,
25 and perform such other duties as the bylaws prescribe or the
26 Local Union may direct. There shall be maintained by the
27 Financial Secretary a complete record of all active members of
28 the Local Union. This record shall have the date of initiation,
29 the date and cause of suspension or expulsion, the date of
30 reinstatement, together with the date of death, home address
31 and such other matters as may be deemed necessary to keep a
32 record of the continuous membership of a member of the Local
33 Union.

34 The Financial Secretary shall not make said record of all
35 active members (membership list) available to anyone except
36 pursuant to the provisions of Article 37, Section 9 of this
37 Constitution.

38 **Section 9.** The Financial Secretary shall keep an inventory
39 of all records and property of the Local Union, the same to
40 contain, when possible, date of purchase and amount paid for
41 each article. S/He shall notify all members in arrears of the
42 amount of their indebtedness and turn over her/his books to the
43 Trustees for audit and approval when called to do so. S/He

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1 shall, on the demand of the International Secretary-Treasurer,
2 produce her/his books for examination and audit and shall
3 comply with the provisions of this Constitution.

4 **Section 10.** Should it be proven that any Local Union
5 Financial Secretary has willfully and intentionally failed to
6 report monthly the full membership of her/his Local Union to
7 the International Secretary-Treasurer; or should it be proven
8 that any Local Union President, Treasurer and/or Financial
9 Secretary willfully and intentionally refuses to sign a check to
10 send in the full amount of per capita tax on the same number of
11 members who have paid dues to the Local Union, the Local
12 Union may be suspended from all privileges and benefits until
13 the deficiency is made good and the officer or officers
14 responsible for such failure shall not be allowed to again hold
15 office in the organization for a period of two (2) years.

Treasurer

16 **Section 11.** The Treasurer shall give a receipt for all monies
17 received from the Financial Secretary. The monies received
18 must be deposited in such bank as the Local Union Trustees
19 may direct for the several funds provided for in this
20 Constitution and such other funds as the Local Union may set
21 up in the name and number of the Local Union.

22 S/He shall sign all checks, which must be countersigned by
23 the President. S/He shall report in writing every month at a
24 regular meeting of the Local Union the total receipts and total
25 expenditures for the Local Union for the previous calendar
26 month and the amount of money still on deposit. The Treasurer
27 shall deliver to her/his successor all monies and other property
28 of the Local Union. S/He shall, on demand of the International
29 Union or Trustees of the Local Union, produce her/his books
30 for examination and audit.

Trustees

31 **Section 12.** The Trustees shall have general supervision
32 over all funds and property of the Local Union. They shall
33 audit or cause to be audited by a Certified Public Accountant
34 selected by the Local Union Executive Board, the records of
35 the Financial Officers of the Local Union semiannually as
36 provided herein, using duplicate forms provided by the
37 International Union, a copy of which shall be forwarded to the
38 International Secretary-Treasurer immediately thereafter. It
39 shall also be their duty to see that the Financial Officers of the
40 Local Union are bonded in conformity with the laws of the
41 International Union. The Trustees shall see that all funds shall

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1 be deposited in a bank subject to an order signed by the
2 President and Treasurer and/or Financial Secretary. In Local
3 Unions where safety deposit boxes are used, the Trustees shall
4 see that the signatures of the President, Treasurer and one (1)
5 of the Trustees are required before admittance to the safety
6 deposit box is permitted. In the event the books are not
7 received for audit within fifteen (15) days after the end of each
8 six-month period, the Chairperson of the Trustees shall make a
9 report to the next meeting of the Local Union for action.

Sergeant-at-Arms

10 **Section 13.** It shall be the duty of the Sergeant- at-Arms to
11 introduce all new members and visitors and assist the President
12 in preserving order when called upon to do so. S/He shall also
13 take charge of all property of the Local Union not otherwise
14 provided for and perform such other duties as may be assigned
15 to her/him from time to time.

Guide

16 **Section 14.** It shall be the duty of the Guide to maintain
17 order, inspect the membership receipts, satisfy her/himself that
18 all present are entitled to remain in the meeting of the Local
19 Union and perform such other duties as are usual to the office.

20 **Section 15.** All Local Union officers, committees, stewards
21 and other members handling funds or other property of the
22 Local Union shall, at the completion of their duties, turn over
23 all papers, documents, funds, and/or other Local Union
24 property to the properly constituted Local Union officers.

ARTICLE 41

Duties of Local Union Members

25 **Section 1.** It shall be the duty of each member to
26 conscientiously seek to understand and exemplify by practice
27 the intent and purpose of her/ his obligation as a member of
28 this International Union.

29 **Section 2.** It shall be the duty of each member to render aid
30 and assistance to brother or sister members in cases of illness,
31 death or distress, and in every way acquit her/himself as a loyal
32 and devoted member of the International Union.

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1 **Section 3.** It shall be the duty of each member to participate
2 in all local, state, provincial and federal elections through
3 registration and balloting.

ARTICLE 42
Opening and Closing Ceremonies

4 "I now declare this meeting of Local Union No. ... of the
5 International Union, UNITED AUTOMOBILE, AEROSPACE
6 AND AGRICULTURAL IMPLEMENT WORKERS OF
7 AMERICA (UAW) open for the transaction of such business
8 as may properly come before it."

9 The following order of business is suggested, but it may be
10 altered to suit the requirements of each Local Union:

- 11 1. Roll call of officers
- 12 2. Reading of the minutes of the previous meeting
- 13 3. Applications for membership
- 14 4. Voting on applications
- 15 5. Initiation of candidates
- 16 6. Report of Financial Secretary and/or Treasurer
- 17 7. Reports of officers, committees and delegates
- 18 8. Communications and bills
- 19 9. Unfinished business
- 20 10. Good and Welfare
- 21 11. Does anyone know of a member out of work or in
22 distress
- 23 12. New business
- 24 13. Closing (All questions of parliamentary nature shall be
25 decided by Robert's Rules of Order.)

ARTICLE 43
Initiation Ceremony

26 The President shall say to the Guide:

27 "You will now place the candidate before me for the
28 obligation." The Guide advances with the candidate and places
29 her/him in front of the President's station. All newly elected
30 members before being admitted to full membership shall
31 subscribe to the following obligation:

32 "I
33 pledge my honor to faithfully observe the Constitution and
34 laws of this Union and the Constitution of the United States

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1 (or Canada, as the case may be); to comply with all the rules
2 and regulations for the government thereof; not to divulge or
3 make known any private proceedings of this Union; to
4 faithfully perform all the duties assigned to me to the best of
5 my ability and skill; to so conduct myself at all times as not to
6 bring reproach upon my Union, and at all times to bear true and
7 faithful allegiance to the International Union, UNITED
8 AUTOMOBILE, AEROSPACE AND AGRICULTURAL
9 IMPLEMENT WORKERS OF AMERICA (UAW)."

ARTICLE 44

Local Union Committees

10 The Local Union shall have the following standing
11 committees: Constitution and Bylaws, Union Label, Education,
12 Conservation and Recreation, Community Services, Civil and
13 Human Rights, Citizenship and Legislative, Consumer Affairs,
14 Veterans, a Local Union Women's Committee where such
15 membership exists, and such other committees as they deem
16 necessary. All committees should be appointed or elected,
17 subject to the discretion of the Local Union or Unit Workplace
18 Organization in the case of an Amalgamated Local Union.

ARTICLE 45

Stewards and Committeepersons

19 **Section 1.** The Bargaining Committee may but does not
20 necessarily have to consist of the members of the Executive
21 Board of the Local Union.

22 **Section 2.** All Stewards and/or Committeepersons shall be
23 democratically elected for three (3) year terms. A Local Union
24 or unit of an Amalgamated Local Union may have, after July 1,
25 1998, a shorter term, of no less than two (2) years, only by
26 affirmative membership action, and permission granted by the
27 International Executive Board, Stewards and
28 Committeepersons shall be required to take the oath of office
29 as provided in Article 39.

30 **Members in good standing who are on indefinite layoff**
31 **from the employer may not be a candidate for, or vote in,**
32 **an election for a non-executive local union office that has**
33 **grievance handling, contract bargaining or contractual**
34 **administrative duties unless specifically authorized to do**

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1 so by Local Union Bylaws or applicable collective
2 bargaining agreement.

3 **Section 3.** A Steward or Committeeperson may be recalled
4 by the members s/he represents for failure to perform the duties
5 of the office. A valid petition setting forth specific complaints
6 of the Stewards or Committeeperson's failure to perform the
7 duties of the office shall be signed by the members s/he
8 represents. The Steward or Committeeperson so complained
9 against shall receive notification of the specific complaints.
10 Upon the filing of such a petition with the Local Union, a
11 special meeting for recall shall be held, of which due
12 notification shall be given. A two-thirds (2/3) vote of the
13 members present at such special meeting shall be required to
14 recall. Each Local Union or unit of an Amalgamated Local
15 Union shall establish in its bylaws the number of petitioners
16 required for a recall and the quorum necessary to establish such
17 recall meeting.

18 **Section 4.** Upon application to and approval of the
19 International Executive Board, Stewards and/or
20 Committeepersons may be elected exclusively by and from
21 appropriate groups (as specified in Article 19, Section 3) in
22 keeping with the policy resolution adopted by the Sixteenth
23 (16th) Constitutional Convention.

24 **Section 5.** No protest to an election shall be considered
25 unless raised within seven (7) days of the closing of the polls or
26 at the next membership meeting, whichever is later. A protest
27 must either be in writing, or made at the membership meeting.
28 If written, the protest must be actually received by the Local
29 Union Recording Secretary before the deadline. In the event
30 that membership meeting(s) have been suspended by
31 affirmative membership action(s) pursuant to Article 37,
32 Section 4(c), the protest must be submitted to the Local Union
33 Recording Secretary within seven (7) days of the closing of the
34 polls or the next Local Union Executive Board meeting (not to
35 exceed thirty (30) days from the date of the election),
36 whichever is later. The protest will be directed to the Local
37 Executive Board, which shall rule on the protest within thirty
38 (30) days after receipt. If a new election for Committeeperson
39 or Steward is ordered as the result of a protest and this order is
40 appealed, no such election shall be held until the matter has
41 been submitted to and an order thereon received from the
42 International President.

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**ARTICLE 46
Local Union Finances**

1 **Section 1.** The funds of each Local Union shall be used to
2 defray all necessary expenses which must be approved by the
3 Local Union in regular meeting.

4 **Section 2.** All appeals by Local Unions to other Local
5 Unions for funds must be approved by the respective Regional
6 Directors before they shall be recognized. Such appeals must
7 be promptly approved or disapproved.

**ARTICLE 47
Local Union Dues**

8 **Section 1.** A Local Union or unit of an Amalgamated Local
9 Union may establish membership dues in an amount exceeding
10 the minimum prescribed by Article 16, Section 2; or, if the
11 dues exceed the minimum prescribed by Article 16, Section 2,
12 may decrease membership dues to an amount not less than said
13 minimum. Such action by a Local Union or unit of an
14 Amalgamated Local Union shall require ratification by a
15 majority vote of the votes cast by secret ballot at a Local Union
16 or unit meeting, due notice of the intended action of which has
17 been given to the membership at least seven (7) days prior to
18 the date of said meeting and shall be subject to the approval of
19 the Regional Director whose approval must be obtained before
20 such dues are changed.

21 **Section 2.** A Local Union or unit of an Amalgamated Local
22 Union is empowered to provide for the forfeiture of the
23 membership of a delinquent member for the non-payment of
24 dues without the necessity for proceeding by the filing of
25 charges and the conducting of a trial.

**ARTICLE 48
Local Union Audits**

26 **Section 1.** The fiscal year of the Local Union shall be from
27 January 1st through December 31st.

28 **Section 2.** It shall be the duty of the Trustees of each Local
29 Union, as provided for in Article 40, Section 12, to audit or
30 cause to be audited by a Certified Public Accountant the books
31 and financial affairs of their Local Union semi-annually on the
32 forms supplied by the International Union; and this semi-

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1 annual report shall be made to the Local Union and a copy
2 forwarded to the International Secretary-Treasurer of the
3 International Union and to the Local Union's Regional
4 Director.

5 **Section 3.** Should inaccuracies or discrepancies appear to
6 exist in a Local Union, the International Secretary-Treasurer,
7 upon the approval of the International President or the
8 International Executive Board, shall have the authority to
9 designate a representative to take charge of and audit all
10 financial books, records and accounts of said Local Union
11 and/or may employ a Certified Public Accountant to audit
12 same.

13 **Section 4.** The report and findings of the representative or
14 the Certified Public Accountant shall be filed with the
15 President of the Local Union and the International Secretary-
16 Treasurer of the International Union.

17 **Section 5.** (a) If upon investigation by the International
18 Union or as the result of an audit it should appear that any
19 member, alone or in concert with others, has received Union
20 funds improperly, has spent Union funds improperly or
21 otherwise has engaged in financial misconduct, the
22 International Secretary-Treasurer shall set forth the specifics in
23 writing to the International President. These shall include the
24 exact nature of the alleged offense, the amount involved and
25 the time during which such alleged offenses occurred.

26 (b) The International President shall within fifteen (15) days
27 of receipt of such specifics, forward a copy of them to the
28 involved member by receipted, registered or certified mail. If
29 the member then makes restitution or otherwise corrects the
30 financial misconduct and in the judgment of the International
31 President no purpose would be served by further proceedings,
32 the International President may terminate the investigation.
33 However, if the member fails or refuses to make restitution or
34 otherwise correct the financial misconduct, or if in the
35 judgment of the International President further proceedings are
36 warranted due to the nature of the alleged financial misconduct,
37 the International President shall within twenty (20) days after
38 notification to the member, appoint a member or members of
39 the International Executive Board or a staff member to conduct
40 a hearing into the alleged financial misconduct. Within ten (10)
41 days after the selection of a hearing officer/s, the member shall
42 be notified in writing by the hearing officer/s, of the time and
43 place of the hearing and her/his right to appear and to present
44 evidence, witnesses and her/his position. Similar notice shall be

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1 given the International Secretary-Treasurer. The hearing must
2 be held not less than fifteen (15) days nor more than thirty (30)
3 days after notification to the member and the Secretary-
4 Treasurer. The hearing shall be held as close as practical to the
5 locality in which the member lives. The Secretary-Treasurer
6 and the member (or their representatives) shall be notified to
7 appear before the hearing officer/s with such counsel and
8 witnesses as they may choose. The hearing officer/s shall
9 conduct a fair hearing to illuminate the facts and issues. The
10 hearing officer/s shall make a written report to the International
11 President within twenty-one (21) days of the close of the
12 hearing.

13 (c) The International President shall decide the case based
14 on the files and record, briefs which may have been submitted
15 and the recommendation of the hearing officer/s. If the
16 International President decides that there is convincing
17 evidence of improper receipt or expenditure or other financial
18 misconduct, s/he may order reimbursement and, in her/his
19 discretion, may summarily suspend the member from any
20 office s/he may hold or the right to seek any Union office. Said
21 member shall be promptly notified.

22 (d) Within thirty (30) days of such notification, the member
23 may appeal the President's decision or action, in which case
24 her/his appeal shall be processed in the same manner as appeals
25 to the International Executive Board from decisions of
26 subordinate bodies under Article 33 of this Constitution.

27 (e) Any appealed suspension shall automatically be lifted
28 unless the International Executive Board has rendered its
29 decision within one hundred twenty (120) days of the day the
30 appealing member commences her/his appeal. If the suspended
31 member fails to appeal from the suspension within the thirty
32 (30) days allowed, or if the International Executive Board
33 upholds the suspension by a two-thirds (2/3) vote, the member
34 shall be considered removed from any office or position s/he
35 may have held, as well as from the privilege of seeking election
36 or appointment to any office or position, and s/he shall not
37 thereafter be eligible to hold any office or position unless and
38 until the removal has been lifted by a two-thirds (2/3) vote of
39 the International Executive Board and then only when the
40 member has made full restitution. Any member so suspended,
41 whose appeal has been denied by the International Executive
42 Board, may further appeal the suspension either to the Public
43 Review Board or the Convention Appeals Committee as
44 provided for in Article 33 of this Constitution.

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1 (f) The procedure provided in this Section shall be in
2 addition to and exclusive of any other action which may be
3 taken against such member. Under no circumstances shall a
4 sum found to have been improperly received or spent be
5 written off the books of a Local Union or a final settlement of
6 same be made without the approval of the International
7 Secretary-Treasurer.

8 **Section 6.** If it is claimed that a member owes non-dues
9 money to her/his Local Union, the International Union or the
10 International Strike Assistance Fund, and that s/he has failed to
11 meet the obligation, a fair hearing shall be held to determine if
12 s/he owes the obligation. The member shall receive written
13 notice of the hearing setting forth the Union's claim as to the
14 nature of the obligation and the amount owed. If, as a result of
15 the hearing a determination is made that the member owes the
16 money, the member shall be so notified in writing and given
17 thirty (30) days to pay the money owed. If the member fails to
18 meet an obligation to pay the amount owed within the thirty
19 (30) days, the determination and documentation shall then be
20 forwarded to the International President. If the foregoing
21 provisions have been complied with, the International President
22 shall advise the member and her/his Local Union that the
23 member is not eligible to participate in the affairs of the Union
24 until the obligation is paid. In the event the member disagrees
25 with the decision of the International President, the member
26 shall have the right to appeal under Article 33 of this
27 Constitution.

ARTICLE 49

Fraud in Local Union Elections

28 Any member convicted of misrepresenting returns, altering,
29 mutilating or destroying deposited ballots, voting fraudulently
30 or of intimidating others by threats or otherwise interfering
31 with a member in the exercise of her/his right to cast a ballot in
32 Local Union elections and strike balloting, shall be punished in
33 accordance with the Trial Procedure outlined in this
34 Constitution. The member so convicted shall be disqualified
35 for either elective or appointive office within the jurisdiction of
36 the International Union for a period of not less than two (2)
37 years or more than five (5) years.

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ARTICLE 50
Strikes

1 **Section 1.** (a) When a dispute exists between an employer
2 and a Local Union concerning the negotiation of a collective
3 bargaining agreement or any other strikeable issue the Local
4 Union or the International Executive Board may issue a call for
5 a strike vote. All members must be given due notice of the vote
6 to be taken and it shall require a two-thirds (2/3) majority vote
7 by secret ballot of those voting to request strike authorization
8 from the International Executive Board. Only members in good
9 standing shall be entitled to vote.

10 (b) Where a different ratification procedure for a Local
11 Union or an Intra-Corporation Council has been properly
12 applied for under terms of Article 19, Section 3, and after the
13 International Executive Board has approved such ratification
14 procedure, the method for accepting or rejecting contract
15 changes and the taking of strike votes shall be governed by the
16 terms of the procedure approved by the International Executive
17 Board for that Local Union or Intra-Corporation Council.

18 **Section 2.** If the Local Union involved is unable to reach an
19 agreement with the employer without strike action, the
20 Recording Secretary of the Local Union shall prepare a full
21 statement of the matters in controversy and forward the same to
22 the Regional Director and International President. The
23 Regional Director or her/his assigned representative in
24 conjunction with the Local Union committee shall attempt to
25 effect a settlement. Upon failure to effect a settlement s/he
26 shall send the International President her/his recommendation
27 of approval or disapproval of a strike. Upon receipt of the
28 statement of matters in controversy from the Regional Director,
29 the International President shall prepare and forward a copy
30 thereof to each member of the International Executive Board
31 together with a request for their vote upon the question of
32 approving a strike of those involved to enforce their decision in
33 relation thereto. Upon receipt of the vote of the members of the
34 International Executive Board, the International President shall
35 forthwith notify in writing the Regional Director and the Local
36 Union of the decision of the International Executive Board.

37 **Section 3.** In case of an emergency where delay would
38 seriously jeopardize the welfare of those involved, the
39 International President, after consultation with the other
40 International Officers, may approve a strike pending the

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1 submission to and securing the approval of the International
2 Executive Board, providing such authorization shall be in
3 writing.

4 **Section 4.** Neither the International Union nor any Local
5 Union, nor any subordinate body of the International Union,
6 nor any officer, member, representative or agent of the
7 International Union, Local Union or subordinate body shall
8 have the power or authority to instigate, call, lead or engage in
9 any strike or work stoppage, or to induce or encourage
10 employees of any employer to engage in a strike or concerted
11 refusal in the course of their employment to use, manufacture,
12 process, transport or otherwise handle or work on any goods,
13 articles, materials, or commodities, or to perform any services,
14 except as authorized by the International Executive Board or
15 the International President in conformity with the provisions of
16 this Constitution. Such power and authority resides exclusively
17 in the International Executive Board and the International
18 President, and may be exercised only by collective action of
19 the International Executive Board as provided in Section 2 of
20 this Article or by emergency action of the International
21 President as provided in Section 3 of this Article.

22 **Section 5.** Before a strike shall be called off, a special
23 meeting of the Local Union shall be called for that purpose,
24 and it shall require a majority vote by secret ballot of all
25 members present to decide the question either way. Wherever
26 the International Executive Board decides that it is unwise to
27 no longer continue an existing strike, it will order all members
28 of Local Unions who have ceased work in connection
29 therewith to resume work and thereupon and thereafter all
30 assistance from the International Union shall cease.

31 **Section 6.** Any Local Union engaging in a strike which is
32 called in violation of this Constitution and without
33 authorization of the International President and/or the
34 International Executive Board, shall have no claim for financial
35 or organizational assistance from the International Union or
36 any affiliated Local Union.

37 **Section 7.** The International President, with the approval of
38 the International Executive Board, shall be empowered to
39 revoke the Charter of any Local Union engaging in such
40 unauthorized strike action, thereby annulling all privileges,
41 powers and rights of such Local Union under this Constitution.

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1 **Section 8.** In cases of great emergency, when the existence
2 of the International Union is involved, together with the
3 economic and social standing of our membership, the
4 International President and the International Executive Board
5 shall have authority to declare a general strike within the
6 industry by a two-thirds (2/3) vote of the International
7 Executive Board, whenever in their good judgment it shall be
8 deemed proper for the purpose of preserving and perpetuating
9 the rights and living standards of the general membership of
10 our International Union, provided, under no circumstances
11 shall it call such a strike until approved by a referendum vote
12 of the membership.

13 **Section 9.** In case of a general strike, it shall require a
14 majority vote of the International Executive Board before the
15 strike is officially called off.

ARTICLE 51
Board of International Trustees

16 **Section 1.** A three (3) member International Board of
17 Trustees shall be created, charged with the duty of
18 safeguarding all funds and property of the International Union
19 by causing the books and accounts of the International
20 Secretary-Treasurer to be audited semi-annually. The Board of
21 Trustees shall designate a Certified Public Accountant to make
22 such audits and shall incorporate same in their report to the
23 International Officers, Board Members, and all affiliated Local
24 Unions as soon as completed. The Board of Trustees shall
25 report its activities semi- annually to the International
26 Executive Board and to the International Convention. It shall
27 make recommendations to the Board and to the Convention for
28 improving the handling of the finances of the International
29 Union and for safeguarding its funds and property.

30 **Section 2.** Members of the Board of Trustees shall devote
31 the time necessary to the performance of their duties not to
32 exceed a maximum of thirty (30) days in any six (6) months.
33 Members of the Board of Trustees shall be compensated on the
34 basis of maximum International Representative's salary and
35 expenses.

36 **Section 3.** Nominations and elections of Trustees shall take
37 place in the regular order of business of the International
38 Convention. Candidates shall be nominated and elected in one
39 election. The candidates shall be nominated for a three (3) term
40 trusteeship, for a two (2) term trusteeship, and for a one

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1 (1) term trusteeship. The candidate receiving the highest
2 number of votes for each of these three (3) positions,
3 respectively, shall be declared elected. At each Constitutional
4 Convention, a Trustee shall be elected for a three (3) term
5 period.

6 **Section 4.** A member of the Board of Trustees shall not,
7 while holding such position, be employed by the International
8 Union as an International Representative or in any other
9 capacity whatsoever.

ARTICLE 52
Family Auxiliaries

10 **Section 1.** The International Union, UAW, long ago made a
11 commitment to the concept of a family involvement in the
12 activities of this Union.

13 Where there is a desire on the part of the families of UAW
14 members of any Local Union of the International Union to
15 elevate the conditions, maintain and protect the interests of the
16 UAW, and foster a better understanding within the family of
17 the Union's goals and activities, a Charter for a Family
18 Auxiliary shall be granted when application is made upon a
19 form furnished by the International Secretary-Treasurer of this
20 International Union.

21 **Section 2.** The Charter fee shall be ten dollars (\$10.00) for
22 Charter and initial supplies.

23 **Section 3.** Dues to maintain such Auxiliary shall not be
24 more than fifty cents (.50) per month. No per capita tax shall be
25 charged by this International Union from dues so collected.

26 **Section 4.** The Auxiliary shall establish such laws as do not
27 conflict with the bylaws of their Local Union and this
28 Constitution and shall submit same to the International
29 Executive Board for ratification.

30 **Section 5.** So long as the Auxiliary adheres to the
31 provisions of this Constitution and the Local Union bylaws and
32 does not adopt a policy contrary to that of the International
33 Union or Local Union and adheres to the conditions of its
34 Charter, it shall remain in full force; but upon infraction thereof
35 or upon request of the Local Union, the International Executive
36 Board may revoke the Charter, thereby annulling all privileges
37 secured there under.

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1 **Section 6.** The Family Auxiliaries shall be administered
2 through the International President's Office, in a cooperative
3 effort with Education, CAP, Community Services, Family
4 Education Center and other appropriate departments.

5 **Section 7.** The President of the International Union shall
6 appoint the director to direct, coordinate and supervise the
7 activities of the Family Auxiliaries.

8 **Section 8.** The director of the Family Auxiliaries may call
9 regional conferences of the Auxiliaries.

10 **Section 9.** It is the duty of the Family Auxiliaries to educate
11 the families of the workers to the principles and ideals of trade
12 unionism; to adhere to the principles and policies of their Local
13 Union and the International Union; to assist their Local Unions
14 in time of need and during labor disputes; to assist Local
15 Unions in social affairs when called upon by their respective
16 Local Union; to provide educational and cultural activities for
17 the children of the workers. It shall be the duty of the Local
18 Unions to assist in the formation of Local Family Auxiliaries;
19 the Regional Director shall assist the director of the Family
20 Auxiliaries in their respective regions. The Family Auxiliaries
21 shall not campaign for or against candidates seeking office in
22 Local Unions. The Family Auxiliaries shall not interfere with
23 affairs of the Local Union unless officially called upon by their
24 Local Union. Each respective Local Union shall select a
25 committee of not more than three (3) to assist the National and
26 Regional Directors in supervising and formulating policies for
27 their respective Auxiliaries.

28 **Section 10.** No one shall be eligible for membership in the
29 Family Auxiliaries who holds membership in any Local Union
30 under the jurisdiction of the UAW.

ARTICLE 53
Canadian Local Unions

31 **Section 1.** The International Executive Board may upon
32 application, exempt in whole or in part, all Local Unions in
33 Canada from application of any provisions of this Constitution
34 adopted to provide for conformity with United States
35 legislation.

36 **Section 2.** The International Executive Board shall have the
37 authority to:

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1 (a) Transfer and assign to National Automobile, Aerospace
2 and Agricultural Implement Workers Union, CAW-Canada
3 ("CAW-Canada") jurisdiction over certain Local Unions and
4 certain bargaining rights, collective agreements and
5 administrative powers and responsibilities of the International
6 Union, all of which are administered or serviced in Canada by
7 Canadian Region, District 7;

8 (b) Permit the separation of certain Local Unions in
9 Canadian Region, District 7, as an operating group;

10 (c) Transfer and assign to CAW-Canada certain employee
11 benefit plans, rights, properties and liabilities of the
12 International Union;

13 (d) Make a contribution to CAW-Canada.

14 All as provided for in an agreement made as of the 28th day
15 of May, 1986, between UAW and the new Canadian Trade
16 Union to be known as CAW-Canada (the "Agreement"); and

17 Take and do all other necessary steps and procedures as it,
18 in its sole discretion, deems to be necessary to implement the
19 transactions contemplated in the Agreement.

20 **Section 3.** The International Union shall have the authority
21 to negotiate, enter into and execute the Agreement.

22 **Section 4.** The 28th Constitutional Convention hereby
23 ratifies the Agreement and the negotiations which led to the
24 Agreement.

ARTICLE 54
Union Label

25 **Section 1.** The International Union shall have a Union label
26 and stamp.

27 **Section 2.** It shall be the duty of the International Secretary-
28 Treasurer to copyright and protect said Union label and stamp.

29 **Section 3.** It shall be the policy of the International Union
30 and subordinate bodies to insist that all parts, stampings, tools,
31 dies, machinery, fixtures, accessories and supplies used in the
32 manufacture of articles under the jurisdiction of this

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1 International Union, bear the Union label or Union stamp of
2 the International Union, or any other bonafide labor union.

3 **Section 4.** It shall be the duty of all representatives, business
4 agents and Union officials to insist that the above provisions be
5 written into all contracts between employers and the
6 International Union subject to approval of the International
7 Executive Board.

8 **Section 5.** No manufacturer of products produced by
9 workers under the jurisdiction of this International Union shall
10 be permitted to use the Union label or Union stamp, unless the
11 workplace is holding a contract approved by the International
12 Executive Board with the International Union.

13 **Section 6.** It shall be the duty of the Local Union Label
14 Committee to see that the International Union label shall be
15 molded, stamped or affixed to all parts manufactured,
16 assembled or finished products where provided for.

17 **Section 7.** The above provisions shall in no case be used as
18 a basis for the violation of existing agreements.

19 **Section 8.** All Local Unions shall have an appointed or
20 elected Union Label Committee that must function.

21 **Section 9.** At all Conventions of the International Union, a
22 necessary qualification of delegates shall be the possession and
23 wearing of at least three (3) Union-made garments.

24 **Section 10.** The International Executive Board shall set up a
25 Union Label Committee from members of the International
26 Union to coordinate the activities of Local Union Label
27 Committees throughout the International Union. It shall be the
28 duty of this Committee to work in conjunction with the
29 Education Department of the International Union.

ARTICLE 55

Retirees

30 The International Executive Board shall establish a retiree
31 structure within the International Union as follows:

32 **Section 1.** Local Union Retired Workers Chapters

33 (a) A Local Union having twenty-five (25) retired
34 members or more shall establish a Local Union Retired

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1 Workers Chapter which shall hold a regular general
2 membership meeting at least once a month.

3 (b) The retired members of the Local Union Chapter shall
4 elect a retired member to be a member of the Local Union
5 Executive Board with voice and vote. The election of such
6 retiree board member shall be pursuant to Article 38, Section 5
7 of this Constitution.

8 (c) The Local Union President or her/his designee shall
9 serve as a member of the governing board of the Local Union
10 Retired Workers Chapter with voice and vote.

11 (d) Each Local Union shall amend its bylaws to provide for
12 the above measures and such other measures concerning the
13 Retired Workers Chapter as it deems appropriate.

14 (e) Local Union Retired Workers Chapters shall conform
15 to the policies of the International Union.

16 **Section 2. Area Retired Workers Councils**

17 (a) Each Regional Director shall establish Area Retired
18 Workers Councils in designated geographic areas, or by
19 combination of designated Local Unions, or on any other
20 reasonable basis.

21 (b) Additional Area Retired Workers Councils may be
22 established by the International Executive Board as needed to
23 permit retired members to participate in those areas in which
24 they have settled in considerable numbers.

25 (c) Area Retired Workers Councils may be either
26 membership or delegate bodies, as the Regional Director shall
27 direct. If such a Council is constituted as a membership body,
28 all retired members within its jurisdiction may join the Council.

29 (d) The President of each Local Union within the
30 jurisdiction of an Area Retired Workers Council shall be
31 entitled to designate one (1) delegate to the Area Council.

32 **Section 3. Regional Retired Workers Councils**

33 (a) Each Regional Director shall establish a Regional
34 Retired Workers Council in her/his Region.

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1 (b) Representation to the Council shall be as follows:

2 (1) Each Local Union Retired Workers Chapter shall be
3 entitled to one (1) retiree delegate.

4 (2) Each Local Union Retired Workers Chapter having
5 more than one thousand (1,000) retired members shall
6 be entitled to one (1) additional retiree delegate for each
7 one thousand (1,000) retired members or major fraction
8 thereof; provided, however, that where appropriate the
9 International Executive Board may approve additional
10 representation.

11 (3) Each Area Retired Workers Council established by
12 the Regional Director shall be entitled to three (3)
13 retiree delegates, and each additional Area Retired
14 Workers Council established by the International
15 Executive Board shall be entitled to one (1) retiree
16 delegate.

17 (4) Each Local Union shall be entitled to one (1)
18 delegate to be designated by the President of the Local
19 Union.

20 **Section 4. International Retired Workers Advisory Council**

21 (a) An International Retired Workers Advisory Council
22 shall be established.

23 (b) Representation to the Council shall be as follows:

24 (1) One (1) retiree delegate from each of the Regional
25 Retired Workers Councils.

26 (2) One (1) retiree delegate from the Area Councils
27 within a region as established by the International
28 Executive Board. Regions with fifteen (15) or more
29 Area Councils shall have one (1) additional retiree
30 delegate.

31 (3) Area Council delegates to the Regional Council
32 shall have voice and vote on all matters in the Council,
33 except that such delegates shall not be eligible to vote
34 or be a candidate for the Advisory Council delegate
35 position from Regional Councils.

36 (c) Each delegate to the International Retired Workers
37 Advisory Council shall be elected by the members of the

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1 delegate's Region or Area Retired Workers Council pursuant to
2 the election procedures established by the bylaws of the
3 Regional or Area Retired Workers Council.

4 (d) The International Retired Workers Advisory Council
5 shall elect a Chairperson, Vice Chairperson and a Secretary
6 from among its delegates.

7 (e) The International Executive Board shall consult with
8 representatives of the International Retired Workers Advisory
9 Council concerning retired workers programs and policies and
10 such other matters as affect the welfare of retired members.

11 (f) Each elected member of the International Retired
12 Workers Advisory Council shall automatically be a delegate to
13 the UAW Constitutional Convention with voice and one (1)
14 vote. Each appointed member of the International Retired
15 Workers Advisory Council may attend UAW Constitutional
16 Conventions as a guest.

17 **Section 5. Membership and Dues**

18 (a) Membership in the Retired Workers bodies provided
19 for in this Article is open to any member entitled to retired
20 membership status, as provided in Article 6, Section 19 of this
21 Constitution. Members are eligible for full participation in such
22 Retired Workers bodies.

23 (b) Retirees will not be required to pay membership dues
24 during the period of retirement, in accordance with Article 6,
25 Section 19 of this Constitution. To assist in financing these
26 activities, a two dollar (\$2.00) per month voluntary retired
27 membership dues is hereby established. All UAW retirees are
28 eligible to participate in the two dollar (\$2.00) voluntary retired
29 membership dues.

30 (c) Dues shall be allocated as follows:

- | | | | |
|----|-----|-------------------------------------|-----|
| 31 | (1) | International Retired Workers Fund | 40% |
| 32 | (2) | Regional Retired Workers Fund | 25% |
| 33 | (3) | Local Union Retired Workers Chapter | 35% |

34 Distribution of funds from the International Retired Workers
35 Fund and each Regional Retired Workers Council Fund shall
36 be determined by the Officers of the International Union and
37 the Regional Director respectively. Each Local Union Retired

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1 Workers Chapter Fund shall be held by the Local Union for
2 disbursement upon the request of the Retired Workers Chapter.

3 **Section 6. Retired Workers Council Bylaws**

4 Each Regional and Area Retired Workers Council shall
5 enact bylaws consistent with and subject to the approval of the
6 International Union.

7 **Section 7. Associate Status**

8 The spouse or surviving spouse of any retired member may
9 request and receive associate status in a Local Union Retired
10 Workers Chapter, with full rights of participation in its
11 activities. Such associate, however, shall not have the rights of
12 a member of the Local Union as set out in Article 6 -
13 "Membership," nor those described in Article 6, Section 19
14 which addresses retired UAW members. The administrative
15 procedures for Retired Workers Chapter associate status shall
16 be established by the International Executive Board.

UAW ETHICAL PRACTICES CODES



*Approved by the 35th
Constitutional Convention
June 2010*

UAW ETHICAL PRACTICES CODES

Democratic Practices

The UAW is proud of its democratic heritage. Its Constitution is carefully designed to insure each member her/his full democratic right, both as an individual and through her/his elected representatives, to express her/himself freely and to participate at all levels in the decisions governing the Union. Moreover, individual rights as a UAW member are protected against infringement or abuse, for a member may appeal complaints concerning the administration of the Union, to the Local Union, the International Executive Board and the Constitutional Convention; and has the right to submit her/his appeal to the UAW Public Review Board, comprised of citizens with national reputations outside the labor movement, whose decisions are final and binding.

The democratic principles which have always governed the International Union, UAW, and its Local Unions are:

1. Each member shall be entitled to a full share in Union self-government. Each member shall have full freedom of speech and the right to participate in the democratic decisions of the Union. Subject to reasonable rules and regulations, each member shall have the right to run for office, to nominate and to vote in free, fair and honest elections. In a democratic union, as in a democratic society, every member has certain rights but s/he also must accept certain corresponding obligations. Each member shall have the right freely to criticize the policies and personalities of Union officials; however, this does not include the right to undermine the Union as an institution; to vilify other members of the Union and its elected officials or to carry on activities with complete disregard of the rights of other members and the interests of the Union; to subvert the Union in collective bargaining or to advocate or engage in dual unionism.

2. Membership meetings shall be held regularly, with proper notice of time and place and shall be conducted in an atmosphere of fairness.

3. All Union rules and laws must be fairly and uniformly applied and disciplinary procedures, including adequate notice, full rights of the accused and the right to appeal, shall be fair and afford full due process to each member.

4. Each Local Union shall maintain adequate safeguards so that all of its operations shall be conducted in a democratic

and fair manner. No corruption, discrimination or anti-democratic procedure shall ever be permitted under any circumstances.

Financial Practices

Union funds are held in sacred trust for the benefit of the membership. The membership is entitled to assurance that Union funds are not dissipated and are spent for proper purposes. The membership is also entitled to be reasonably informed as to how Union funds are invested or used.

1. The International Union and its Local Unions shall conduct their proprietary functions, including all contracts for purchase or sale or for rendering housekeeping services in accordance with the practice of well-run institutions, including the securing of competitive bids for major contracts.

2. The International Union and its Local Unions shall not permit any of their funds to be invested in a manner which results in the personal profit or advantage of any officer or representative of the Union.

3. There shall be no contracts of purchase or sale or for rendering services which will result in the personal profit or advantage of any officer or representative of the Union. Nor shall any officer, representative or employee of the International Union or any Local Union accept personal profit or special advantage from a business with which the Union bargains collectively.

4. Neither the International Union nor any of its Local Unions shall make loans to its officers, representatives, employees or members, or members of their families, for the purpose of financing the private business of such persons.

Health, Welfare and Retirement Funds

1. No official, representative or employee of the International Union or a Local Union shall receive fees or salaries of any kind from a fund established for the provision of health, welfare or retirement benefits, except for reasonable reimbursement provided for in a collective bargaining agreement and expressly approved by the International Executive Board.

2. No official, employee or other person acting as agent or representative of the International Union or a Local Union,

who exercises responsibilities or influence in the administration of health, welfare and retirement programs or the placement of insurance contracts, shall have any compromising personal ties, direct or indirect, with outside agencies such as insurance carriers, brokers, or consultants doing business with the health, welfare and retirement plans.

3. Complete records of the financial operations of all UAW health, welfare and retirement funds and programs shall be maintained in accordance with the best accounting practice. Each such fund shall be audited regularly.

4. All such audit reports shall be available to the members of the Union covered by the fund.

5. The trustees or administrators of such funds shall make a full disclosure and report to the members covered by the fund at least once each year.

Business and Financial Activities of Union Officials

Any person who represents the UAW and its members, whether elected or appointed, has a sacred trust to serve the best interests of the members and their families. Therefore, every officer and representative must avoid any outside transaction which even gives the appearance of a conflict of interest. The special fiduciary nature of Union office requires the highest loyalty to the duties of the office.

1. The mailing lists of the Union are valuable assets. In order to protect the interests of our entire membership, Union officers and representatives shall not, under any circumstances, turn over a Union mailing list to an outsider for use in the promotion or sale of any goods or services that benefit an individual or a private concern. Mailing lists are to be used only to promote the necessary legitimate functions of the Local Union and for no other purpose. It is improper for any official or representative of either the International Union or Local Union to permit the use of any mailing list by any third party to promote the sale of furniture, appliances, automobiles, insurance, eyeglasses or any other item, or to enable professionals to solicit the membership.

2. No officer or representative shall have a personal financial interest which conflicts with her/his Union duties.

3. No officer or representative shall have any substantial financial interest (even in the publicly-traded, widely-held stock of a corporation except for stock- purchase plans, profit sharing or nominal amounts of such stock), in any business with which the UAW bargains. An officer or representative shall not have any substantial interest in a business with which the UAW bargains collectively.

4. No officer or representative shall accept "kickbacks," under-the-table payments, valuable gifts, lavish entertainment or any personal payment of any kind, other than regular pay and benefits for work performed as an employee from an employer with which the Union bargains or from a business or professional enterprise with which the Union does business.

5. The principles of this Code, of course, apply to investments and activities of third parties, where they amount to a subterfuge to conceal the financial interests of such officials or representatives.

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SPECIAL NOTE

ARTICLE 6 SECTION 17

On March 10, 1989, the United States Court of Appeals for the Sixth Circuit ordered that certain provisions of Article 6, Section 17 of the Constitution of the International Union, UAW be expunged from the Constitution. Prior to compliance with this order, the Union appealed to the U.S. Supreme Court; however, that body denied the Union's appeal on October 2, 1989. Due to the action of the U.S. Supreme Court in refusing to overturn the order of the Court of Appeals, compliance with that order was required, thereby rendering the issue closed and leaving only the provisions of Article 6, Section 17 set forth herein in effect.

ARTICLE 33 APPEALS

This will serve as a reminder that in accordance with a Constitutional amendment which was adopted in 1970 by the delegates to the 22nd Constitutional Convention, all matters appealed to the Convention Appeals Committee will be considered to have been decided by the Convention and are final and binding upon any case coming before them.

How to Find the Proper Interpretation

This revised issue of the Constitution with Interpretations contains all of the additional basic constitutional interpretations adopted by the International Executive Board since the publication of the previous edition of the Constitution with Interpretations; and the interpretations that became obsolete due to amendments adopted by the Thirtieth (30th) Constitutional Convention have been deleted.

Any new problems that arise which necessitate a constitutional interpretation will be acted upon in the usual manner.

You will notice that there is no separate index to the interpretations, as such. Instead, an Article and Section notation appears at the upper outside corner of each page of the interpretations to facilitate references.

In using this edition of the Constitution with Interpretations, the following procedure would be the most helpful:

1. Find the subject of your question by consulting the appropriate heading or headings in the index to the Constitution. This will give you the Article(s) or Section(s) which may contain the answer to your question. It will also give you the page of the Constitution where that Article or Section appears. It may be that your question is expressly covered by the language of the Constitution and you need look no further.

2. In virtually every instance, the language of the Article or Section will at least touch upon the answer you seek, but it may not be the specific answer to your problem. In that case, you turn to the interpretations listed under those Articles and Sections and read there the interpretations of the International Executive Board as they relate to your question. Where appropriate, cross-references to other Articles, Sections and interpretations are given at the end of the particular interpretation.

Art. 6, Secs. 2, 3

**INTERPRETATIONS
of the CONSTITUTION
of the INTERNATIONAL UNION**

**United Automobile,
Aerospace and
Agricultural Implement Workers
of America, UAW**

**ARTICLE 6
Membership**

SECTION 2

(1) Honorary Membership

The Constitution makes no provision for honorary membership. However, Local Unions can vote such memberships to persons who have rendered exceptional service either to the trade union movement generally or to that particular Local Union, provided that the persons granted such honorary memberships are not already members of the UAW by holding membership in some other UAW Local Union.

Any cards or letters which are issued to commemorate the issuance of the honorary membership card shall be for a stated term and that term shall not exceed two years and such honorary membership can then be renewed by specific action; otherwise it expires.

Before such honorary membership becomes effective and it is presented to the individual so honored, it must be approved by the Local Union membership and the International Executive Board. (3/9/54, Page 14.)

SECTION 3

(1) Refund of Checked-Off Initiation Fee and Dues

An employee who has joined a Local Union by having paid or having had deducted her/his initiation fee and dues within thirty (30) days of her/his employment and is subsequently terminated, laid off or quits within that period, would be entitled upon request made within sixty (60) days to a refund

Art. 6, Secs. 3, 19

of all monies paid for initiation fee and dues following termination of such employment. Where such member does not request a refund of her/his dues and initiation fee, s/he may upon proper request be issued an honorable withdrawal card. (Detroit 1/15/73.)

SECTION 19

(1) Voting Rights of Retired Members in Local Unions

A retired member has a constitutional right to participate in any and all elections conducted on a local-wide basis except elections of the type specifically exempted under this Section. Under this Section a retired member would not, however, be eligible to vote for a Steward or Committeeperson even though that Steward or Committeeperson might, by virtue of her/his election, also hold office as a member of a Local Union policy making group such as the Executive Board. (Detroit, 1/21/60, Page 172.)

(2) Voting Rights of Retired Members in Units of Amalgamated Local Unions

Retired members are eligible to vote for officers of units as such. If a unit has a substantial complement of officers set up by its bylaws, and these officers generally correspond to the Executive Officers of a Local Union as set forth in Article 38, Section 1, the retired member would be eligible to vote for such officers even though these officers also constitute the Local Union Bargaining/Negotiating Committee. In units where the bylaws do not provide for a substantial complement of officers, the retired member would not be entitled to vote for such unit Chair and Secretary since the primary function of these individuals is to serve as officials of the Bargaining/Negotiating Committee and they are only incidentally charged with the responsibilities of unit officers.

(3) Eligibility of Retired Members to Run for Local Union Offices

Retired members are ineligible to run for any local union position which carries responsibility for grievances or bargaining required by the Collective Bargaining Agreement(s) and/or local union bylaws. (Las Vegas, 6/1/02).

Art. 6, Sec. 20; Art. 8, Sec. 5

SECTION 20

**(1) Material Benefits to which Non-Members are
Entitled under Agency Shop Provisions**

The "material benefits" of non-members under an agency shop agreement are such benefits as being eligible to receive Solidarity, strike assistance, and any other such direct service benefits received by members of the Union.

Such non-members shall not be allowed attendance at Union meetings, the right to hold or run for any Union office (elected or appointed), or any voting rights within the Union unless and until they have become members of the Union in accordance with the provisions of this Constitution. (Detroit, 6/18/62, Pages 48-49.)

ARTICLE 8

Conventions

SECTION 5

(1) Delegates to Conventions Other Than UAW

Delegates to other conventions and similar bodies with which UAW Locals are affiliated may be elected or appointed in any manner provided by the bylaws of the Local Union, provided they have been approved by the International Executive Board, or standing resolutions of the Local Union to the extent any such method is consistent with the Constitution or the official call of the delegate body to which the delegates are being sent. (Detroit, 1/21/60.) (Amended 9/12/68, Pages 155-158.)

**(2) When Amalgamated is Not Compelled to Pay for
Unit Delegates**

Where an Amalgamated Local Union has voted not to send any delegates to the Convention and a unit of the Amalgamated makes a decision to send a delegate or delegates from that unit, the Local Union would not be compelled to pay the expenses of such delegates attending the Convention. (Detroit, 6/10/49, Pages 711-712.)

**(3) Procedure in Amalgamated Local Union When
Electing Delegates on Local-Wide Basis**

Art. 8, Secs. 5, 8, 11, 23

In the event the Local Union membership or Joint Council of an Amalgamated Local Union desires to elect its Convention delegates on a local-wide basis, it may do so; provided however, that any unit of such an Amalgamated Local Union entitled to one or more delegates, by official action of their unit membership, can object to such a procedure. If such objection is raised, the Local Union must be notified within a period of two weeks following the Local Union's decision. Those units who may be grouped together for the purposes of Convention representation, as provided for in Article 8, Section 5, can only raise a legitimate protest after the majority of those units so grouped take similar action. Any unit or group of units referred to above who protest in the manner outlined may elect delegates representing their unit or group on the basis provided for in Article 8, Section 5. (Detroit, 5/11/51, Page 367.)

SECTION 8

(1) Alternates in Amalgamated Local Unions

In an Amalgamated Local Union, alternate delegates can only serve as alternates for the units from which they are elected. (Detroit, 4/28/49, Pages 167-168.)

SECTION 11

(1) Eligibility for Convention Delegate

Local Unions may place no restrictions, other than those provided by this Constitution, upon the eligibility of candidates for Convention delegate. A bylaw which provides that a member must attend one out of every three Local Union meetings to be eligible to run for Convention delegate is invalid. (Milwaukee, 7/31/44, Page 49.)

(2) Eligibility of Convention Delegate-Trial of Member

The member in question may be denied the right to run for delegate to the Convention by Trial Committee provided it was the intent of the Local at the time it took such action. (Buffalo, N.Y., 9/8/47, Pages 72-76.)

SECTION 23

(1) Plurality Vote for Election of Delegates

The Constitution allows the election of delegates by a simple plurality and a Local Union cannot add to the provisions of the Constitution by requiring a majority vote for

Art. 8, Sec. 23; Art. 14, Sec. 5

election as a Convention delegate. (Detroit, 5/9/51, Pages 260-264.)

ARTICLE 14
International Representatives

SECTION 5

(1) Resignation Must Precede Acceptance of Nomination

An International Representative may be nominated for Local Union office while still on the payroll of the International Union; but prior to accepting such nomination s/he must resign her/his position with the International Union. (New York City, 3/5/45, Pages 45-46.)

(2) Delegates to Joint Councils

This Section is not applicable to full-time or part-time International Representatives running for election as delegates to Joint Councils or General Councils of a Local Union. But such persons, if elected to such Councils, will not be eligible to hold office in such Councils except in conformity with this Section. (Philadelphia, 10/22/43, Page 67.)

(3) Delegates to Other Councils

This Section does not bar International Representatives from seeking and holding office in Intra-Corporation Councils or other similar councils. (Philadelphia, 10/27/43, Pages 67-68.) See also Articles 20, 21, 22, and 34.

(4) Members of Local Union Committees

International Representatives can serve on Local Union appointed or elected committees but with the understanding it does not conflict with their particular assignment for the International Union. (Chicago, 6/10/47, Pages 33-34.)

Art. 16, Sec. 1

**ARTICLE 16
Initiation Fees and Dues**

SECTION 1

(1) Initiation Fees in Amalgamated Local Unions

A unit of an Amalgamated Local Union cannot establish its own initiation fee for the unit unless that right is specifically granted it by the Local Union. (Detroit, 1/10/49, Pages 53-54.)

(2) Former Members Failing to Take Military Withdrawal Certificates

Any applicant for union membership or reinstatement is entitled to exemption from payment of initiation or reinstatement fee upon presentation of her/his service discharge papers. (Los Angeles, 2/7/44, Pages 27-28.)

(3) Failure to Obtain Military Service Card

Any member in good standing who leaves for the Armed Forces but fails to obtain a Military Service Card, is, upon presentation of the proper discharge papers, entitled to all of the rights and privileges afforded under the Military Service Act. (Minneapolis, 5/1/44, Pages 88-89.) See also Article 16, Section 13.

(4) Initiation Fee Collected in Error

Where the Local has charged an initiation fee to members returning from the Armed Forces, said amount should be credited to dues, since the Constitution provides that a member discharged from the Armed Forces may become a member of this Union without paying an initiation fee. The International Union will give appropriate credit to the Local provided the Local indicates the amount due in each instance. (Minneapolis, 5/1/44, Page 88.)

(5) Merchant Marine Service

The exemption provided in this Article for men and women returning from service in the Armed Forces is applicable also to persons returning from service in the Merchant Marine. (Detroit, 8/5/44, Page 88.)

Art. 16, Secs. 1, 2, 6

(6) Applicable to First Employment Only

The exemptions given under this Section to returned members of the Armed Forces apply only where the member's first employment after her/his return is within the jurisdiction of the UAW. Thus, a suspended UAW member who, upon her/his return from the Armed Forces, takes and holds a job outside the jurisdiction of the UAW, but who now is employed within the jurisdiction of a UAW Local, may be required to pay a reinstatement fee to her/his old UAW Local before s/he can obtain a transfer to the new UAW Local. (Detroit, 8/5/46, Page 87.)

SECTION 2

(1) Refund of Dues Paid by Probationary Employees

An employee who has joined a Local Union by having paid or having had deducted her/his initiation fee and dues within thirty (30) days of her/his employment and is subsequently terminated, laid off or quits within that period, would be entitled upon request made within sixty (60) days to a refund of all monies paid for initiation fee and dues following termination of such employment. Where such member does not request a refund of her/his dues and initiation fee, s/he may upon proper request be issued an honorable withdrawal card (Detroit, 1/15/73, Pages 103-104.)

(2) Retired Member Not Required to Pay Dues After Retirement

A member who is retired under Article 6, Section 19, of this Constitution is not required to pay regular dues following the month in which s/he is retired, if all of her/his dues obligations have been met prior to such retirement. Any compensation received following the month of her/his retirement, such as accumulated vacation pay, etc., will not obligate the member for the payment of dues as a result of receiving such compensation after retirement. (Black Lake, 6/2/72, Page 187.)

SECTION 6

(1) Education Fund

It is permissible for a Local Union to use a portion of its Education Fund to defray the expense of publishing a monthly newspaper for the benefit of its members. (Washington, 11/7/45, Page 108.)

Art. 16, Secs. 8, 9

SECTION 8

(1) No Extension of Time for Payment of Dues

The fact that the last day for the payment of dues falls on Sunday does not operate to extend the time within which such dues are required to be paid under this Section. (Milwaukee, 5/1/44, Page 54.)

(2) Former Member Joining Another Local

Where a member becomes delinquent in her/his Local Union and, while delinquent, accepts employment under the jurisdiction of another UAW Local, s/he must reinstate her/himself in her/his first Local and then transfer to the second. (New York City, 3/5/45, Page 17.)

(3) Authorized Strike Will Not Make Member Delinquent

Out-of-work receipts are not required by members while engaged in an authorized strike. A member in good standing at the time her/his Local or unit goes on such strike continues in good standing for the duration of the strike and for a period of thirty (30) days after her/his return to work. (Detroit, 1/12/46, Pages 145-149.)

SECTION 9

(1) Good Standing Not Subject to Vote in the Local Union

Any member suspended by reason of having become in arrears in her/his dues is automatically placed in good standing upon complying with the requirements of this Section of the Constitution and the applicable provisions of the Local Union's bylaws. Her/His readmission to good standing is not subject to vote in the Local Union. (Louisville, 3/17/47, Pages 141-143.)

(2) Reinstatement Fees in Amalgamated Local Unions

A unit of an Amalgamated Local Union cannot establish the reinstatement fee for the unit unless it is specifically granted that right by the Local Union. (Detroit, 10/9/51, Pages 171-173.)

Art. 16, Secs. 9, 13, 18

(3) Local Union or Unit Cannot Waive Reinstatement Fee

A Local Union or unit of an Amalgamated Local Union cannot waive the reinstatement fee established by the Local Union without the approval of the International Executive Board. (Detroit, 12/6/62, Page 202.)

(4) Maximum Reinstatement Fee

The maximum reinstatement fee that may be levied under the provisions of this Section is \$50.00. (1/20/54, Page 281.) (Amended 9/12/68, Page 159.)

SECTION 13

(1) Veteran Who Failed to Deposit Transfer

Where a member takes a transfer and fails to deposit it in the Local to which s/he intended to transfer, and later enters military service and after her/his discharge applies to her/his first Local for reinstatement, s/he is entitled to such reinstatement without payment of initiation or readmission fees if s/he otherwise meets the conditions set forth in this Section. (Detroit, 8/5/46, Page 86.)

SECTION 18

(1) Vacation Pay or Bonus Previously Received Considered as a Benefit

Any member who receives vacation pay or bonus in one month and takes time off from work for a vacation leave in a subsequent month shall not be exempted from the payment of dues under this Section, since s/he had received compensation for such leave in a previous month. Vacation pay or bonuses received in any previous month within the vacation year shall be applied to the month in which such leave is taken and considered as a benefit in lieu of work for the purpose of dues liability under this Section. (Detroit, 12/6/62, Page 203.)

(2) Members Required to Pay Regular Dues while on SUB if Forty (40) Hours are Worked in Month

Where a member receives Supplemental Unemployment Benefits and during the first part of a month pays one (1) hour SUB dues for the month and is subsequently recalled to work during the same month, and receives forty (40) hours pay within that month, the member's dues for that month would be

Art. 16, Secs. 18, 19

the regular minimum monthly dues as set forth under Section 2 of this Article.

If the member had previously paid the one (1) hour SUB dues s/he could be given credit for such payment or the one (1) hour may be refunded to her/him after receipt of the regular monthly dues. (Detroit, 11/15/71, Pages 54-55.)

(3) Laid Off Member Not on Check-off-Duty to Report

A member not covered by check-off under which the company automatically notifies the Local Union of members who are laid off or granted leaves of absence has the responsibility of reporting immediately her/his layoff or leave of absence to the Financial Secretary of her/his Local Union. If such a member does not so report her/his layoff or leave of absence within thirty (30) days of the time it commences, s/he would automatically be recorded on the books of the Local Union as having been issued an honorable withdrawal transfer card as of said 30th day. (Detroit, 1/21/60, Pages 182-183.)

SECTION 19

(1) 6-Month Period Calculation

In applying this Section the "first six months of such layoff or leave" means the period from the date of her/his layoff to the last day of the sixth month thereafter. For example, for a member laid off on April 10, the "first six months" would not expire until the 31st of October. Each additional month for which a member must certify in order to remain in good standing without paying dues would then automatically coincide with a calendar month. (Detroit, 7/14/61, Page 169.)

NOTE: Notwithstanding the above, when members are receiving Supplementary Unemployment Benefits (SUB) or other monies subject to dues payment, the first six month period of such layoff or leave means the period commencing the first month of which benefits are exhausted and dues are not paid or any subsequent combination of six months thereafter during that layoff.

(2) Membership Status Upon Return to Local Union from Automatic Withdrawal

When a laid off member who has been automatically noted on the records of her/his Local Union as having been issued an honorable withdrawal transfer card returns to work under the jurisdiction of her/his Local Union, her/his withdrawal status

Art. 16, Sec. 19; Art. 17, Sec. 2

automatically ends and s/he becomes a member in good standing and shall resume paying dues to her/his Local Union. (Detroit, 7/14/61, Page 169.)

ARTICLE 17

Honorable Withdrawal Transfer Cards

SECTION 2

(1) Issuance of Withdrawal Transfer Cards

A Local Union must issue a withdrawal transfer card to a member upon her/his request, provided the member's status meets the constitutional requirements set forth in Article 17. (Chicago, 6/4/45, Pages 17-22.)

(2) Failure to Obtain Withdrawal Transfer Card

A discharged member who accepts employment outside the jurisdiction of the International Union but fails to obtain withdrawal transfer card and is subsequently suspended for non-payment of dues, is ineligible for reinstatement since s/he no longer is under the jurisdiction of the International Union. (Minneapolis, 7/16/45, Page 127.)

**(3) Possession of Withdrawal Transfer Card-
Interruption of Good Standing**

Possession of the honorable withdrawal transfer card interrupts the member's continuous good standing in a Local Union except in the following two cases:

1. Where the member has redeposited her/his withdrawal card in the Local Union in the same month in which it was issued by that same Local Union.

2. Where a laid off member has taken a withdrawal card from her/his original Local Union, transferred to another UAW Local Union, deposited her/his withdrawal card in the second UAW Local Union and, within a period of one year from her/his layoff, returns to her/his original Local Union depositing her/his withdrawal card from the second Local Union where s/he temporarily worked.

Unless one of these two special conditions is met, any member who is recorded as having a withdrawal card on her/his Local Union records would not again meet the one year continuous good standing until s/he had returned to work,

Art. 17, Secs. 2, 3

redeposited her/his withdrawal card, and had remained as a continuous good standing member for a period of one year. (Detroit, 1/21/60, Pages 283-284.)

(4) Additional Exceptions to Issuance of Automatic Withdrawal Transfer Card

Members who may be elected to a national, state, or local legislative body or who are engaged in work which promotes the programs and policies of the organization, should be exempt from the issuance of an automatic withdrawal card. The decision in these cases is left to the discretion of each Local Union. Any member may, however, appeal any decision made in this respect as provided for in Article 33 of the Constitution. (Detroit, 10/11/51, Pages 273 and 274.)

(5) Escapee Not Entitled to Withdrawal Card

When a member avails himself of the escape period provided in the Local's maintenance of membership clause but continues to work, s/he remains under the jurisdiction of the International Union and therefore is not entitled to a withdrawal card. (Detroit, 8/5/46, Pages 92-93.)

SECTION 3

(1) Prosecution of Holders of Withdrawal Transfer Cards

A Local Union may not prosecute the holder of a withdrawal card under the Trial Procedure (See Article 31) during the time the card is still outstanding. The proper action is to institute proceedings to terminate the withdrawal card. (See Interpretation under Section 9 of this Article.) This must be done within sixty (60) days from the date the complainant first became aware of the alleged misconduct. (Chicago, 6/4/45, Page 21.) See also Article 17, Section 9.

(2) Returning to Original Local

A member cannot deposit a withdrawal card in the original Local or transfer back to the original Local until s/he actually has a job over which the original Local has jurisdiction. (Detroit, 1/12/46, Pages 29-30.)

In a multiple workplace corporation, however, which has a single collective bargaining agreement and an area-wide seniority arrangement under which a member laid off from one workplace is automatically returned to her/his original

Art. 17, Sec. 3

workplace with job rights in the original workplace but not enough seniority to be reinstated on her/his job, the member under these circumstances may be considered as being on layoff status in her/his original Local Union in accordance with the provisions of Article 16, Sections 18 and 19 of this Constitution. (Detroit, 4/14/60, Pages 29-30; 261-262.)

(3) Temporary Employment While Home Local on Strike

Where a member's workplace is on strike and s/he finds employment in another workplace with the permission of her/his home Local, s/he is not required to transfer to the second Local. S/He must continue to pay her/his dues to her/his home Local and the Local having jurisdiction over the workplace in which s/he is working shall waive the payment of dues by said member or permit her/him to work under a "work permit." (Detroit, 1/12/46, Pages 28-29.)

(4) Full Time Employment While Home Local on Strike

Members in good standing of a striking Local Union who obtain full time employment outside the jurisdiction of the UAW shall, unless they obtain permission from their Local Union immediately, be issued honorable withdrawal transfer cards as required by Article 17, Section 2. These members shall not participate in any activities within their Local Union until they have returned to work within the jurisdiction of their Local Union and have deposited their withdrawal transfer cards.

(5) Member of Local Subsequently Chartered by UAW

Where a person prior to entering the Armed Forces was a member of a labor organization which subsequently became a UAW Local Union, and on her/his return accepted employment in supervision, s/he is not entitled to a withdrawal card since s/he was not a "member in good standing" of a UAW Local at the time s/he entered the service. (Detroit, 8/5/46, Page 99.)

(6) Members Holding Constitutional Office Voluntarily Leaving Jurisdiction of Local Must Transfer

Members holding a constitutional office in a Local Union, who exercise interworkplace seniority in order to retain their classification or who voluntarily leave the jurisdiction of the

Art. 17, Secs. 3, 4, 6, 7

Local Union, are required to transfer if the workplace to which they move comes under the jurisdiction of another Local Union (Louisville, 3/17/47, Pages 91-93).

(7) Deposit of Withdrawal Card

Holders of a withdrawal card upon obtaining a job under the jurisdiction of the UAW shall deposit said withdrawal card with the Local Union under whose jurisdiction s/he is then working and the Financial Secretary of the Local shall notify the original Local Union of such transactions. (Chicago, 3/1/48, Pages 814-816).

SECTION 4

(1) Continuous Good Standing

This section is applicable only to those members whose entire seniority moves with them at the time of their transfer. (Las Vegas, 6/1/02).

SECTION 6

(1) Withdrawal Transfer Cards may not be Exchanged for Out-of-Work Receipts

A laid off member who elects to take a withdrawal transfer card at the time of her/his layoff may not subsequently and during the layoff period deposit her/his withdrawal transfer card in return for an out-of-work receipt. Withdrawal transfer cards can be deposited only when the member has been called back to work in her/his workplace. (Cleveland, 8/4/46, Page 99)

(2) Members Receiving SUB not entitled to Withdrawal Transfer Card

Any member laid off indefinitely who receives Supplemental Unemployment Benefits or an equivalent type layoff benefit is obligated under Article 16, Section 18, to pay dues to the Local Union and, therefore, will not be entitled to an honorable withdrawal transfer card until s/he has exhausted her/his entitlement to such benefits. (Detroit, 1/31/74, Page 281.)

SECTION 7

(1) Back Dues and Fees Owed Before Transfer

If a delinquent member is transferred to or employed at another Local Union within the jurisdiction of the UAW, the

Art. 17, Secs. 7, 9

member must pay back dues and reinstatement fee to his/her original Local Union to establish continuous good standing. (Las Vegas, 6/1/02).

(2) Refusal to Accept Withdrawal Transfer Cards

A Local Union may not refuse to accept a withdrawal transfer card in proper order if the member presenting it is eligible for membership at the time the card is offered. (Chicago, 6/4/45, Page 21)

SECTION 9

(1) Right to Defend Against Termination of Withdrawal Transfer Card

Before a withdrawal transfer card can be terminated, the Local Union must give the member an opportunity to appear at a meeting and present her/his defense. (Grand Rapids, 9/8/44, Page 22.)

(2) Procedure for Termination of Withdrawal Transfer Card

The following procedure governs the termination of withdrawal transfer cards "for good and sufficient reasons":

(a) A motion to terminate the withdrawal transfer card should be made at a Local membership meeting. The reasons should be given in the motion.

(b) Action on the motion should then be deferred to a later meeting and a committee appointed to investigate the reasons in order to determine whether they are "good and sufficient."

(c) The committee should conduct an investigation, making inquiry as to the validity of the reasons. The person whose withdrawal card is sought to be terminated should be given full opportunity to answer all charges made. (This is not a "trial" but an investigation which the committee may conduct in such manner as it deems best suited to getting the facts. If it desires, it may hold a "hearing" and permit witnesses on both sides to be heard.)

(d) The committee should then present its findings and recommendations to a subsequent membership meeting, which should act by either adopting or rejecting the motion to terminate the withdrawal transfer card.

Art. 17, Secs. 9, 12; Art. 19, Sec. 3

(e) The member involved should be afforded full opportunity to present her/his contentions to the meeting.

(f) The Local should then vote on the question: "Shall the withdrawal transfer card be terminated?" (Chicago, 6/4/45, Pages 20-21.)

(3) Effect of Termination of Withdrawal Transfer Card

The termination of a withdrawal transfer card does not terminate the membership of the person who held the card, but returns her/him to the status of other members with the same obligation to pay dues, etc. (Grand Rapids, 9/7/44 and Chicago, 6/4/45, Pages 20-21.)

SECTION 12

(1) Applies Only to Persons With Authority to Hire or Discharge

Under this Article and Section, the positions with management referred to within this Section, apply only to positions with the authority to hire or discharge or otherwise affect the status of employment of the members within the jurisdiction of the Local Union. (Detroit, 9/9/66, Page 246.)

ARTICLE 19

Contracts and Negotiations

SECTION 3

(1) Separate Ratification Rights for Skilled Trades

Where separate ratification rights have been approved for skilled trades, only skilled tradespersons may vote in such contract ratification meetings for skilled trades. (Black Lake, 6/10/71, Pages 276-277.)

(2) Interest Arbitration and Ratification

Where, pursuant to a prior contractual agreement, bargaining occurs in a context where interest arbitration is the exclusive means to resolve impasse, the membership will be presented with full information about the final offers by management and the union, and will be given an opportunity to vote on whether to accept management's offer or proceed to interest arbitration in defense of the union's final offer. The meeting at which such vote is taken shall be conducted in

Art.19, Sec.3; Art.20, Sec.1; Art.26, Sec.4; Art.31, Sec.1
accordance with the normal procedures for ratification votes.
This procedure shall constitute compliance with the
requirements of Article 19, Section 3. (Flint, 11/10/05)

ARTICLE 20
National and Corporation Bargaining Councils

SECTION 1
(1) Locals Must Affiliate and Pay Tax

It is mandatory on all units or Locals that they affiliate with
an Intra-Corporation Council if one is set up; it is also
mandatory that the per capita tax due such Council be paid.
(Milwaukee 4/16/45, Pages 130-131; Minneapolis, 7/16/45,
Page 122; Detroit, 1/12/46, Pages 53-54.)

ARTICLE 26
Civil and Human Rights Department

SECTION 4
(1) Procedure in Discrimination Cases

The procedure to be followed shall be as outlined in the
handbook issued by the Civil **and Human** Rights Department.

ARTICLE 31
Trials of Members

SECTION 1
(1) Charges Must Be Specific

In order for charges to be properly filed under the provisions
of this Section of the Constitution, the charges must
specifically set forth the nature of the alleged offense or
offenses.

Charges that are based on broad generalities such as
"conduct unbecoming a union member" or "violation of the
Constitution" do not fulfill the constitutional requirements of
this Section of the Constitution unless the nature of the conduct
in question or the nature of the violation of the Constitution are
clearly set forth in the charges. (1/21/54, Page 296.)

Art. 31, Secs. 1, 2, 3

(2) Convention Delegates Failing to Follow Local's Instructions

There is no authority in this or any other Section of the Constitution for preferring charges or trying Convention Delegates who fail to vote at the Convention in accordance with "instructions" of their Local Union. Delegates to the Convention meet to legislate on matters affecting the entire International Union and they are not bound, either legally or morally, to follow "instructions" of their particular Local Unions relative to their voting. They are entitled to base their judgments and their votes upon facts and considerations presented to them at such Conventions-material which may not have been previously within the knowledge of themselves or the membership of the Locals which they represent. (Philadelphia, 10/22/43.) See Article 8. (Page 9.)

(3) Trials During Administratorship

Appointment of an Administrator for the Local Union affects neither the status of Local Union members nor the existence of the Local and trials held during the period of administratorship must conform with the requirements of this Article of the Constitution.

In such cases the charges should not be filed by the Administrator, but by a member or members of the Local Union. (Chicago, 6/8/45, Page 58.)

SECTION 2

(1) Where Recording Secretary has been Suspended

Where an Administrator for the Local Union has been appointed by the International Executive Board and the Recording Secretary has been suspended, charges should be submitted to the Administrator, or to the person who has been designated by the Administrator to act in the capacity of Recording Secretary during the period of administration. (Chicago, 6/8/45.)

SECTION 3

(1) Charges Against the Entire Local Union Executive Board

Under this Article and Section, where charges have been placed against the entire Executive Board of a Local Union, the Local Union Executive Board would be obligated to procedurally determine whether the charges were proper in

Art. 31, Sec. 3

accordance with the limitations as set forth under (a), (b), (c), (d), and (e) of this Section. However, where charges are brought against one or more members of the Local Union Executive Board, or made by one or more members, those member(s) so charged and member(s) making the charges shall withdraw from participating in the Local Union Executive Board's procedure required to determine the propriety of the charges. The remainder of the Local Union Executive Board would determine whether the charges were proper. (The application of this interpretation will be re-examined if under certain circumstances, its implementation does not serve the democratic purposes intended by this interpretation.) (Revised 6/23/83)

(2) Charges Are Not To Be Investigated

Article 31 charges are procedurally reviewed by local executive boards to determine if they are proper or improper pursuant to the sub-sections of Section 3. Charges are to be reviewed, as submitted, based on their specific content. No investigation is required or proper. The addition of Section 3(e) at the 32nd Constitutional Convention requiring substantial direct evidence as well as the evidence of at least one (1) corroborating witness does not change the historical method of review. (Las Vegas, 6/1/02).

(3) Postponement of Trial

There is nothing in the procedural provisions of this Article including those contained in Section 8 of Article 31 which would cause postponement of trial proceedings to result in the end of trial. Since charges were submitted and since charges have not been withdrawn by the accuser, it is mandatory that a trial be held (unless the charges have been considered to be improper by the Local Union Executive Board, pursuant to Article 31, Section 3). (Buffalo, 9/8/47, Pages 66-67.)

(4) Trial Committee Must Report Their Findings

There is nothing in the procedural provisions of Article 31 which would cause the dismissal of the Trial Committee because of a delay in reporting their findings. When charges are submitted and have not been withdrawn by the accuser, it is mandatory that the selected Trial Committee function until they have reported their findings to the body selecting them, as provided for in Article 31 (unless in the meantime the charges are withdrawn by the accuser or considered to be improper by

Art. 31, Secs. 3, 6, 10

the Local Union Executive Board, as provided in Article 31, Section 3). (Detroit, 5/11/51, Page 370.)

(5) Charges that Grievances Have Been Improperly Handled

Where charges on their face set forth no more than an accusation that a Committeeperson, Steward, or some similar official or body has used poor judgment, or has not exercised the proper degree of discretion or wisdom in handling a grievance, such charges should not be processed under Article 31, Section 3, of the International Constitution. Such attack upon the judgment, discretion or wisdom of an official or body in handling the grievance would not constitute any specific violation of this Constitution or conduct unbecoming a member and would, therefore, be an improper accusation to submit to a Trial Committee. Where a member believes her/his grievance has been improperly handled without the exercise of proper judgment, discretion and wisdom, her/his remedy lies in the regular procedures established for such review under Article 33 of the Constitution. (Detroit, 1/27/61, Pages 205-206.)

SECTION 6

(1) Member Must have Notice of Charges

The suspension provisions of Article 31, Section 6 of the Constitution cannot be invoked until after the accused is in possession of the receipted registered or certified letter outlining the charges that had been preferred against her/him. (9/9/53, Page 233.)

SECTION 10

(1) Effective Date of Suspension

In the event a Local Union Trial Committee suspends a member from office or membership as a result of their trial findings and such decision is properly approved by the Local Union membership, such suspension shall become effective as of the date stipulated by either the Local Union Trial Committee or the Local Union membership. If the Local Union Trial Committee or Local Union membership fail to stipulate the effective date of suspension, the suspension shall become effective the date the membership approved such suspension. (Detroit, 5/1/53, Page 182.)

Art. 31, Secs. 10, 11

(2) Suspension from Local is Suspension from International

When a member is duly suspended or expelled by her/his Local Union, s/he automatically is suspended or expelled as a member of the International Union. (Washington, 7/12/45, Page 94.) See also Article 6, Sections 9 and 14.

(3) Report of Trial Committee

A Trial Committee is not a "committee" in the sense in which the word is ordinarily used. It is in the nature of a jury. It is inappropriate for it to make a "minority report." When it votes on the verdict and judgment and fixes guilt and the penalty by a two-thirds (2/3) vote, the accused is found "guilty" and the penalty attached, subject to the approval of the membership. Dissenting members of the Committee have the right to vote in the Committee on the issues of guilt and penalty, but in the event the majority against them is two-thirds (2/3), the guilt and penalty are established as far as the Trial Committee is concerned. There is nothing for a dissenting member to "report" to the membership although s/he, of course, has the right to participate in the deliberations of the membership meeting, at which time s/he may advance any reasons for arguments s/he pleases in the effort to influence the meeting to approve or disapprove the verdict and judgment of the Trial Committee. S/He does this, however, as a member of the Local Union and not as a member of the Trial Committee. (New York, 12/11/46, Pages 52-53.) See also Interpretation No. 1 under Section 11 of this Article.

(4) Failure to Reach Verdict by Trial Committee-Acquittal

Where a Trial Committee under this Article and Section does not reach a verdict of guilty by a two-thirds (2/3) vote, the Trial Committee is required to report same to the membership of the Local Union and the member stands acquitted. (Detroit, 9/9/66, Page 245.)

SECTION 11

(1) Membership Vote on Trial Committee's Report

The vote upon the report of the Trial Committee should be in two parts:

(a) The membership should vote upon the "verdict," that is, as to whether or not the accused shall be held to be guilty.

Art. 31, Sec. 11; Art. 33, Secs. 2(a), 4(h)

If such a motion is not approved by a majority vote, the accused stands acquitted, and no further action by the meeting is necessary.

(b) If the verdict of "guilty" is approved by a majority vote, the membership should then proceed to vote on that portion of the Trial Committee's report which specifies the penalty. In connection with the vote on the penalty, a majority vote is also necessary to approve the penalty fixed by the Trial Committee.

If it is the intention of the meeting, having approved a verdict of guilty, to effect a modification of the penalty, this may be done by voting down that portion of the report which specifies the penalty (by a majority vote) and then by a majority vote adopting a separate motion embodying a different penalty. (New York, 12/9/46.) See also Interpretation No. 3 under Section 10 of this Article.

(2) Right to Inspect Trial Records

A Local Union may not provide that "The records of trials shall not be available for inspection to any person or member of the Trial Board, unless authority is obtained at a membership meeting by a majority vote." (Minneapolis, 7/16/45, Page 30.)

ARTICLE 33

Appeals

SECTION 2(a)

(1) Appeals Where Legality of Trial Committee is in Question

In the case of an appeal arising out of a trial in a Local Union or unit, where it appears to the International Executive Board that there is a question as to the legality of the existence of the Trial Committee, the Board has the right to consider such questions, even though the decision of the lower tribunal has not been complied with. (Detroit, 4/22/47, Page 74.)

SECTION 4(h)

(1) Failure of Appellant(s) to Appear at Appeal Hearing

Where a member or members of a Local Union submits an appeal to the International Executive Board in accordance

Art. 33, Sec. 4(h); Art. 34, Sec. 1

with the provisions of Article 33, Section 3(d) of the International Constitution, and does not appear at the hearing established in accordance with the requirements of Article 33, Section 4(h) of the International Constitution, by the International Executive Board appeals team or the International President, after due and proper notice, the appeal may be dismissed by the International Executive Board on the grounds that the member or members did not meet the provisions of the International Constitution which require her/his or their attendance at such hearing. Therefore, the appeals team or the International President, may determine that the appeal is considered as having been withdrawn by the appellant or appellants due to her/his or their failure to appear at the hearing as required by the International Constitution.

The appeals team may at its discretion review the circumstances motivating such an appeal if, in its judgment, it is determined that a review of such circumstances would be in the interest of justice or requires constitutional correction. (Detroit, 8/11/60.)

(2) Jurisdiction of Nine-Member Committee

The Nine-Member Committee of the International Executive Board is authorized to make a decision on all appeals submitted to it by an Appeals Committee under this Article, as well as appeals under Article 48, Section 5; Article 31, Section 24; Article 38, Section 13; and any other appeals wherein the Constitution states that such appeals will be processed in a similar manner as appeals to the International Executive Board from decisions of subordinate bodies under Article 33 of this Constitution, or reports by Special Committees appointed by the Board to investigate disputes presented to that body. (Detroit, 3/7/63, Pages 327-328.)

**ARTICLE 34
District Councils**

SECTION 1

(1) Constitutionally Established District Councils

In order for a District Council to be a legally and constitutionally established Council, it would be necessary for the majority of all the Local Unions (representing a majority of the membership) within the geographical district, as geographical districts are defined in Article 10, Section 21, of

Art. 34, Sec. 1; Art.35, Secs. 2, 3, 3(a)
the Constitution, to request the establishment of such District Council. (Detroit, 5/11/51, Page 377.)

ARTICLE 35
Amalgamated Local Unions

SECTION 2

(1) Authority of Joint Councils

A bylaw that provides that the regular general membership meeting can overrule the action of the Joint Council is unconstitutional. The democratic rights of the membership are protected by the referendum vote provided for in Article 35, Section 3 of the Constitution. (Detroit, 1/10/49, Pages 38-39.)

SECTION 3

(1) Members of Amalgamated Voting Against Dues Increase

An Amalgamated Local may increase the dues of the members in all of its units if the increase is ratified by a majority secret ballot vote of the membership and otherwise is in conformity with the Constitution (See Article 47.) Such a valid increase in dues by an Amalgamated Local is binding upon all of its units including those units which voted disapproval of the dues increase. (Detroit 1/21/60.)

(2) Division of Funds of Amalgamated Local

Two units comprising an Amalgamated Local may not divide the Local's income between the units according to the number of members of each and still remain an Amalgamated Local. The officers of an Amalgamated Local are elected by all units jointly and they are responsible for the entire income and expenditures for the units. (Washington, 11/7/45, Page 110.)

SECTION 3(a)

(1) Units of Only One (1) Person

In units of only one (1) employee, it is obviously impossible to elect two representatives. The language of Article 35, Section 3(a) shall therefore be deemed satisfied if only a single representative to the Joint Council is accorded to such single-person unit(s). (Las Vegas, 6/16/06)

Art. 35, Sec. 3(c); Art. 36, Sec. 9; Art. 37, Sec. 4

SECTION 3(c)

(1) Unit Autonomy-Internal Structure

The delegate body of an Amalgamated Local is without authority to legislate on the internal structure of any unit in the Local. It is the prerogative of the unit to legislate its own internal structure. (Chicago, 4/16/46, Page 52.)

(2) President Not Officer of Unit

The President of an Amalgamated Local is elected on a local-wide basis and is therefore not an officer of the unit from which s/he comes. (Detroit, 8/5/46, Page 97.)

ARTICLE 36

Local Union Charters and Subordinate Bodies

SECTION 9

(1) Amalgamated Local Unions

In Amalgamated Local Unions where there are only two units and one of the workplaces goes out of business and there are no longer any members employed in that unit, such laid off members of the abandoned unit shall be treated in the same fashion as members of a single workplace Local Union that goes out of business. (Detroit, 5/25/59, Pages 36-37.)

ARTICLE 37

Duties and Powers of Subordinate Bodies

SECTION 4

(1) Shift Meetings

Where Local Unions hold shift meetings the following rules must be observed:

1. Where the first meeting introduces and passes a motion, the subsequent meetings cannot table the motion. It is mandatory that the later meetings vote on the motion as passed by the first meeting.
2. When the first meeting originates a motion, the succeeding meetings cannot introduce another motion on the same subject inasmuch as all of the shift meetings are actually one.

Art. 37, Secs. 4, 4(a), 5

3. When the succeeding meetings introduce and pass motions, they must be held over for final action to give the first meeting the opportunity of voting on the motion the next time they meet. (Detroit, 8/9/49, Pages 309-311.)

SECTION 4(a)

(1) Action of Workplace Council Binding in Between Membership Meetings

Where a Local Union or a unit of an Amalgamated Local Union holds general membership meetings every three (3) months and an appropriate workplace council has been established in accordance with this Article and Section, the actions and/or decisions made by the workplace council in the intervening months shall be binding upon the Local Union as though taken by the membership. Such actions or decisions can only be rescinded in the same manner that is required for rescinding a membership action or decision. (Black Lake, 9/2/75, Page 278.)

SECTION 5

(1) Attendance Rules Cannot Be Made Eligibility Requirements

This Section of the Constitution cannot be employed to make attendance of meetings a condition of eligibility to run for office. The attendance provision can only be applied after a member is elected to a Local Union position. (5/27/53, Pages 72-76.)

(2) Removal from Office Does not Affect Eligibility for UAW Convention Delegate

Where a member holding an elective position is removed from office for her/his failure to comply with the Local Union attendance rules and is therefore ineligible to run for any position for the remainder of the term of office from which s/he was removed, it does not affect her/his eligibility to be a candidate for delegate to a UAW Constitutional Convention. (1/20/54, Page 277.)

(3) Appointed Representatives-Local Union Bylaws

Local Unions must have requirements in their Local Union Bylaws providing that any member holding any Local Union elected position must attend two (2) of three (3) membership meetings and two (2) of three (3) meetings involving their

Art. 37, Sec. 5; Art. 38, Sec. 1

office or position or be automatically removed from the position to which they were elected.

A number of collective bargaining agreements contain provisions whereby the Department Director, Regional Director or Local Union may appoint Benefit Plans Committee Members, Apprentice Committee Members, Health and Safety Representatives, Alcohol and Drug Abuse Representatives, etc. The question has arisen as to whether or not such Union appointees are also governed by the attendance requirements contained in the Local Union Bylaws.

Where such bylaw provisions are uniformly applied, contain mechanisms for reasonable excuse and were approved by the International Union, then they apply with equal force to such appointed representatives upon submission of the facts to the Department Director or Regional Director, as the case may be, for necessary action of his or her office. (12/15/80, Pages 157-158.)

**ARTICLE 38
Local Union Officers**

SECTION 1

(1) Candidate for More Than One Executive Board Office

A candidate may not run for more than one (1) Local Union Executive Board office on the same ballot. (Los Angeles, 2/7/44.) Thus s/he cannot run for Trustee and Board Member-at-Large at the same time. (New York City, 3/5/45, Page 14.)

(2) Executive Officer and District Committeeperson

There is nothing in the International Constitution which bars an individual from holding both an Executive Office in her/his Local and a position such as District Committeeperson in the Local. However, a Local Union has the right to provide in its bylaws that officers of the Local may not also hold the position of Committeeperson or Steward, etc. (Detroit, 8/5/46, Pages 105-106.)

(3) Right of Committeepersons to Run for Executive Office

The Local Union cannot bar a Committeeperson from running for an Executive Office, however, it can make rules

Art. 38, Secs. 1, 2

which prohibit a member from simultaneously holding two (2) elective offices. (Louisville, 3/17/47, Page 93.) (NOTE: See the preceding Interpretations under this Article and Section.)

SECTION 2

(1) Deadline Fixed By Local Union

The Local has the power to set the deadline for accepting nominations. If the Local Union fails to set the deadline, then the deadline should be set by the Local Union Election Committee in the exercise of its own sound judgment. (New York City, 3/5/45, Page 16.)

(2) Acceptance After Declining Nomination

Following the deadline of acceptance of nominations, no candidates will be added or removed from the ballot. This shall apply in all elections. (Las Vegas, 6/1/02.)

(3) Notice in Run-Off Election for Officers

Where there is no notice of a run-off election for Local Union Executive Officers given prior to the date of the general election, at least fifteen (15) days shall elapse from the time of the general election to the time of the run-off election. Local Unions may establish a date for the run-off election any time after the original election so long as the membership has at least fifteen (15) days' notice of the date the run-off is to be held.

It is advisable that the notice of the original election include a notice regarding a run-off election if such should be necessary. For the legal requirements of mailing such notices to each member, reference is made to the Election Guide. (Detroit, 1/21/60.)

(4) Majority Vote

Where a Local Union provides in its bylaws that offices not covered by Article 38, Section 1, require a majority of votes rather than a plurality, in cases where there are more than one (1) to be elected to office, example, Bargaining Committee, the following formula will be used when specific rules are not provided to implement the bylaws of the Local:

All votes received by all candidates for office will be totaled. (If there are fifteen (15) running for Committeeperson all votes received by all candidates will be totaled.) This total

Art. 38, Sec. 2

will then be divided by the number of candidates to be elected. This figure will then be divided by two (2) giving the figure, plus one (1), which is to be considered the majority point. Candidates receiving more votes than this majority figure will be declared elected.

If run-offs are necessary, twice the number of candidates in ranking order for the ranking position to be filled will be placed on the ballot. (Chicago, 3/1/48.)

(5) Majority Vote for Trustees

Where Local Unions are electing three (3) trustees for three-year terms, the following rules shall apply:

(1) Trustees are elected simultaneously and there is no distinction between the two offices and the membership is entitled to vote for three (3) trustees.

(2) Where there are less than seven (7) candidates, the three (3) candidates receiving the greatest number of votes shall be declared elected.

(3) Where there are seven (7) or more candidates, the majority point is determined by adding the total votes cast for the office of trustee, dividing by the number of positions to be filled, which is three (3), again dividing by two (2); which will determine the fifty (50) percent mark, and then adding one (1) to determine the majority point.

(4) In the event more than three (3) candidates receive a majority vote, the three (3) candidates with the greatest majority shall be declared elected.

(5) Where there are seven (7) or more candidates and no candidate receives a majority, the run-off is confined to the six (6) candidates receiving the greatest number of votes.

(6) Where there are seven (7) or more candidates and only one (1) candidate receives a majority the run-off is confined to the candidates who finished in second, third, fourth and fifth position.

(7) Where there are seven (7) or more candidates and only two (2) candidates receive a majority, the run-off is confined to the candidates who finished in third and fourth positions. (Detroit, 1/21/60, Pages 809-812.)

Art. 38, Secs. 2, 3

(6) Nomination and Election of Officers

In the matter of nominating and electing Local Union officers, nominations may be held within forty-five (45) days prior to the holding of the election, but triennial Local Union elections may not be held earlier than the month of May, unless otherwise authorized by the International Executive Board. (Black Lake, 6/2/72, Pages 185-186.)

(7) Right of Members to Nominate

Where a Local Union in the United States adopts a nominating procedure that all members stand nominated, such procedure must also provide the opportunity for a member or members to nominate candidates of their choice during the nomination period. (Detroit, 1/31/74, Pages 214-215.)

SECTION 3

(1) One (1) Year Good Standing Mandatory for Executive Officers

Compliance with this "one (1) year continuous good standing rule" governing eligibility for Executive Offices is mandatory and cannot be waived or shortened except in cases of new Locals. (New York City, 3/5/45, Pages 18, 24, and 58.)

(2) Eligibility for Local Union Office Where Funds Have Been Misappropriated

Any member who has been found guilty of misappropriating funds and has not made full restitution to the Local Union would not be eligible to hold an office which required bonding. After full restitution is made and the member is eligible for bonding, s/he would be eligible to be a candidate for holding a Local Union office which requires bonding provided the member is otherwise eligible under the Constitution. (Detroit, 5/25/59, Pages 39-41.)

(3) Lack of Qualified Nominees Who Accept

The fact that there are an insufficient number of accepting nominees with one (1) year's continuous good standing will not alter the Constitution's one (1) year requirement for candidates for Executive Offices. (New York City, 3/5/45, Pages 21-22.)

Art. 38, Sec. 3

(4) Suspension Breaks Continuous Good Standing

If a Trial Committee reaches a verdict of "guilty" and the Trial Committee's decision is upheld by the membership, any suspension of membership prior to (See Article 31, Section 6) or after the trial would constitute a break in the member's continuous good standing even though s/he continued to pay dues. (Detroit, 2/2/51, Page 325.)

(5) Meaning of "Continuous"

Where during any portion of the one (1) year period immediately preceding the nomination a nominee has been in arrears in the payment of her/his dues more than the time allowed by the Local (which under Article 16, Section 8, cannot be more than one (1) calendar month), s/he has not been in "continuous" good standing in the Local and, hence, is ineligible to run for an Executive Office. S/He may seek a non-Executive Office such as Steward where a shorter period has been fixed by the Local under Section 4 of this Article. (New York City, 3/5/45, Pages 23-24.)

(6) Holder of Withdrawal Card Not Member in "Continuous Good Standing"

A member holding a withdrawal card is not a member in "continuous good standing" for one (1) year and hence cannot run for Executive Office in the Local. Her/His "continuous good standing" commences as of the date upon which s/he deposits her/his withdrawal card with the Local. (New York City, 3/5/45, Page 47.) See Interpretation No. 4 under Article 17, Section 2.

(7) Members of New Units Seeking Executive Office in Amalgamated Locals

Where a unit has not been in the Amalgamated Local for one (1) year, a member of that unit cannot be a "member in continuous good standing in the Local Union for one (1) year" and hence is ineligible to run for Executive Office in the Local. Such member may be eligible for a non-Executive Office or other elective position in the Local under the eligibility rules fixed by the Local in accordance with Section 5 of this Article; provided, the beginning of the period fixed for eligibility does not predate the time when such individual joined the Union as a member of the organized unit of the Amalgamated Local. (New York City, 3/5/45, Page 23.)

Art. 38, Secs. 3, 4

(8) Eligibility as Affected by Attendance at Local Union Meetings

Bylaws which further limit the eligibility of members for Executive Office by requiring that they must have "attended at least six (6) regular membership meetings within twelve (12) months' prior to date of nomination"; or that "member in good standing must have attended at least fifty (50) percent of the regularly scheduled general membership meetings in the year immediately prior to the nomination" are invalid. (New Orleans, 1/22/45, Pages 124-125; Chicago, 6/4/45, Pages 59-60.)

(9) Locals Merging Does Not Affect Members' Continuous Good Standing

Where Local Unions are merged, the members in good standing of the Local Unions so merged will be considered members in good standing of the Local they are merged into. (Detroit, 3/30/48, Pages 92-94.)

(10) Local May Not Increase Eligibility Requirements for Candidates for Executive Offices

A Local Union is without power to add to the qualifications fixed by the Constitution of the International Union for candidates for Executive Offices, and bylaws requiring nominees for Executive Offices to be present at nomination meetings, or to be represented by proxy, or to give good reason for being absent from such meetings, in effect add additional qualifications and are therefore invalid. (New York City, 3/5/45, Pages 3 and 6.)

SECTION 4

(1) Eligibility for Election to Non-Executive Offices

The Local Union may determine the eligibility for election to all elective offices and positions in the Local except those Executive Offices enumerated in Section 1 of this Article. (New York City, 3/5/45, Page 25.)

(2) "Good Standing" Requirement for Non-Executive Offices

A Local Union cannot require more than one (1) year continuous good standing as a condition of eligibility for non-executive offices, but does have the discretion to set an

Art. 38, Secs. 4, 7

eligibility requirement of less than one (1) year. (4/28/55, Page 253.)

(3) Election Committee May Not Fix Eligibility Requirements

An Election Committee may not rule a candidate ineligible to run for non-Executive Office or position in the Local such as Committeeperson, except in accordance with the eligibility requirements fixed by the Local. Where the Local has not fixed "continuous good standing for one (1) year" as an eligibility requirement under this Section for non-Executive Offices, the Election Committee may not impose such a requirement. (New York City, 3/31/44, Page 14.)

(4) Chairperson of Unit Committees

An Amalgamated Local Union may provide in its bylaws that the Chairperson of the unit Bargaining/Negotiating Committee shall automatically be considered elected to and function as an Executive Board Member-at-Large. (Detroit, 8/5/46, Page 100.)

SECTION 7

(1) Right of Members to Attend Local Board Meeting

A non-member of the Local's Executive Board does not have an absolute right to attend the meetings of the Local's Executive Board. The conduct of Local Board meetings, within the limits set forth in this Section of the Constitution, is a matter which is governed by the Local Union's Bylaws and practice. However, any member may appeal to the Local membership and further to the International Union from any refusal on the part of the Local Executive Board to grant her/him a hearing. (Detroit, 8/5/46, Page 105.)

(2) Right of Local Union Executive Board to Expend Funds

The decision as to what is "urgent business" which "requires prompt and decisive action" is one which the Local Executive Board must make for itself, subject to the right of the membership to question the soundness of the Board's decision in each case. (Louisville, 3/17/47, Page 93.)

Art. 38, Secs. 9, 10

SECTION 9

(1) Only Offices of Financial Secretary and Treasurer may be Combined

Under the Constitution only the Executive Offices of Financial Secretary and Treasurer may be combined. (Milwaukee, 8/4/44, Page 83.)

(2) When Offices May Be Combined

The offices of Financial Secretary and Treasurer can be combined only at the next regular election of Executive Officers of the Local. (Washington 11/7/45, Page 109.)

SECTION 10

(1) Use of Slates of Candidates-Statement of Policy

In a number of Local Unions situated in communities where voting machines are used in public elections, the Locals have been making use of voting machines in Local Union elections. Since public elections are ordinarily conducted on the basis of political parties, the names of candidates usually appear on these voting machines as slates representing particular political parties. A number of Local Unions using voting machines have followed this practice, presenting the names of candidates for Local Union offices to be voted upon as slates and not individually.

While this practice is clearly proper and legitimate in public elections involving political parties, it is the view of the International Executive Board that it is not proper or legitimate in elections held in Unions whether the party ticket appears on a voting machine or on a printed ballot. Every voter in a Local Union election is entitled to vote for her/his individual choice for any office.

It is obvious that in the case of voting machines the names of candidates may appear in rows, designated in some distinctive manner, such as Row A, Row B, etc. There can be no objection to this, provided (1) that the method of designation is merely by letters or numbers or other means which do not in any manner attempt to characterize the candidates, and (2) that neither the particular row used, nor the order of the names appearing upon it, in any manner suggests any choice or preference for particular candidates, or otherwise purports to give any candidate an advantage over any other candidate; and that the voting machine must allow

Art. 38, Secs. 10, 10(a)

for individual voting for each position regardless of which slate a member appears on.

The particular row in which the slate of candidates appears should be determined without favor or discrimination and the rows should be systematically rotated so as to provide that each row appears approximately the same number of times in each position available.

It is the view of the International Executive Board that Local Union elections which are conducted in violation of this procedure are undemocratic, contrary to the spirit of the Constitution of the International Union, and violative of its traditions.

All Local Unions are required to conduct their elections in conformity with this statement of policy. (Revised 6/23/83, Pages 149-150.)

(2) Financial Secretary Present at Polling Place

Where the membership has approved, the rules of the Election Committee may permit the Financial Secretary of the Local to be present at the poll at the time of voting for the purpose of guarding the records and books for which her/his office is responsible. And this is unobjectionable even though the Financial Secretary is a candidate for reelection. (New York City, 3/5/45, Pages 26-27.)

SECTION 10(a)

(1) Eligibility of Member to Vote-Check-Off

Where a member has signed a dues check-off card but the company's failure to check off her/his dues has caused her/him to appear delinquent on Local Union records, s/he nevertheless, is in good standing and eligible to vote. (New York City, 3/5/45, Page 68.) See Article 16, Section 26 of the Constitution.

(2) Office Workers' Right to Vote

Office workers who are organized in the Local are members and must be accorded the right to vote and to run for Delegate to Conventions. (Milwaukee, 8/4/44, Pages 265-266.)

Art. 38, Secs. 10(a), 10(b)

(3) All Members Must Have Opportunity to Vote

A Local Union may conduct an election for Bargaining Committee persons by any method which suits the needs of the Local, so long as such method ensures a fair and democratic election. But where the Local's Election Committee has so limited the voting time as to make it impossible for some of the members of the Local to vote (as for example night shift workers), such a method is illegal in that it fails to assure a fair and democratic election. (Detroit, 8/5/46, Page 100.)

SECTION 10(b)

(1) Procedure for Limited Absentee Balloting

A Local Union may make provisions for members to vote in their Local Union elections, as indicated above, at its option wherever practical. Should the Local Union determine that it desires or requires such provisions, the Local Union may, by affirmative action of the membership, provide for such voting.

The procedure that may be adopted by the Local Union prior to nominations in any election in which such rules would apply, is as follows:

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

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

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

Art. 38, Secs. 10(b), 10(c), 10(d), 10(e)

Local Union before the start of the election. (Detroit, 4/4/67, Pages 185-186.)

SECTION 10(c)

(1) Responsibility of Local Union Election Committee to Cooperate with Local Union Officers

Local Union Election Committee is obligated, in the preparation for an election required by the Local Union to be conducted by the Election Committee, to consult and cooperate with the Officers of the Local Union in establishing the procedures for such election. However, the actual conduct of the election is entirely the responsibility of the Election Committee. (Detroit, 1/31/74, Pages 212-213.)

(2) Postponement of Election

The Election Committee can, once the date of election has been posted, refuse the request of the Local Union President to postpone the election. Such decisions by the Election Committee are not subject to revision by either the Local Union Executive Board or the Local Union President. (Louisville, 3/17/47, Page 100.)

SECTION 10(d)

(1) The Local Union Executive Board May Establish Election Dates, Etc., in the Absence of a Quorum

In unusual circumstances, where the Local Union still holds general membership meetings, and is unable to secure a quorum immediately preceding the required time to begin the conduct of their elections, the establishment of the date and other specifics in connection with the election may be established by the Local Union Executive Board. (Detroit, 1/29/71, Pages 480-481.)

SECTION 10(e)

(1) Election Committee Members Must Resign to Seek Office

Any member of an election committee who accepts nomination to run for Local Union Office which is conducted under the supervision of the Election Committee, of which s/he is a member must resign from the Election Committee for the duration of the term if s/he becomes a candidate. (Detroit, 8/11/60, Pages 138-139.)

Art. 38, Secs. 10(f), 10(g), 12, 14

SECTION 10(f)

(1) Designation of Candidates

Local Unions have the right to decide what designation candidates having the same name shall use on the ballot for purposes of identification. Where one candidate is the incumbent, the word "incumbent" may be used opposite her/his name to distinguish her/him from another candidate of the same name seeking the same office. (Los Angeles, 2/10/44, Page 34.)

SECTION 10(g)

(1) Candidates as Challengers

Each candidate may have a challenger but a candidate cannot be a challenger. (New York City, 3/5/45, Page 21.)

(2) Election Rules on Recount

A Local Union cannot require the filing of a bond or other security as a condition to filing for a recount. (Minneapolis, 7/16/45, Pages 29-30.)

SECTION 12

(1) Preservation of "Ballots" Where Voting Machines Used

Where a Local Union uses voting machines which do not automatically print tally sheets, the requirement for preservation of ballots can be met by having the totals copied from the machines onto sheets of paper and certified as accurate by the Election Committee. Any challengers who are present during the counting should be asked to also sign their names to these sheets. (Detroit, 1/21/60.)

SECTION 14

(1) Vacancy on Executive Board

A bylaw which provides that, "In the event a vacancy exists on the Executive Board, the successor shall be the person who received the next highest vote but was not elected," is invalid. (Chicago, 6/4/45, Page 63.)

(2) Military Service Member's Eligibility for Office

No member can be disqualified as a candidate for Executive Office in a Local Union by reason of her/his absence in military service. (Chicago, 6/4/45, Pages 60-61.)

Art. 38, Sec. 14

(3) Executive Officers Entering Armed Services

An Executive Officer of a Local entering the military service continues to hold her/his office for the tenure of the term for which s/he was elected. When an Executive Officer of the Local enters the military service, the selection of a substitute to perform the duties of her/his office during her/his absence and until her/his return shall be by the same election procedure applicable in cases of vacancies in Local Union offices. (Chicago, 6/4/44, Pages 60-61.)

(4) Vacancies Arising Between Election and Installation

Where between the time of her/his election and her/his installation a Board Member-at-Large leaves the jurisdiction of her/his Local Union, the Local Union may provide that such vacancy shall be filled temporarily by the candidate who received the next highest vote but who was not elected. Such temporary Board Member may serve only until the next membership meeting or special meeting called by the Local Union or the unit organization, as the case may be, for the purpose of electing a Board Member to fill such vacancy. (Detroit, 8/5/46, Pages 102-103.)

(5) Election to Fill Vacancies

It is mandatory that vacancies in all Local Union offices, except the office of President, be promptly filled by election in accordance with provisions for elections in Article 38, Section 2, calling for due notice. It is not sufficient that the Executive Board recommend names to fill the vacancy unless such procedure is only meant to fill the vacancy pending the holding of the election. (Louisville, 3/17/47, Pages 140-141.)

(6) Vice-Chairperson of a Unit Does Not Automatically Succeed the Chairperson

The provisions of this Section of the Constitution do not automatically apply to Vice-Chairpersons of units in Amalgamated Local Unions. It is only applicable where units have a specific provision in their bylaws providing for the Vice-Chairperson to fill the office of Chairperson in case of vacancy. (Detroit, 1/24/50, Pages 116-118.)

Art. 40, Secs. 1, 3

**ARTICLE 40
Duties of Local Union Officers**

SECTION 1

(1) Supervision of Local Union Clerical Help

The maintenance of the Local Union office is under the President's jurisdiction, and s/he employs such office help as is required, subject to the approval of the Local Union's Executive Board. When any of the office employees are performing duties at the direction and on behalf of any of the Executive Officers in connection with their official duties, such employees are under the supervision of such Executive Officer or Officers until such time as the duties are completed. (New York City, 3/5/45, Pages 38-39.)

(2) President Not Officer of Unit

The President of an Amalgamated Local is elected on a local-wide basis, and therefore s/he is not an officer of her/his unit. (Detroit, 8/5/46, Page 97.)

(3) President Not Ex Officio Member of Election or Trial Committee

The provision in this Section which provides that the President of the Local Union "shall be a member ex officio of all committees" does not operate to make the Local Union President a member of a Local Union Trial Committee or a Local Union Election Committee. Trial Committees and Election Committees exist for specific and definite purposes, and unlike standing committees of the Local, they have nothing to do with the general administration of the Local Union. (Detroit, 8/5/46, Page 102.)

SECTION 3

(1) Tapes Not Official Records of Local Union Membership or Executive Board Meetings

Under this section the Recording Secretary is required to prepare and keep a correct record of the proceedings of the Local Union and present same for approval at a subsequent meeting. Accordingly, only the prescribed minutes of the Recording Secretary shall be considered as the official record of the Local Union Membership and Executive Board Meetings. Tapes used in membership and Local Union Executive Board meetings may not be considered as the

Art. 40, Sec. 3; Art. 42; Art. 45, Sec. 1

official records of such meetings. (Detroit, 1/31/74, Pages 223-224.)

ARTICLE 42

Opening and Closing Ceremonies

(1) Quorum

Where Local Union Bylaws provide for a quorum at membership meetings and a quorum is present at the beginning of the meeting and during the course of the meeting the attendance drops below the quorum mark, the business of the meeting may continue to be transacted until someone challenges the presence of a quorum. All business that is transacted to the point where the quorum is challenged is legal and no business can be transacted after the presence of a quorum is challenged. (1/7/55, Pages 122.-123)

ARTICLE 45

Stewards and Committeepersons

SECTION 1

(1) Eligibility for Committeeperson as Affected by Unlawful Discharge

Where a Committeeperson is discharged by management and her/his grievance is pending, s/he remains a member of her/his Local and unit and, if otherwise eligible, may run for re-election or other office in such unit or Local or for Convention Delegate. And where pending the outcome of her/his grievance s/he finds temporary employment elsewhere her/his membership in her/his original Local is not affected and s/he need not transfer to the Local having jurisdiction over her/his new workplace. The new Local should issue to her/him a work permit. (Detroit, 1/22/46, Pages 177-178.)

(2) Eligibility of Retired Members to Run for Local Union Offices

Retired members are ineligible to run for any local union position which carries responsibility for grievances and/or bargaining required by the Collective Bargaining Agreement(s) or local union bylaws. (Las Vegas, 6/1/02).

Art. 45, Secs. 2, 3

SECTION 2

(1) Bargaining Committeepersons Cannot be Appointed

Bargaining Committeepersons must be elected. Where individuals have been elected in one capacity this does not constitute election to serve in another capacity. Hence it is improper for the Bargaining Committee of a unit of an Amalgamated Local to be selected from the officers of the unit even though a motion to that effect has been voted at a meeting of the unit membership. It likewise is improper for a Unit Chairperson to appoint a Bargaining Committee from the elected Committeepersons or Stewards of the unit, subject to membership approval, even though the unit has voted her/him such authority. (Detroit, 8/5/46, Page 98.)

SECTION 3

(1) Recall of Stewards and/or Committeepersons Elected on Workplace-Wide Basis

Where a Local Union or a unit of an Amalgamated Local Union elects Stewards and/or Committeepersons under Section 2 of this Article on a workplace-wide basis and such Stewards and/or Committeepersons are assigned to districts after their election, they may be recalled in accordance with the procedures established by the Local Union by members of the district they represent by assignment; however, such recall by a district does not serve to remove them as Committeepersons and/or Stewards since they were elected workplace-wide. If such Stewards and/or Committeepersons are recalled by their district the Local Union shall assign them to another district or they may be recalled by the membership electing them in accordance with the procedures of the Constitution and those established by the Local Union. (Detroit, 12/6/62, Pages 204-205.)

(2) Recall of Committeeperson Who as Such is Member of Executive Board

A Committeeperson who is elected by the membership at large and by virtue of such election is also a member of the Executive Board can be recalled in accordance with the provision in Article 45, Section 3. (Louisville, 3/17/47, Page 98.)

Art. 45, Secs. 3, 4

(3) Recall of Steward or Committeeperson

In the recall vote of any Steward or Committeepersons, any member of the Union may vote who works in the geographical district which the Steward or Committeeperson represents (whether this district be the workplace as a whole or a department.) Such voting to take place at a meeting called for specific purpose of recall, after due notice of the meeting has been given to all members working in that geographical district pursuant to Article 45, Section 3. (Buffalo, 9/8/47, Pages 69-70.)

(4) Stewards and Committeepersons

Once a petition to recall a Steward or Committeeperson is initiated, it must be completed and deposited with the Local Union President and/or Recording Secretary, or in the case of an Amalgamated Local Union the unit Chairperson and/or unit Secretary, within forty-five (45) days of such date.

If the petition is invalid or the meeting called for the purpose of recall decides not to recall the Steward or Committeeperson, then no further petition citing the same specific complaint may be deemed valid until one (1) year has elapsed from the date of such action or decision, unless the one (1) year time limit is waived by the International Union President due to unusual and compelling circumstances.

If multiple or frivolous petitions are filed involving the same Steward or Committeeperson, the Local Union Executive Board, or in the case of an Amalgamated Local Union the unit workplace organization, may declare the petition invalid and may appeal the matter directly to the Office of the International President for a ruling as to validity. (12/17/80, Pages 160-162.)

SECTION 4

**(1) Separate Skilled Trades Representation -- Limits
Voting and Candidacy**

Where separate skilled trades representation is granted to a Local Union to elect Stewards and/or Committeepersons from appropriate groups (as specified in Article 19, Section 3), the right to vote for or run for the position of Steward and/or Committeeperson representing such separate group, shall be limited to those who are members of such groups. Members of such groups may not be a candidate in any other group except the one so specified. (Black Lake, 6/10/71, Page 272.)

Art. 46, Sec. 1; Art. 48, Sec. 6; Art. 50, Sec. 1

ARTICLE 46

Local Union Finances

SECTION 1

(1) Necessary Expenses

A Local Union cannot expend funds to grant gifts or gratuities to the general membership of the Local Union. Such expenditures cannot be considered "necessary expenses" within the meaning of this Section of the Constitution. (1/10/56, Pages 69-72.)

ARTICLE 48

Local Union Audits

SECTION 6

(1) Local Union Executive Board Required to Hold Hearing for Collecting Non-Dues Money

Where it is claimed that a member owes non-dues money to the Union, this Section requires that no action may be taken against the member unless a fair hearing is held and a determination made thereon. If the non-dues money is owed to the Local Union, such hearing should be held by the Local Union Executive Board, after sufficient notice has been given to the member or members involved.

In cases where such non-dues money is owed to the International Union, a hearing shall be held by the International Union by qualified representatives, selected by the International President. (Black Lake, 6/2/72, Pages 191-194.)

ARTICLE 50

Strikes

SECTION 1

(1) Strike Vote in Corporation Councils

Where Corporation Councils covered by a master agreement instruct Local Unions to take strike votes, it is mandatory to take such strike votes and that part of Article 50, Section 1, requiring a prior vote shall be covered by the vote of the Corporation Council. (Detroit, 5/12/48.)

Art. 55, Sec. 1(a)

**ARTICLE 55
Retirees**

SECTION 1(a)

(1) Retired Workers Chapter Member Transfers

Where a member of a Local Union is transferred from one Local Union to another, under a corporate collective bargaining agreement and upon retirement is desirous of returning to her/his original Local Union to establish membership and participate in the activities of the Retired Workers Chapter, such member may do so with the understanding that her/his membership rights in her/his original Local Union would be limited to the Retired Workers Chapter and not in the Local Union according to Article 6, Section 19, of the International Constitution.

While participating in the Retired Workers Chapter only, s/he may hold Retired Workers Chapter office, but may not be a candidate, nor be elected as the retiree representative on the Local Union Executive Board.

Where a retired member has been transferred under the above circumstances and returns to her/his original Local Union within one (1) year, s/he may exercise full membership rights, both in the Local Union and the Chapter in accordance with Article 6, Section 19 of the International Constitution. (Detroit, 5/8/73, Pages 27-28.)

(2) Retired Worker Transfers between Local Unions

Where a member is retired from her/his Local Union in accordance with Article 6, Section 19, and desires to participate in a Retired Workers Chapter other than her/his own Local Union, such retired member may do so upon application to the Retired Workers Chapter to which s/he wishes to transfer and if such application is approved by affirmative action of the membership of that Retired Workers Chapter, her/his retiree membership may be transferred.

Such membership in the new Retired Workers Chapter will be limited to the Retired Workers Chapter only and s/he would have no membership rights in the new Local Union in accordance with Article 6, Section 19. Her/His rights of participation would be limited to the Retired Workers Chapter. S/He may hold office in the Retired Workers Chapter, but would not be entitled to be a candidate for, or elected to the

Art. 55, Secs. 1(a), 1(b), 5(a)(b)

Retired Workers Chapter position on the Local Union Executive Board. (Detroit, 5/8/73, Pages 28-29.)

SECTION 1(b)

**(1) Retired Member on Local Union Executive Board
Restricted to Administrative Matters in Local Union**

The retired member elected to the Local Union Executive Board by the Local Union Retired Workers Chapter shall have voice and vote as provided in this Article and Section on all administrative matters presented to the Local Union Executive Board except those matters specifically restricted for retiree participation in Article 6, Section 19 of the International Constitution. (Detroit, 4/6/67, Pages 165-166.)

SECTION 5(a)(b)

(1) Retired Supervisors May be Eligible for Membership in Retired Workers Chapters

A member who becomes a supervisor and retires as such may become a member of a Local Union Retired Workers Chapter provided (1) s/he holds an honorable withdrawal transfer card; (2) s/he makes application for membership and is voted to membership by affirmative action of the Chapter; and (3) pays to the Chapter the two dollar (\$2.00) per month dues requirement which, under these circumstances, would be mandatory. (Detroit, 4/6/67, Pages 165-166.)