



**OFFICE AND
PROFESSIONAL EMPLOYEES
INTERNATIONAL UNION,
LOCAL 251, AFL-CIO, CLC**

**CONSTITUTION
&
BYLAWS**

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CONSTITUTION & BY LAWS

**OFFICE & PROFESSIONAL EMPLOYEES INTERNATIONAL UNION,
LOCAL 251**

ARTICLE I. PREAMBLE

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

ARTICLE II. NAME

This Local Union, with headquarters in Albuquerque, New Mexico shall be known as the Office and Professional Employees International Union, Local 251. This Local Union shall be and remain a Chartered Local Union of the Office and Professional Employees International Union affiliated with the American Federation of Labor and Congress of Industrial Organizations.

ARTICLE III. EXISTENCE

This Local Union cannot be dissolved while there are two hundred fifty (250) dues-paying members therein who desire to continue its existence. When any Local Union ceases to represent employees of any employer, the International Union Executive Board may suspend the Charter of such Local Union and order it dissolved. Upon the dissolution of this Local Union, all its properties and assets, including its funds, books and records, shall become the property of the International Union, to be held by the International Union in trust for a period of one (1) year, during which time such property shall be returned to this Local Union if it is reconstituted. After such one (1) year period, such properties and assets shall become the property of the International Union and the funds will be placed in the International Union Treasury to be used by the International Union for its general purposes.

ARTICLE IV. JURISDICTION

Section 1.

This Local Union shall embrace, within its membership, all individuals employed in any phase of professional, technical, office, clerical and related work coming within its jurisdiction established under the Constitution of the Office and Professional Employees International Union.

Section 2.

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

ARTICLE V. MEMBERSHIP

Section 1.

Any person shall be eligible for membership in this Local Union upon compliance with the requirements of this constitution. No person based upon employment with the same employer shall simultaneously hold membership in this Local Union and another Local Union of the International Union. No person may transfer membership from another Local Union of the International Union to this Local Union without written approval of the President of the International Union, unless such a transfer is the result of a change in employment from one bargaining unit or another OPEIU Local Union to another such unit represented by this Local Union.

Section 2.

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

Section 3.

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

Section 4. Membership Classifications:

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

Section 5. Active Membership:

(a) An individual is eligible to be an active member in this Local Union if that individual is: employed within a collective bargaining unit represented by this Local Union; an employee or officer of the International Union or one of its subordinate bodies; an employee or officer of this Local Union or any Council or other federation of Local Unions who has not retired from the position that made them eligible for active membership. Where a person is current with his or her dues, that person is an active member. The term active member and member in good standing may be used interchangeably.

(b) A person who is employed in a collective bargaining unit covered under a collective bargaining agreement represented by this Local Union, the International Union or any federation of unions, will be eligible for active membership. Elected officers who sever the employment relationship which provided their eligibility for active membership will no longer be eligible for active membership two years after they sever such employment.

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

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

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

Section 6. Non-Active Membership:

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

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

Section 7. Associate Membership:

(a) Local Union may establish an associate membership classification which is consistent with any action concerning an associate membership classification taken by the Executive Board of the International Union.

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

(c) Associate members must pay the monthly dues as established by this Local Union.

Section 8.

Persons wishing to appeal a decision made by an officer of this Local Union concerning the membership status of an individual may do so by appealing to the Local Union Executive Board within twenty (20) days of the officer's decision. The appeal must be written and sent to the Local Union Executive Board. The Local Union Executive Board will review and decide the appeal at its next regularly scheduled meeting, but it may conduct a special meeting to take up the appeal before that time.

Section 9.

Persons wishing to appeal the decision of the Executive Board concerning the membership status of an individual may do so by appealing to the Local Union membership within twenty (20) days of the Executive Board's decision. The appeal must be written and sent to the Local Union Executive Board. The Local Union membership will review the appeal at the next regularly scheduled membership meeting, but a special membership meeting may be held to take up the appeal if called for as provided in Article VI, Section 3.

Section 10.

Any action or decision by this Local Union, its officers, Executive Board or committee concerning membership status can be appealed by either a person whose membership has been affected or a person who raised the issue of membership status to the International Union Executive Board after the matter has been addressed by the Local Union Executive Board and Local Union membership. Persons wishing to appeal from such a ruling of the Local Union membership to the International Union Executive Board must follow the OPEIU Appeal Procedure stated in the OPEIU Administrative Policies and Procedures. A copy of the OPEIU Appeal Procedure may be obtained by contacting the Secretary-Treasurer of the International Union.

ARTICLE VI. MEMBERSHIP MEETINGS

Section 1.

Regular Membership Meetings of this Local Union shall be held the third Thursday of each month starting at 5:30 pm and ending at 6:30 pm and published to the members. Adjournment time may be extended by a majority vote of the membership present.

Section 2.

Two (2) percent of the members in good standing shall constitute a quorum for any Regular or Special Membership Meeting. Membership Meetings may be called to order, however, unless such quorum is present, the business of the meeting will be limited to Officers' and Delegates' reports, with the exception of Membership Meetings which are called for the nomination and election of officers, for which there is no quorum required.

Section 3.

A Special Meeting of the Local Union membership or Executive Board may be called by the President; or by a majority of the Executive Board if it deems such action necessary; or a Special Meeting of the Local Union may be called upon a written request submitted to the President by not less than twenty-five (25) members in good standing, however, said meeting shall not take place on the day of adjournment of any Regular Meeting. Special Meetings of the Executive Board may be called or convened by teleconference or video conference.

Section 4.

The Recording Secretary or designated representative shall send out notices of any Special Meeting stating the purpose for such meeting, to all members, at least seventy-two (72) hours before it convenes. Such notice may be sent by e-mail to those members for whom this Local Union believes it has valid and active e-mail addresses. The Local Union shall mail written notice of a Special Membership Meeting to those members for whom this Local Union does not have email addresses. No other business shall be transacted at such special membership meeting other than as stated in the notice sent by the Recording Secretary or designated representative.

Section 5.

No action of the membership shall be deemed valid or binding unless such action is taken by the membership at a Regular or Special Membership Meeting held pursuant to the provisions of this Constitution and By Laws.

Section 6.

Only members fulfilling the requirements of Articles V and XVI of this Constitution and By Laws shall be eligible to attend meetings of this Local Union and to participate to the extent set forth in this Constitution and By Laws; except that invited guests of the Executive Board or of this Local Union may attend and participate to the extent of the purpose for which they are invited.

ARTICLE VII. OFFICERS AND DUTIES

Section I.

- a. Effective for the term commencing November, 2018 and each term thereafter, the Officers of this Local Union shall consist of a President, Vice-President, Recording Secretary, Secretary-Treasurer, three (3) Trustees, and a Member-at-Large representing each non-Sandia bargaining unit consisting of five (5) or more members.
- b. All officers, stewards, and employees of this Local Union shall be bonded under a bond approved by the Secretary-Treasurer of the International Union. Such bond shall be no less than \$25,000 or ten percent (10%) of the Local Union's assets, whichever is greater. The Secretary-Treasurer shall contact the International Union's Secretary-Treasurer to acquire the appropriate bond.
- c. Where necessary, every officer and employee of this Local Union, other than an employee performing exclusively clerical or custodial service, shall file with the Secretary of Labor, U.S. Department of Labor, a

signed LM-30 report, conforming in all respects to the requirements of Section 202 of the Labor-Management Reporting and Disclosure Act of 1959 and all pertinent rules and regulations thereunder.

Section 2. President

- a. The President shall be the Chief Executive Officer of this Local Union and shall have general supervision over the affairs and employees of this Local Union.
- b. The President, or the President's designated representative, shall preside at all Regular and Special Membership Meetings, Executive Board meetings, and Stewards' Council meetings and shall preserve order during all of these meetings. The President, or his/her designated representative, shall vote at any of these meetings only when necessary to determine the outcome of resolutions or actions. The President shall appoint all committees whose composition is not otherwise ordered; transact such other business as may of right pertain to the office of the President and which may be necessary to the proper functioning of this Local Union; and shall have such other powers and duties as are provided for in this Constitution and Bylaws. The President may appoint a Sergeant-at-Arms whose duties shall be to assist the President in maintaining order. The Sergeant-at-Arms shall examine all persons entering membership meetings to ascertain that each person who attends is an active or an ex-officio member of this Local Union or is otherwise eligible to attend the meeting in accordance with Article V, Sections 9, 10, or 11 of this Constitution and Bylaws or is an invited guest. The Sergeant-at-Arms may be a different member at these meetings.
- c. The President shall have the authority to interpret the Constitution and By Laws of this Local Union subject to an appeal to the Local Union Executive Board, provided any such interpretations or decisions on appeal are consistent with the Constitution of the International Union.
- d. The President shall sign each Collective Bargaining Agreement negotiated by this Local Union with any and all employers.

Section 3. Vice President

- a. The Vice President shall perform the duties of the President in the absence of that Officer, limited to presiding at all General and Special Membership Meetings, Executive Board meetings, and, in case of resignation or death of the President, shall perform the duties of the President until such vacancy is filled by the next regular election as provided for in this Constitution and Bylaws. The Vice President shall also preside when called upon by the President who may be temporarily unable to discharge her/his duties. The Vice-President shall also be chairperson ex officio of all standing committees and shall have such other powers and duties as are provided for in this Local Union's Constitution and Bylaws.
- b. The Vice President shall act as Chairperson of the Trustees and is required to call no less than quarterly meetings of the Trustees. The Vice President shall have the right to require the presence of all necessary Officers at such meetings including the Secretary-Treasurer.

Section 4. Secretary-Treasurer

- a. The Secretary-Treasurer shall perform the following duties: Keep all financial accounts of the Local Union and shall maintain correct and proper accounts of all its members; shall be responsible for collection of all Initiation and Reinstatement Fees, and Dues from members of the Local Union; shall make all disbursements for the Local Union as provided in Article XIII of this Constitution; shall keep a correct record of all monies received and expended and prepare Financial Statements by calendar months, to be submitted to the Secretary-Treasurer of the International Union monthly and to the next Regular Membership Meeting of the Local Union.
- b. The Secretary-Treasurer shall deposit all funds of this Local Union in a bank, credit union or other financial institution recommended by the Trustees, with insurance provided by the Federal Deposit Insurance Corporation or the National Credit Union Administration, in amounts not to exceed the maximum insurable amounts provided by these agencies. The Secretary-Treasurer shall submit all books and records to the

Trustees for review and approval as provided for in Article VII, Section 6(a) of this Constitution and Bylaws and whenever called upon to do so. Such records shall include copies of at least the front of all checks containing the required signatures of the Local Union officers. Upon written request of the majority of Trustees, the Secretary-Treasurer shall provide the Trustees with copies of both the front and back of any check for review. Upon the expiration of term of office, the Secretary-Treasurer shall turn over to the successor all properties and assets, including funds, books, and records of this Local Union. Before turning over such properties and assets to the successor, the Secretary-Treasurer must see to it that each successor is properly bonded. The Secretary-Treasurer shall turn over all properties and assets, including funds, books, and records, to the Secretary-Treasurer of the International Union or the duly authorized representative when properly called upon to do so.

- c. The Secretary-Treasurer shall transmit to the Secretary-Treasurer of the International Union, all financial obligations owing to the International Union not later than the fifteenth (15th) day of the following month after which dues are collected by this Local Union. The Secretary-Treasurer shall follow such accounting and reporting procedures as shall be formulated by the Secretary-Treasurer of the International Union; shall be required to make monthly reports to the Secretary-Treasurer of the International Union of all dues/fees-paying members on forms prescribed by the Secretary-Treasurer of the International Union;
- d. The Secretary-Treasurer shall be required to include in each monthly report the name and address of all newly initiated, transferred, reactivated and inactive members who have withdrawn, died or who have been suspended, including members automatically suspended after three (3) months delinquency in dues/fees, or expelled; and the names of all persons to whom working permits were issued during the month.
- e. The Secretary-Treasurer shall be properly bonded by a bonding company and under a bond approved by the Secretary-Treasurer of the International Union.
- f. The Secretary-Treasurer shall, regularly, check the requirements of Section 201 (a) of the Labor-Management Reporting and Disclosure Act of 1959 to ascertain whether any changes have occurred which will cause the information required to be filed and to be reported to the Secretary of Labor, U.S. Department of Labor, at the time of filing annual financial reports as required in subsection ~~(i.)~~ (g) of this Section and as required by Section 201(b) of the Labor-Management Reporting and Disclosure Act of 1959.
- g. The Secretary-Treasurer shall file annually with the Secretary of Labor, U.S. Department of Labor, a financial report containing the following information in such detail as may be necessary to accurately disclose this Local Union's financial conditions and operations for its preceding fiscal year:
 - 1. assets and liabilities at the beginning and end of the fiscal year;
 - 2. receipts of any kind and the sources thereof;
 - 3. salary, allowances, and other direct or indirect disbursements (including reimbursed expenses) to each officer and also to each employee who, during the fiscal year, received more than Ten Thousand Dollars (\$10,000.00) in the aggregate from this Local Union and any other labor organization affiliated with this Local Union or with which it is affiliated, or which is affiliated with the International Union;
 - 4. direct and indirect loans made to any officer, employee or member, which aggregated more than Two Hundred and Fifty Dollars (\$250.00) during the fiscal year together with a statement of the purpose, security, if any, and arrangements for repayment;
 - 5. direct and indirect loans to any business enterprise, together with a statement of the purpose, security, if any, and arrangements for repayment; and
 - 6. other disbursements made by this Local Union including the purposes thereof; all in such categories as the Secretary of Labor, U.S. Department of Labor, may prescribe.
- h. The Secretary-Treasurer shall make available the information contained in the above-mentioned reports to all of the Local Union's members during regular business hours.

- i. The Secretary-Treasurer shall preserve all records in accordance with the provisions of Section 206 of the Labor-Management Reporting and Disclosure Act of 1959 which have been received until these records are at least five (5) years old. The Secretary-Treasurer shall turn over to the successor of the office all such records to be kept until they are at least five (5) years old.
- j. On January 1st and July 1st of each year, the Secretary-Treasurer shall provide to the International Union Secretary-Treasurer a current listing of the Local Union's active, non-active and associate members in good standing including names, home addresses, and if known to this Local Union, home telephone numbers and e-mail addresses.

Section 5. Recording Secretary

The Recording Secretary shall keep a correct, full and impartial account of the proceedings of each meeting of the Local Union; shall be a member of the Executive Board and act as its Recording Secretary; shall perform such other duties as the Union may require and shall turn over all records, books, papers and other property of the Local Union to her/his successor in office when duly elected and qualified to receive same.

Section 6. Trustees

- (a) The Trustees shall review all the books and records of the Local Union's Secretary-Treasurer at least quarterly and at the close of each fiscal year and shall report the results of each such review in writing to the Local Union and to the Secretary-Treasurer of the International Union. As provided for in Article VII, Section 4(b), such records shall include a review of copies of at least the front of all checks containing the required signatures of the Local Union officers. Upon written request of the majority of the Trustees, the Secretary-Treasurer shall provide the Trustees with copies of the front and back of any check for review. In conducting such reviews, the Trustees shall meet at the designated time with the Vice President of this Local Union who will act as Chairperson of the meeting.
- (b) The Trustees shall report the results of each such review to the Local Union Executive Board and to the Secretary-Treasurer of the International Union. Following the submission of each Trustee's report to the Local Union Executive Board, each report shall be read at the next regular membership meeting and shall be available for review by members at the Local Union office upon request.
- (c) As an alternative to the Trustees making such reports to the Secretary-Treasurer of the International Union, this Local Union must have an audit conducted annually by a certified public accountant in accordance with generally accepted auditing standards. Copies of each such audit shall be provided to the Local Union Executive Board, be available for review at the first regular membership meeting following its receipt, and must be sent to the Secretary-Treasurer of the International Union within fifteen (15) days of receipt.

Section 7.

Any elected Officer; or representative who is not on the Local Union payroll, may be reimbursed for time lost at their prevailing hourly rate of pay only while performing Local Union duties, and only if the President determines this is in the best interest of the members and subject to approval by the Executive Board.

ARTICLE VIII. EXECUTIVE BOARD

Section 1.

Effective for the term commencing November 1, 2018 and each term thereafter, the Executive Board shall consist of the President, Vice President, Secretary-Treasurer, Recording Secretary, three (3) Trustees and one Member-at-Large representing each non-Sandia bargaining unit of five (5) or more members to be elected by a plurality of the voting membership in good standing.

Section 2.

Each member of the Executive Board shall have one (1) vote. The President shall act as Chairperson and shall have

a voice, but no vote, except in the event of a tie by the Executive Board, in which event, s/he shall have a vote.

Section 3.

A majority of the members of the Executive Board shall constitute a quorum and such quorum shall have the power to transact all business of the Executive Board. Regular Meetings of the Executive Board shall be held on the second Wednesday of each Month. Special Meetings of the Executive Board may be called by the President and must be called by her/him upon the request of a majority of the members of the Executive Board. All members of the Executive Board shall be given reasonable notification by the President of any Special Meeting of the Executive Board. Representatives and/or Organizers are to attend all Executive Board meetings to provide information, when requested. Members of this Local Union and other persons not members of the Executive Board may attend meetings when requested to do so to provide specific information, upon approval of a majority of the Executive Board members present and voting.

Section 4.

The Executive Board shall conduct the affairs of the Local Union in the intervals between General Membership Meetings. It is empowered to authorize and perform all acts for the conduct of the Local Union's business between such Membership Meetings. All decisions and actions of the Executive Board shall be subject to review and approval by the membership of the Union at a duly constituted meeting of the membership unless the Executive Board deems it necessary to take emergency action.

Section 5.

The Executive Board may engage legal counsel and may determine the compensation for such services subject to approval of the membership.

Section 6.

The Executive Board shall act as the Trial Board of the Union.

Section 7.

The Executive Board shall have the authority to hire Representatives, Organizers and all assistants, paid or voluntary. The Executive Board shall determine the compensation and expense payment and reimbursement policies for all Officers, Representatives, Organizers and all assistants, paid or voluntary, of the Union, subject to the approval of the membership.

Section 8.

An Executive Board member who fails to attend three (3) successive meetings, without being excused from such attendance by the President, shall be deemed to have forfeited such office, and the Executive Board, pursuant to Article XX may appoint a successor of the balance of the unexpired term. If the office of the President is thus declared vacant the Vice President shall perform the duties of the President until such vacancy is filled by an election as provided in Article VII.

ARTICLE IX. NOMINATIONS AND ELECTIONS

Section 1.

It shall be the aim of this Local Union to elect to Local Union office the most capable members of the various groups comprising the membership of this Local Union.

Section 2.

Elections of this Local Union which are conducted pursuant to Article IX are to be conducted in accordance with Title IV of the Labor Management Reporting and Disclosure Act of 1959 (LMRDA), the Election Regulations promulgated by the United States Department of Labor pursuant to Article IV of the LMRDA and as provided in this Constitution and Bylaws. The Election Regulations are published at Title 29, Part 452 of the Code of Federal Regulations.

Section 3.

No person who has been convicted of, or served any part of a prison term resulting from the conviction of robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, violation of narcotics laws, murder, rape, assault with intent to kill, assault which inflicts grievous bodily injury; or a violation of Title II or III of the Labor Management Reporting and Disclosure Act of 1959, any felony involving abuse or misuse of such person's position or employment in a labor organization or employee benefit plan to seek or obtain an illegal gain at the expense of the members of the labor organization or the beneficiaries of the employee benefit plan, or conspiracy to commit any such crimes or attempt to commit any such crimes, or a crime in which any of the foregoing crimes is an element, shall serve or be permitted to serve as an officer, director, trustee, member of the Executive Board or similar governing body, business agent, manager, organizer, employee (other than as an employee performing exclusively clerical or custodial duties) or representative of this Local Union during or for the period of thirteen (13) years after such conviction or after the end of such imprisonment, whichever is later, unless the sentencing court on the motion of the person convicted sets a lesser period of at least three years after such conviction or after the end of such imprisonment, whichever is later, or unless prior to the end of such period, in the case of a person so convicted or imprisoned, (A) the citizenship rights, having been revoked as a result of such conviction, have been fully restored, or (B) the appropriate judicial officer as set forth in Section 504(a) of the Labor Management Reporting and Disclosure Act of 1959 determines that such person's service in any capacity referred to above would not be contrary to the purposes of the Labor-Management Reporting and Disclosure Act of 1959.

Section 4.

The officers of this Local Union and the members of the Local Union Executive Board shall be elected by the membership and shall hold office for a term of three (3) year(s) and be elected by the membership for the above term at the election of this Local Union to be held in October 2018 and every three (3) year(s) thereafter.

Section 5.

Nominations for all Local Union offices shall be declared open at the regular membership meeting to be held in the month of October 2018, and every three (3) year(s) thereafter. Nominations may only be made by active members in good standing of this Local Union at the time of the nomination. All persons validly nominated shall indicate their acceptance or declination (1) verbally if present at the meeting, otherwise (2) in writing within five (5) days after such nomination. If no response to the nomination is received within this time frame, the nomination will be considered declined. No person may accept the nomination for more than one office or Executive Board position in an election. If a person accepts nomination for more than one office, said person will have to decline the nomination for one of the positions for which said person was nominated. If said person refuses to decline nomination for one of the two positions for which said person was nominated, that person shall be declared ineligible to run for office. If only one candidate (i.e., an eligible member who has been validly nominated and timely accepts the nomination) is duly nominated for an office, that candidate shall be declared elected by acclamation.

Section 6.

- a. If any candidate for any Local Union office resigns or is suspended from membership in the Local Union, dies or becomes permanently incapacitated between the time of the close of nominations and the completion of voting, the nomination process for such office will be deemed null and void and new nominations will be conducted prior to the election for that office.
- b. If between the completion of voting and the installation of officers, a prevailing candidate for any Local Union office resigns or is suspended from membership in the Local Union, dies or becomes permanently incapacitated, the election results for that office will be deemed null and void and new nominations will be conducted for that office and a new election held.
- c. For purposes of this Section 6, permanent incapacity means that the candidate is unable to perform the duties of the office for which they have been nominated or elected. Such medical condition must be certified in a written opinion by a licensed physician.

Section 7.

The elections shall take place at the general membership meeting or during a day selected by Election Committee.

Section 8.

No member of this Local Union shall be permitted to vote unless he or she is an active member in good standing in this Local Union at the time of the election.

Section 9.

After this Local Union has been functioning for one (1) year, no person shall be nominated, elected or appointed to a Local Union office or as an Executive Board member of this Local Union unless such person has been an active member of this Local Union in continuous good standing for at least the preceding twelve (12) months.

Section 10.

No member shall simultaneously be a candidate for or hold more than one (1) of the offices specified in Section 1.a. of Article VII.

Section 11.

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

Section 12.

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

Section 13.

No votes for any member who is not a candidate listed on the ballot may be counted by the Election Board (e.g., no sticker or write-in candidates allowed.)

Section 14.

There shall be no voting by proxy or mail ballot. Provided, however, that in circumstances where geographic location may cause difficulties in following the usual election procedures, upon submission to and approval by the International Union President of a mail ballot procedure, mail balloting may be allowed.

Section 15.

All officers and Executive Board members shall be installed at the next regular membership meeting of this Local Union to be held following an election and shall assume office immediately after such installation. Before entering upon the duties of their respective offices, the newly elected officers shall subscribe to the following installation obligation:

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

Section 16.

The Recording Secretary of this Local Union shall provide a notice or notices of the nomination and election of officers to all members in good standing not less than fifteen (15) days prior to such nomination or election by mailing said notice(s) to their last known home address. A reasonable effort must be made to keep the membership mailing list of this Local Union current. The notice of nomination and the notice of election provided for in this Article may be combined into a single notice provided that all requirements for providing such notices are met.

ARTICLE X. ELECTION COMMITTEE

Section 1.

An Election Committee of three (3) members in good standing shall be elected at the Regular Membership Meeting after Nominations for regular Officers have been closed. No nominee for office shall serve on the Election Committee. One (1) member shall be elected as Chairperson. The Executive Board shall have the right to appoint any clerical help required.

Section 2.

The Election Committee is charged with the duty of conducting the election of officers and Executive Board members of this Local Union. It shall make such regulations as shall assure the members a fair and honest election conducted in compliance with applicable law. Any candidate shall have the right to be or have an observer at the polls and at the counting of the ballots, provided that the identity of the observer and the candidate for whom the observer shall serve has been designated in writing to the Election Committee. Only members in good standing of this Local Union shall be eligible to serve as observers.

Section 3.

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

Section 4.

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

Section 5.

After an election has been held and the report of the Election Committee has been rendered, all election records and ballots shall be turned over to the Secretary-Treasurer for safekeeping among the records of this Local Union for not less than one (1) year. The election records cannot be opened unless authorized by this Local Union's membership or as may be directed to be opened under the law.

Section 6.

- a. Recount of the ballots cast in some or all of the positions contested at an election may be ordered upon presentation to the Executive Board of a petition signed by ten percent (10%) of the total members of this Local Union in good standing specifying which ballots should be recounted. The petition must be presented to the Executive Board within fourteen (14) days after the election, and this petition shall enumerate the reasons why such members believe such recount(s) should be held. Within two (2) weeks of the receipt of a recount petition the President shall call a Special Meeting of the Executive Board to consider such petition. If the Executive Board rules that a recount(s) should be held, it shall instruct the Election Committee to conduct such recount(s). If the Executive Board denies any part of a petition, it shall make a report of its ruling at the next Regular Membership Meeting. It shall require a majority vote of those present at the Membership Meeting to reverse all or any part of the Executive Board's decision regarding the recount petition.
- b. If the membership reverses any or all parts of the Executive Board's decision, the Election Committee shall be instructed to conduct the specified recount(s). Any candidate shall be permitted to attend all meetings of the Election Committee as an observer. The Election Committee shall report its findings to the membership at the next regular or special membership meeting. If a report of the Election Committee declares that their tabulation shows that a defeated candidate has actually been the recipient of the greatest number of votes cast for that office, such candidate(s) shall be declared elected.

Section 7.

- a. Any member seeking to file a protest concerning any facet of the nomination or election process may file a written protest stating all grounds on which the protest is based with the Election Committee. All protests must be filed within ten (10) days of the ballot count. All protests regarding any recount of ballots must be

filed within ten (10) days of the recount. Within ten (10) days of receipt of the protest, the Election Committee must issue a written ruling on the issues raised in the protest.

- b. Any or all of the members who filed the original protest or any candidate adversely affected by the decision of the Election Committee, may appeal the Election Committee's decision to the Local Union Executive Board within ten (10) days of receipt of the decision by the Election Committee. The Executive Board may sustain, modify, or reverse the decision of the Election Committee. The Executive Board shall render a decision on the appeal no later than at its next regular meeting, and that decision shall be fully explained in writing and sent to each appealing member, all involved candidates and the Election Committee within seven (7) days after that meeting
- c. Any or all of the members who filed the original protest or any candidate adversely affected by the Executive Board's decision may appeal the Executive Board's decision to the membership. Said appeal must be in writing and must be received by the Secretary-Treasurer of this Local Union within ten (10) days after receiving the decision of the Executive Board. The membership will consider the appeal at the first membership meeting of the Local Union that is held at least fifteen (15) days after the Executive Board's decision. By a secret ballot vote of the majority of the members present and voting, the membership may sustain, modify, or reverse the decision of the Executive Board.

Section 8.

Any or all of the members who filed the original protest or any candidate adversely affected by the membership's decision may appeal the membership's decision to the International Union Executive Board using the OPEIU Appeal Procedure found in the OPEIU Administrative Policies and Procedures. Copies of those procedures may be obtained by contacting the office of the Secretary-Treasurer of the OPEIU. Said appeal must be received no later than thirty (30) days after the membership's decision and must otherwise conform with the OPEIU Appeal Procedure.

Section 9.

The candidates that the Election Board declares elected shall be installed into office as provided for in Article IX, Section 15 and shall retain their offices so long as proceedings involving a recount petition, election protest and/or related appeals remain pending, unless the International Union Executive Board determines otherwise.

ARTICLE XI. ELECTION OFFENSES

Any member found guilty by the Trial Board of tampering with ballots, illegal voting, committing fraud, violence, coercion, or other conduct not included in the foregoing, which in any manner interferes with a member's right to participate in the election process, shall be subject to expulsion, suspension or fine by the Trial Board. All rulings of the Trial Board are subject to appeal as provided for in the International Union's Uniform Disciplinary Procedure and Appeal Procedure found in the OPEIU Administrative Policies and Procedures. Copies of those procedures may be obtained by contacting the office of the Secretary-Treasurer of the International Union.

ARTICLE XII. FINANCES

Section 1. Dues/Fees and Initiation Fee

- a. The regular monthly Dues of each member shall be based on a percentage of wages earned, at one and one-half (1.5) times the hourly base rate per month; student intern Dues will be one (1) time the hourly base rate per month. Dues/fees are payable on or before the first (1st) day of each month. After the fifteenth (15th) of each month, a late dues/fees charge of Five Dollars (\$5.00) may be levied. The initiation fees, reinstatement fees and other obligations owed to the International Union by this Local Union shall constitute a preferred claim.
- b. The Initiation Fee for applicants for membership of this Union shall be \$50.00 and published on the website. The Initiation Fee shall be waived for student interns.

- c. The regular monthly Dues of each member will be increased by the amount of any increase directed by the International Union Convention including per capita contributions and/or increase in International strike and defense fund contributions, unless waived with the approval of the International President.

Section 2. Reciprocity

If a former member of another union affiliated with the American Federation of Labor and Congress of Industrial Organizations and the Canadian Labour Congress accepts employment under the jurisdiction of this Local Union and presents a valid withdrawal card from their former union, or presents evidence of honorable termination of membership in lieu of a withdrawal card from their former union and pays one (1) month of the current month's dues, such member shall be accepted for membership in this Local Union without the payment of any initiation fees.

Any such evidence of such an applicant shall be surrendered to the Secretary-Treasurer of this Local Union, who shall forward same to the Secretary-Treasurer of the International Union in lieu of initiation fees on such applicant.

This section shall only apply to unions affiliated with the American Federation of Labor and Congress of Industrial Organizations and the Canadian Labour Congress, which have a reciprocal plan of accepting withdrawal cards from Locals of the Office and Professional Employees International Union in lieu of an initiation fee.

Section 3. Reinstatement

Any member more than three (3) months in arrears in dues/fees who remains working under the jurisdiction of Local 251 shall be classified as a "suspended" member and not in good standing. Suspended members shall pay a Reinstatement Fee of one hundred (\$100) dollars, plus all Dues, Fees and Assessments owed to the Union at the time of the suspension and the current month's dues/fees, before the member can regain good standing in the Union.

Section 4. Dues and Fees Increases by Local Union

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

Section 5. Waiver of Initiation Fee for Involuntary Military Induction

No Initiation Fee shall be required by this Local Union of any person voluntary or involuntarily inducted into the Armed Services of the United States or Canada or entering such Services during emergency periods as determined by the International Union Executive Board, if such person applies for membership within a period of one (1) year after her/his discharge, provided s/he has other than a dishonorable discharge and provided same is initial employment following such service.

ARTICLE XIII. USE OF FUNDS

Section 1.

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

Section 2.

The General Fund shall be used for the payment of expenses incurred by this Local Union on behalf of its membership primarily for organizing, defense, and service and contract administration and as a depository for its monies.

Section 3.

All disbursements shall be made by checks drawn on the General Fund and shall be signed by the President and Secretary-Treasurer of the Local Union. If the Secretary-Treasurer or President is unable to sign checks, the Vice-

President may sign them. In all cases, checks must be signed by two (2) of the designated signers.

Section 4.

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

Section 5.

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

ARTICLE XIV. PROHIBITED ACTIVITIES

Section 1.

This Local Union may discipline its members or officers only as permitted by law, for violation of the International Union Constitution or this Local Union's Constitution and Bylaws, or for engaging in any activity or course of conduct which is deemed to be contrary or detrimental to the welfare or best interests of this Local Union. The OPEIU Uniform Disciplinary Procedure, which includes rights of appeal to insure full compliance with applicable law, shall be the sole procedure for processing charges against officers or members of this Local Union. The OPEIU Uniform Disciplinary Procedure is available to any member upon request to the Secretary-Treasurer of the International Union.

Section 2.

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

- a. Publicizing or giving information about this Local Union affairs to persons not entitled to such information;
- b. Working for an employer against whom the Local Union has declared a strike or whom the Local Union has declared to be unfair unless permission has been granted by proper Officers of the Local Union;
- c. Working for less than the rate of pay provided for by the applicable collective bargaining agreement to which this Local Union is a party;
- d. Failure to appear before the Local Union's Executive Board or the Trial Board when ordered to do so;
- e. Obtaining membership through fraudulent means or by misrepresentation;
- f. Violation of the Oath of Membership or Office, if an Officer;
- g. Working in the interests of any organization or a dual Union opposed to the interests of this Local Union;
- h. Being present or entering a meeting of the membership or of the Executive Board while intoxicated or disturbing the peace of any such meeting by creating or participating in disturbances or of similar conduct in and about the offices or meeting place of the Local Union;
- i. Causing or participating in a stoppage of work because of any alleged grievance or dispute without the authorization of the Local Union or its proper Officers;
- j. Any acts of misconduct, which are detrimental to the best interests of the Local Union or of conduct unbecoming a member of the Local Union, or of violation of any of the provisions of the Constitution and By Laws of this Local Union, or of the Constitution of the International Union.

Section 3.

Any member who has been found guilty by the Trial Board of any of the above offenses or for violation of this Constitution or the International Union Constitution may be penalized in accordance with the OPEIU Uniform Disciplinary Procedure, which is available through the Secretary-Treasurer of the International Union.

Section 4.

Any member who has been found guilty of any of the above offenses or for violation of this Constitution and Bylaws or the International Union Constitution, may appeal the decision of the Trial Board using the appeal procedure set forth in the OPEIU Uniform Disciplinary Procedure which can be found in the OPEIU Administrative Policies and Procedures. Copies of such Uniform Disciplinary Procedure are available upon request to the office of the Secretary-Treasurer of the International Union.

Section 5.

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

Section 6.

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

ARTICLE XV. APPLICANTS

Section 1.

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

Section 2.

All applicants shall take the following oath:

“I, _____, pledge my honor before these witnesses to faithfully comply with the Constitution, By Laws and all Amendments thereto of Office & Professional Employees International Union Local 251 and of the International Union Constitution.”

ARTICLE XVI. PROCEDURE AT MEETINGS

Section 1.

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

Section 2.

Members requesting the floor from the Chairperson shall, when recognized, state their name and place of employment.

ARTICLE XVII. REMOVAL OF OFFICIALS

Section 1.

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

Section 2.

The Executive Board or a subcommittee consisting of an odd number of at least three members of the Executive Board appointed by the President of this Local Union shall act as the Trial Board in all proceedings under this Article. Any official under charges by virtue of any impeachment petition shall be automatically barred from acting as a member of the Trial Board.

Section 3.

The Trial Board shall follow the same procedure as provided for in OPEIU's Uniform Disciplinary Procedure in any impeachment proceedings. Copies of the Uniform Disciplinary Procedure are available upon request from the office of the Secretary-Treasurer of the International Union.

Section 4.

If the Trial Board finds the charged party guilty, it shall then, by majority vote, determine the proper penalty, which may include removal from office, reprimand, fine, suspension, prohibition from running for office, and/or expulsion.

Section 5

All Officers and all members of all standing committees are deemed "Officials" within the purview of this Article.

Section 6.

Any official found guilty by the Trial Board pursuant to proceedings held under this Article, shall have the rights to appeal set forth in the OPEIU Uniform Disciplinary Procedure. Pending any decision on such appeal, the decision of the Trial Board shall become effective upon issuance, unless stayed pending appeal by a majority vote of the Trial Board.

ARTICLE XVIII. WITHDRAWAL AND MILITARY SERVICE CARDS AND WORK PERMITS

Section 1.

This Local Union may issue withdrawal cards only to active members who, at the time of request for same, are in good standing with all obligations paid to the International Union and this Local Union, including the current month. Such cards shall be issued as follows:

- a. A withdrawal card shall be issued by this Local Union to any active member requesting same who is leaving the jurisdiction of the International Union.
- b. Any person bearing a withdrawal card shall not be entitled to participate in the operation of this Local Union. A person bearing a withdrawal card and who has complied with the conditions of the same shall upon resuming work within the jurisdiction of this Local Union deposit such card and thereafter shall be admitted to membership in this Local Union without the payment of any initiation or transfer fees.

Section 2.

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

Section 3.

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

Section 4.

If permissible under state law, this Local Union may issue work permits to persons employed for a period not exceeding ninety (90) days for work within the jurisdiction of this Local Union in establishments where this Local Union has union agreements, which work permit shall allow such person to work without the payment of initiation fees and dues; provided, however, that any such person may apply at any time during such period for membership in this Local Union. In the event a person works beyond ninety (90) days, then any extension beyond this period will be subject to approval by the International President. Such permits if used by a Local Union shall be issued monthly and the charge shall be the same as this Local Union's regular monthly dues. Work permits shall be issued by this Local Union's Secretary-Treasurer and monthly reports of all work permits issued shall be made to the Secretary-Treasurer of the International Union.

Section 5.

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

ARTICLE XIX. STRIKES

Section 1.

- a. No Local Union shall call a strike against an employer or employers unless the active members in a bargaining unit of this Local Union employed by such employer or employers, conduct a secret ballot vote to call a strike, which must be approved by a majority vote of those active members held within thirty (30) days prior to the scheduled day of the strike. Prior to taking a strike vote, the members shall be fully informed of and consider the most recent bargaining positions of the employer and the Local Union. Before or after the members vote to call a strike, the Executive Board of the Local Union must vote to grant strike sanction of such strike; and the approval of the President of the International Union shall be obtained before a strike shall be commenced.
- b. Approval of the President of the International Union shall not be construed as approval, ratification or participation by the International Union in any particular activity of the Local Union involving such strike and shall imply only that such strike is not contrary to the best interests of the International Union, its Local Unions and its members.

Section 2.

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

Section 3.

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

ARTICLE XX. VACANCIES IN OFFICE

Section 1.

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

ARTICLE XXI. LIMITATIONS ON COMMITTEES

Section 1.

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

Section 2.

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

ARTICLE XXII. AFFILIATIONS AND DELEGATES

Section 1.

This Local Union shall be affiliated with the Office and Professional Employees International Union Educational Conference embracing its geographical jurisdiction as designated by the International Union Executive Board.

Section 2

This Local Union may be affiliated with Central Labor Organizations, Councils, Departments or Federations chartered by or affiliated with the American Federation of Labor and Congress of Industrial Organizations and the Office and Professional Employees International Union.

Section 3.

Delegates to the aforesaid Central Labor Organizations, Councils, Departments or Federations shall be selected by majority vote of the Executive Board. This Local Union will be affiliated with the AFL-CIO State Federation in all the States where the members it represents are employed.

Section 4.

Pursuant to Article XVII, Section 2(a) of the International Union Constitution, if a majority of the members of this Local Union are employed within the jurisdiction of a Council established by the International Union Executive Board, this Local Union shall be affiliated with such Council. Pursuant to Article XVII, Section 2(b) of the International Union Constitution, if a minority of the members of this Local Union is employed within the jurisdiction of a Council established by the International Union Executive Board, this Local Union may choose to be affiliated with such Council.

Section 5.

The elected Officers of this Local Union shall also be elected Delegates to all conventions of the Office and Professional Employees International Union in the order of President, Secretary-Treasurer, Vice-President, and Recording Secretary. A fifth (5) person may be nominated/elected by the membership. The Executive Board shall determine the total number of Delegates to be sent, which shall not exceed the maximum number permitted by the Constitution of the International Union. If any Officer, Executive Board Trustee or Executive Board Member was appointed to fill a vacancy and not elected by the membership, that Officer is not eligible to be a Delegate. Should an elected Delegate vacancy exist, this Local Union shall fill such vacancy through a special election of the membership and in accordance with the International Union's convention call.

Section 6.

Delegates shall attend the meetings or sessions of the body or assembly to which they have been delegated, faithfully represent this Local Union and protect its interest and properly present and support its declared policies and instructions. They shall report to this Local Union the proceedings of the organization to which they were Delegates

and perform such other duties as pertain to their office.

Section 7.

All delegates to the OPEIU Convention eligible to do so shall elect officers of the International Union.

ARTICLE XXIII. INTERNATIONAL CONSTITUTION

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

ARTICLE XXIV. GENERAL PROVISIONS

Section 1.

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

Section 2.

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

Section 3.

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

Section 4.

This Local Union shall ascertain whether any employer(s) with which it has a collective bargaining agreement allows its stockholders, executives, or administrative personnel to contribute to an employer Political Action Committee fund through payroll deduction. Any employer which allows any such payroll deduction must be required to permit employees in the bargaining unit to utilize the same procedures for check-off of contributions to the J. B. Moss Voice of the Electorate Fund (VOTE).

This Local Union will vigorously pursue in all collective bargaining negotiations with Employers a provision in the collective bargaining agreement permitting check-off of contributions to the J. B. Moss Voice of the Electorate Fund (VOTE).

This Local Union shall use the standard check-off form provided by the International Union for dues, fees and/or J. B. Moss Voice of the Electorate Fund (VOTE) contributions.

Section 5.

All references to "days" in this Constitution and Bylaws are calendar days.

ARTICLE XXV AMENDMENTS TO THE CONSTITUTION AND BYLAWS

Section 1.

A proposed Amendment to this Constitution, except for the matters of Assessments, Initiation Fees or Dues, may be introduced by the Executive Board or by a petition containing the proposed Amendment, which has been signed by at

least fifty (50) members in good standing. Such petition must be presented to the Executive Board before it can be considered by the membership. The procedure for voting on Assessments or dues/fees is covered in Article XII, Section 4.

Section 2.

The Executive Board shall include the proposed Amendment in its minutes to be read at the next Membership Meeting. There can be no vote or discussion on the subject of the Amendment at that Meeting, however, it shall be held over until the succeeding Membership Meeting.

Section 3.

The meeting notice for the succeeding Membership Meeting shall contain a statement informing the members of the nature of the proposed Amendment and that a vote will be taken at said Meeting. A vote of two-thirds (2/3) of the members voting shall be required to constitute acceptance of the proposed Amendment to this Constitution and By Laws, except as herein provided in Article XII Section 5.a.

Section 4.

No Amendment to this Constitution and By Laws shall take effect until the approval of the President of the International Union has been secured.

Section 5.

In the case of voting on a proposed By Law Amendment, a Special Order of Business shall be called for the purpose of allowing those members to cast their vote on the proposed By Law Amendment.

Section 6.

Pursuant to Article XIX, Section 15 of the International Union Constitution, it is the obligation of this Local Union to update this Constitution and Bylaws in accordance with actions taken at each OPEIU Convention, to the extent applicable, no more than six (6) months after receipt of a listing of Constitutional changes from the International Union Secretary-Treasurer.

ARTICLE XXVI. STEWARDS' COUNCIL AND COMMITTEES

Section 1.

In addition to other committees that may be established by the Local Union, a Stewards' Council may also be formed encompassing all Stewards who shall hold regularly scheduled meetings open to all members. Its purpose is to provide training and assistance to the Stewards in this Local Union.

Section 2.

Stewards will be appointed by the Executive Board. Stewards are subject to removal by a majority of vote of the Executive Board.

Section 3.

Stewards of this Local Union shall determine a day each month to meet. The structure of this council is to be determined by the stewards and approved by the Executive Board and general membership. Terms for Stewards shall run concurrently with the terms of the Officers of this Union and shall not exceed three (3) years. The President shall be an ex-officio member of all committees and this Council.

Section 4.

Designee position(s) are filled in accordance with the terms and conditions of the Collective Bargaining Agreement in effect between the Employer (Sandia National Laboratories) and this Local Union. These positions must be filled by employees from that bargaining unit that have been members for twelve (12) months or more and have been an active Steward in this Union for twelve (12) months or more. Designee position(s) are not specifically held by virtue of being elected to a specific Office or Executive Board position within the Local Union. The Designee's term shall run concurrently with the terms and conditions of the Collective Bargaining Agreement in effect between the Employer and the Local Union. Designee positions will be appointed by a majority election of the Executive Board.

**INITIATION OF MEMBERS
AND
OATH OF OFFICE**

Initiation of Members

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

Oath of Office

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