

cc # 1257

January 31, 1977

Carol Darr
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION

Amended Complaint Nov. 16, 1976

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Ms. Darr;

I wish to amend my complaint of Nov. 16, 1976 to include, which I make for the record, that this complaint be kept open, until such time that a ruling by the United States Supreme Court rules on the question of whether it is legal for an Agency Shop per se to use union dues monies for the purpose, by compulsion, to pay dues to a "Political" organization. ~~WHEREAS~~ the National Right to Work Legal Defense Foundation in behalf of 600 Detroit Teachers vs Detroit Federation of Teachers.

I also wish to enter a precedent, which was set in the state of California, in The U.S. District Court of San Diego, Judge Leland C. Nelson ruled, in the early part of 1976, at the request of a group of Western Airlines, that their union, the Brotherhood of Railway and Airline Clerks, mispent union dues for political purposes. "A union may not use union dues from "Union shop" or "Agency shop" labor contracts for political or ideological purposes.

Since these two cases are within the boundary of my complaint and may so in fact be held illegal in regards to expenditures of union dues for political purposes and may violate the first amendment to the Constitution of the United States which any citizen is guaranteed the protection of. I request that this complaint remain open until such rulings are completed in the appeal procedure and make such rulings apply to my complaint and if found in my favor, immediately comply with the laws under The Federal Election Campaign Laws.

I also wish to be on record to state that I believe that such expenditures are illegal, even though it states under the Constitution of the UAW, that such monies will be returned, I wish to state that Delegates from our union have never consulted with the membership as to whether such monies should be spent for these purposes, "political contributions given indirectly". Even though such monies are spent under CAF the money spent enhances the chances of Federal Candidates in a Federal Election.

Sincerely,

Frank S. Toth
703 Northgate
Toledo, Ohio 43612, Phone 419-476-5804

If this complaint does not come under the Federal Election Laws, it will come under the jurisdiction of the Dept. Of Justice, under the LMRDA as amended 1959, under section 501c.

I also wish to add that monies spent by the UAW, if passed to repeal the Taft Hartly law, section 14B so called, that such monies spent would be a benefit to the UAW, and would violate The Federal Elections Campaign Laws. ~~My~~ Our President of the United States, James Earl Carter so stated in an interview, that he favors the repeal of the Taft Hartly act, and so stated by our New Secretary of Labor.

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SEARCHED
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INDEXED
FILED

January 31, 1977

cc # 1253

United States Supreme Court

Brief to the Supreme Court as a friend
of the Court

Detroit Teachers vs Detroit Federation of Teachers

I address my brief to the Supreme Court in support of the Detroit Teachers and against the right of the Detroit Federation of Teachers to use union dues monies for political purposes. I a layman argue to do away with such expenditures for the reason, the unions have better ways to spend the members monies, such as to make for a better retirement for its members, lower its union dues or for the needy union members. I ask this for the 1.4 million members of the UAW instead of letting the union spend these monies for political purposes.

I had filed a complaint, in behalf of the 1.4 million members, to the Federal Election Commission in regards to the union, local and International union, spending union dues monies for the purposes, political, under 441b, paragraph (a) which forbids expenditures, (contributions) of a union, under the the conditions of employment and under the condition of being a member of said union. The law I refer to are the Federal Election Campaign Law of 1971, formally section 610 of Title 18, and the 1975 Federal election laws, (P.L. 94-283) as amended, codified in Title 2 and 26 of the United States Code. The Federal Election Commission, under section 441b, para. (b)(2)(c) of Title 2, ruled that the union can make expenditures to maintain a UAW-V-Cap and the UAW-Law can make partisan get out to vote campaigns aimed at the members. This part I declare is wrong, for the reason, in the get out to vote campaigns the unions can, indirectly, benefit the Federal Candidates even tho the Candidates don't benefit monetarily, they gain by the unions spending these monies in their behalf. By spending these monies for partisan Candidates it denies the right of the Republican member of the union, his share of his union dues monies, to apply it to the Republican party or a Republican Candidate. Our union is for the Democratic party and I will attach copies of literature taken out of the newspapers to show that it is true and that the union denies any expenditures for the Republican party. I'm sure that the Court will bear out the fact that all union members are not Democrats.

For example; on January 26, 1975, on Meet the Press, Mr. Hayden questioning Mr. Leonard Woodcock.

For instance, in Michigan last year it was generally reported that votes of a lot of Auto workers gave George Wallace the win in the Presidential preference primary, but didn't contribute anything to George Wallace.

Mr. Woodcock; Not as an organization, no, and it is obvious that lots of our people in May of 1972 voted for Wallace in the Democratic primary, but even in 1972, the analyses show that a majority of the union members voted for Mr. McGovern as against Mr. Nixon.

This shows that the heirarchy dictates where the union dues for political purposes is spent. Another example is on the next page.

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OFFICE OF GENERAL COUNSEL

January 31, 1977

United States Supreme Court
Brief to the Supreme Court as a friend
of the Court

Detroit Teachers vs Detroit Federation of Teachers

This questioning applies to an unsuccessful Democratic Candidate for Governor of the state of Michigan. Copy of transcript is attached.

What it amounts to as in our union, UAW, the hierarchy determines who shall be represented in respect to Candidates in a Federal Election, mainly the Democratic party, and I ask the Court to rule that the Federal Election Campaign laws of 1971 and 1975, as amended, be ruled unlawful, mainly Code 2, section 441b (b) (1) (c), the right of the hierarchy to be the determining factor in who and what Candidate of a Federal election, the union will spend its union dues monies on. It violates every members right of the First Amendment of the Constitution of the United States, freedom of speech, freedom of choice, guaranteed under Federal Law, and equal protection of the law. The union members are the union as the people are the Government of this great Country of ours. We fought battles to keep this country from being reversed from Dictatorship.

The hierarchy of the unions have no business to spend our union dues monies for political purposes. It is the purpose of the people who are in office to spend these monies to benefit its members. If the unions had wished to support Candidates, it had the right the same as the IRS, on the tax forms 1040, 1040A, to ask whether its members wish to spend their monies for political purposes as long as every Candidate receives the same amount as the Presidential Candidates do.

Respectfully,

Frank Stephen Toth

Frank Stephen Toth
703 Northgate
Toledo, Ohio 43612. phone 419-476-5804
a member in good standing

Precedent: Dept of Justice has submitted briefs as a friend of the Court

UAW- United Auto Workers

CAP- Community Action Program

Comment: I tried to hire an Attorney but failed even tho i could not afford th cost of a legal battle in the Courts.

YVONNE W. BERGER

Notary Public, Lucas County, Ohio
Commission Expires April 9, 1980

Cundy, Ohio

Witness this 31 day of January, Toledo, Lucas County, Ohio - Yvonne W. Berger

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Frank Stephen Toth
703 Northgate
Toledo, Ohio 43612



Carol Darr
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

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FEDERAL
ELECTION
COMMISSION

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JAN-20-1977

RE-MUR 338(76)

CC#1230

Carol Darr
Federal Elections Commission
1325 K Street
Washington, D.C. 20463

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Ms Darr;

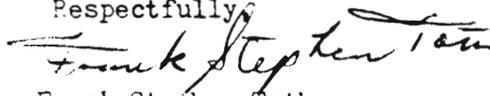
In response to your letter and ruling by the Federal Election Commission as to my complaint rather the letter of January 17,1977, signed by Mr. Oldmaker ,states as I read it,that I had complained of the union creating a UAW-V-Cap. My complaint was in regards to the expenditures made to Federal Candidates. Attached is two copies of such expenditures. I wish for you to tell me that these expenditures are not contributions. I am somewhat astounded by this ruling. Perhaps you misunderstood my complaint? I wish to be precise,My complaint is in regards to expenditures made by the Union,UAW-V-Cap. I have additional expenditures made to Federal Candidates.These copies are at your disposal.

Attached is the constitution and the original copy that I recieved from Meet The Press.I ask that you read Article 16,page 32 section 6 and 7. Then determine whether union dues are or rather expenditures to Federal Candidates are made.

I ask that reconsideration is given to the ruling. I conclude that expenditures are none other than contributions to Federal Candidates and violate the Federal Elections Campaign Act.

I with all due respect ask for a presice answer so I may ask an Attorney to file in Federal court,an appeal to your descison and not go off in a ridicules hunt for justice.

Respectfully,



Frank Stephen Toth
703 Northgate
Toledo, Ohio 43612
Phone no. 419-476-5804

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SCHEDULE D
ITEMIZED EXPENDITURES—PERSONAL SERVICES, LOANS, AND TRANSFERS

UAW V CAP

(Full Name of Candidate or Committee)

Part No. 10

(Use for itemizing Part 7, 8, or 10)

SEE REVERSE SIDE FOR INSTRUCTIONS
 (Use separate page(s) for each numbered Part)

Date (month, day, year)	Full Name, Mailing Address, and ZIP Code (occupation and principal place of business, if any)	Amount of Expenditure This Period
3-18-74	CITIZENS FOR HOWARD METZENBAUM COMMITTEE 1106 PAXTON AVENUE CINCINNATI, OHIO	\$21,500.00
7-18-74	CITIZENS FOR HOWARD METZENBAUM COMMITTEE 1801 E. 9TH. ST., SUITE 1525 CLEVELAND, OHIO 44114	\$ 5,000.00
10-20-74	CITIZENS FOR HOWARD METZENBAUM COMMITTEE 1801 E. 9TH STREET SUITE 1525 CLEVELAND, OHIO 44114	\$20,000.00
11-18-74	WORKERS FOR METZENBAUM COMMITTEE 1801 E. 9TH ST., SUITE 1525 CLEVELAND, OHIO 44114	\$ 5,000.00
12-18-74	STUDENTS FOR METZENBAUM COMMITTEE 1801 E. 9TH. ST., SUITE 1525 CLEVELAND, OHIO 44114	\$ 2,000.00
1-18-74	METZENBAUM ELECTION COMMITTEE 1801 E. 9TH. ST., SUITE 1525 CLEVELAND, OHIO 44114	\$ 5,000.00
2-18-74	METZENBAUM FOR SENATE COMMITTEE 2300 ASHLAND AVENUE TOLEDO, OHIO 43620	\$ 5,000.00

TOTAL THIS PERIOD \$63,500.00
 (Last page of this Part only)

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The National Broadcasting Company Presents



MEET THE PRESS

America's Press Conference of the Air

Produced by LAWRENCE E. SPIVAK

Guest: LEONARD WOODCOCK, *President*
United Automobile Workers
I. W. ABEL, *International President*
United Steelworkers of America
JERRY WURF, *President*
American Federation of
State, County and Municipal Employees
ROBERT A. GEORGINE, *President*
Building and Construction Trades Dept., AFL-CIO
JOHN RYOR, *President-designate*
National Education Association

Special One-Hour Edition

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Pand: HOBART ROWEN, *The Washington Post*
BYRON E. CALAME, *The Wall Street Journal*
FRANK SWOBODA, *Business Week*
TOM PETTIT, *NBC News*

Moderator: LAWRENCE E. SPIVAK

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MEET THE PRESS

MR. SPIVAK: Our guests on this Labor Day weekend for a special full-hour edition of MEET THE PRESS are five major labor leaders: Leonard Woodcock, President of the United Automobile Workers; I. W. Abel, International President of the United Steelworkers of America; Jerry Wurf, President of the American Federation of State, County, and Municipal Employees; Robert A. Georgine, President of the Building and Construction Trades Department of the AFL-CIO; and John E. Ryor, the incoming President of the National Education Association.

We will have the first questions for our guests from Tom Pettit of NBC News.

MR. PETTIT: Mr. Woodcock, yesterday the President of the United States said he is going to do everything he can to reduce unemployment in this country. Do you believe him?

MR. WOODCOCK: He went on to say he is going to do that by having a beefed-up program of private investment, and that ties back to a cut in corporate taxes. In my opinion, it is Herbert Hoover revived and is not going to turn this economy around.

MR. PETTIT: How do you assess what the President's policies have done in combating unemployment, recession and inflation?

MR. ABEL: They have added up to absolutely zero at the present time. You still have the high unemployment, you still have inflation, and inflation spreading, and very little done, if anything, to put people back to work.

MR. PETTIT: Mr. Wurf, has Congress taken any responsibility? Has it taken any constructive steps to cut unemployment?

MR. WURF: With regard to unemployment, Congress has taken several steps, and unfortunately President Ford has vetoed the bills, but let me hastily add, a lot more needs to be done by the legislative branch with regard to facing up to the needs of eliminating unemployment in this country.

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MR. PETTIT: Mr. Georgine, in your opinion how many public works jobs would it take to reduce unemployment to an acceptable level?

MR. GEORGINE: In numbers it would take at least 900,000 public works jobs.

MR. PETTIT: Do you foresee that happening?

MR. GEORGINE: Under the present atmosphere, I doubt it very much. Congress has done some work with public works, but again, the President has vetoed it, and I don't look for a very much different attitude by the administration.

MR. PETTIT: Mr. Ryor, have you seen much help from the President for out-of-work teachers?

MR. RYOR: Not at all. I think the July 25 veto of the education bill is an indication of the kind of problem we are facing. It is our intention to launch an effort to override that on September 9. It has very critical implications, I think, for local school districts, for teachers and for children, and I think we are going to achieve the override.

(Announcements)

MR. ROWEN: Mr. Woodcock, in answer to Mr. Pettit, you said that the Ford administration is relying on private investment to pull the economy out of the recession, that that is Herbert Hoover revived. In fact, hasn't labor itself endorsed this private investment approach through the Labor-Management Committee?

MR. WOODCOCK: Of course that is a little difficult for me, as I am sure you know, since I am a member of that Committee. I was not present when the proposal to the Congress was made and sent up to the Hill by the administration. In fact, in an appearance before the House Ways and Means Committee I opposed the special tax measures for the public utility industry.

MR. ROWEN: But the Labor-Management Committee, itself, has proposed the extension, in fact the increase, of the investment tax credit, which used to be opposed very strongly by labor.

MR. WOODCOCK: Yes we did that in an historic week between Christmas and New Years of last year. Frankly—I think I am speaking now just for myself—I think we got taken. We had agreed with a very prestigious group from business and finance that there would be a personal tax decrease tied to middle and low income families in return for which we would support the increase in the ITC up to 12 percent. The President accepted the 12 percent. Then he went way to the other end of the scale as far as personal tax cut is concerned.

MR. ROWEN: If you were taken on that, what do you propose now? What should be the program to pull the country out of the recession, to replace this investment tax credit?

MR. WOODCOCK: I think the recession has bottomed out, but we have a very slow weakened, halting recovery. I think it bottomed out because the Congress passed a much better personal tax cut than the President asked for, but that is running out and will vanish completely by year's end. Unless we have tax reform with an ongoing personal tax cut of at least \$20 billion, a permanent tax cut, I think the weak recovery we have could be aborted sometime in 1976.

MR. CALAME: Mr. Abel, as you have just noted, inflation is proving to be very stubborn. The Consumer Price Index rose at an annualized rate of 14.4 percent in July. Spendable earnings continue to be eroded. Yet in August, the steel industry and the aluminum industry, both industries where your union is the dominant one, raised prices. They indicated higher costs made this necessary; indeed, they talked of even further price increases to cover their costs. How do you view these price increases in two key industries?

MR. ABEL: We are concerned always about price increases. As a matter of fact, Leonard Woodcock and I were talking before we were on the air about that very thing, but I think you have got to keep in mind that as a trade union movement, we have refrained down through the years from getting involved in pricing policies of industry. We are concerned primarily with wage adjustments and benefits for the workers, and we have refrained from getting involved with the pricing policies of any corporation.

MR. CALAME: Mr. Abel, following up on that, looking at inflation, with the contracts you have in your industry where the pay of workers is supposed to rise as the cost of living goes up, do you find that many of your workers feel somewhat protected against inflation and perhaps more interested in protection against lay-offs and this sort of thing?

MR. ABEL: I don't think there is any question that all workers are, number one, primarily concerned with not having their wages eroded through inflation, and the cost-of-living provision is one of the ways we have found for trying to do that. In addition, they are concerned primarily with unemployment, and we have developed S.U.B. programs, wage-protection programs, and then finally retirement and a decent standard of living once they have completed their work years. Hence, our pension programs and our concern with pensions and insurance benefits, along those lines.

MR. SWOBODA: Mr. Wurf, in the July 21 issue of Business Week you were quoted as saying for the first time that state and

local governments have become very susceptible to recession: for the first time, their money problems are real. How should state or local public employment unions react?

MR. WURF: Those union employees should react in the same way as private sector employees. I am sort of appalled by the fact that due to the operations of government in this country, the outrageous and unfair tax systems that exist, that public workers are asked to subsidize public service. Nobody asks private sector workers to cut their wages or not get justly entitled benefits because there is difficulty in sales or there are difficulties of other kinds. We have been put into a special class, which is very disturbing.

MR. SWOBODA: But in private industry when companies are often faced with bankruptcy—a real threat of bankruptcy—unions often either take pay cuts or accept wage freezes. Why should public employees be different?

MR. WURF: In situations even of our own making—for example, in New York recently we met with the city and we agreed to a freeze of benefits that were due us under a collective bargaining agreement. A year or so ago in the city of Cleveland we did the same thing. But what troubles me very much is the fact that in many instances public officials want to be heroes on holding the line on taxes and holding the line in other ways at the expense of the employees. We think sacrifice should be equal on both sides of the table.

MR. SPIVAK: Mr. Wurf, I would like to ask you a question that is troubling a great many people in this country today. In San Francisco recently about 1,700 firemen and about 1,700 policemen went on strike against the law and threatened the peace and security of the city's 670,000 residents. Do you think any group should be permitted to exercise such power against the public interest, at any time?

MR. WURF: I don't know why people weren't as seriously disturbed when the physicians in the state of California, particularly the physicians in the city of San Francisco, went out on strike.

MR. SPIVAK: We are talking about policemen and firemen.

MR. WURF: I would appeal for equal treatment and equal concern. I would also state categorically that we have something going on in California that is most unfortunate. For many, many months the legislature of that state has been wrestling with a bill which, it is now clear, will never pass, to confer a mechanism for labor management relations in that state, a collective bargaining mechanism. Included in that law, which our union supported, is a mechanism for making strikes impossible

and the establishment of a compulsory arbitration mechanism with regard to workers who are involved with public safety matters such as police and fire.

The legislature of that state refuses to set up a machinery for dealing rationally with the legitimate needs of public workers. The public officials act erratically and politically. That may or may not apply to San Francisco. I know as much about that as I do about other places. And we have a whole state of chaos that comes about because of the fact that for some 30-odd years now we have been looking to the federal government to establish a mechanism for labor management relations in the public sector as it exists in the private sector of our society, with a willingness to accept inhibitions on our right to strike with regard to public safety officers. We have been met with negativism, and we have met with the fact that public employers, bosses, mayors, governors, treat us with a kind of contempt and irresponsibility that is shocking.

MR. PETTIT: Mr. Georgine, you are associated with the building trades unions, and you have been one of the most out-spoken advocates in favor of public works jobs that you talked about a moment ago. In your view, would these jobs be unionized or would they be open to the nonunion carpenter, the nonunion brick mason? Would you permit nonunion people to hold a public works job?

MR. GEORGINE: Mr. Pettit, let me say it is not within our control who would do the job.

MR. PETTIT: What would you propose?

MR. GEORGINE: The important thing is that, as Mr. Meany said yesterday, jobs are the name of the game. We have in the construction industry over one million construction workers unemployed. Now in the best interests of the economy and the country, the most important thing is to get those construction workers back to work.

If a public works program is passed, and if it is a meaningful one and a lot of jobs are created by it, certainly some of those jobs may go to the non-union sector. That is a matter that really depends upon the contractors who bid it and who is awarded the contract. We really have no control over that.

MR. PETTIT: You would not attempt to unionize those jobs?

MR. GEORGINE: Certainly there are those cases where we would try to organize the unorganized. We do that now. We would continue to do that.

MR. ROWEN: Mr. Ryor, I want to engage you in the dialogue that Mr. Wurf and Mr. Spivak had a moment ago. As part of the growing power of the public unions sector—the unions in

the public sector, the firemen, the policemen, the teachers and so on—how do you respond to the charge that the plight of the cities today can be blamed in large part on the higher wage and pensions this group of unions has won and is winning at a time when the cities are hard hit by recession?

MR. RYOR: To begin with, I don't believe that is true. I don't believe that the teachers and the public employees in our major cities are the cause of the problem. It has always been a source of amazement to me that the victims are so often blamed for the situation. For example, in teaching in this country, close to 80 percent of the teachers make less than the federal government says is a moderate standard of living for a family of four. The average teacher's salary in this country has increased 33 percent over the last five years. The cost of living has gone up 44 percent. That is 10 percent sacrifice, in my judgment. I don't believe that the public employee unions are the principal holders of blame in any way.

MR. ROWEN: Aren't you concerned that a revolt of taxpayers, indeed, including taxpayers who belong to some of the private industrial unions, may turn against you and force public officials, even if they wanted to, to turn down your demands?

MR. RYOR: I don't think that is the major problem. I think what has to happen here is a reordering of the priorities at the national level.

Take a look at the veto of the education bill—less than four percent increase in what education cost last year. The Defense Department got an increase that was more than the total of everything the federal government spends on education. I think it is critical that we reorder the priorities, that we get to financing the very critical needs of education, public employment jobs in the cities and in our schools.

MR. ROWEN: Have you seen any lack of evidence of support from your fellow unionists in the private sector?

MR. RYOR: No.

MR. CALAME: Mr. Woodcock, there are extensive layoffs in the automobile industry right now. Traditionally when that happens in any industry there is often concern inside the union of spreading the work around. As you look ahead to your contract talks next year with the major automobile makers, what kind of issues do you see taking shape around the idea of spreading the work? Perhaps a four-day week?

MR. WOODCOCK: I am sure that there is going to be great emphasis on two things: a further strengthening of our supplemental unemployment systems, because in General Motors and in Chrysler they could not stand up under the terrific strain of

the oil embargo layoffs and the worst recession since the Great Depression, and the other is—I am sure there is going to be great emphasis on the shortening of working time. Whether it would come out in the form of a four-day week—you know, we did get a small foot in the door in the farm equipment industry by providing credit, only a half an hour per week for the individual who works the scheduled time. Then when that is accumulated up to eight or 40, that time can be taken off as paid time.

That does mean people will replace those because they have to replace them. There is always a danger, you know, if you contemplate a four-day week and you don't have a prohibition on holding other jobs, that younger and more vigorous workers can hold two jobs and make the problem worse, because you are doing this, because there are more workers than jobs available.

The other thing is if you cause capital equipment to lie idle, that adds unnecessarily to the cost and in our industry could mean the import surge could get even higher.

MR. CALAME: As you go into the contract talks next year, what will be the emphasis on humanizing work or the "blue collar blues" we heard so much about two and three years ago but haven't heard much about lately. What experiments have you tried, how have they worked, how will they influence your bargaining?

MR. WOODCOCK: I don't think that will have prominence in our bargaining because in 1973 we got letters of agreement calling for national committees on humanizing of work, the bettering of the work process. Also local committees, and—literally we have dozens if not hundreds of experiments going on. Very frankly, we try and shield those experiments from you gentlemen in television, radio and the press, because when a particular experiment gets discovered, they become actors and quit being experimenters. So we try and keep them as private as possible, so they can really go about the job for which the experiment is designed.

MR. SWOBODA: Mr. Abel, with the nation on the possible brink of a new round of inflation, how should the Ford administration deal with price increases in concentrated industries such as autos and steel?

MR. ABEL: We have always been opposed, as you know, to price and wage controls. We believe perhaps the best approach the administration could take is first look at the high interest rates that we have all been paying for several years now and that have contributed so much to the costs of everything and really been the culprit in spiraling inflation.

We think the federal government should get on with assisting all of our communities in slum clearance and building of homes

for low-cost housing. We think a number of programs, as you know, that the AFL-CIO has put forward would go a long way to getting the economy turned around and back on the right road.

MR. SWOBODA: Some of the President's economic advisers claim privately that the unemployment situation has so emasculated organized labor that unions will not be able to make high wage demands when they come to the bargaining table next year. How do you assess that?

MR. ABEL: This of course is not true. It may be wishful thinking on some of their parts, but I can assure you that as long as the rate of inflation keeps going skyward as it has been, each of us will be in there to protect the interests of our respective memberships. That is why we have a trade union, and certainly—it has been pointed out by others on this program today—the workers have made sacrifices that others in the economy haven't up until now, and we don't intend to continue beyond that.

If the government is really concerned with curbing inflation and getting the country back on a sound footing again, there are certainly plenty of ways in which it can do it without holding down wages and the benefits of the workers.

MR. SPIVAK: Mr. Abel, inflation has really wiped out most of the gains labor has made in recent years at the negotiating table. Isn't that true?

MR. ABEL: Certainly without a cost-of-living provision every worker has lost everything that he has gained in a good number of years.

MR. SPIVAK: And yet all you labor leaders do to meet the problem of inflation, to meet the problem of recession, is ask for more and more federal government interference. Do you think that is going to be the answer? Haven't the British shown you that that isn't the answer?

MR. ABEL: We are not exactly asking for more and more government interference. We are asking for the government to give us some direction. In fact, we have suggested that the government take the leadership in bringing the leaders of all segments of our society together, and sitting down in a constructive fashion and each recognizing the problem and each recognizing what they can contribute to getting the situation straightened out. But this hasn't been the case. In fact, this administration shows no inclination of taking constructive steps to meet this problem, taxwise or pricewise or—well, any way you want to take it.

MR. SPIVAK: I know you are familiar with Denis Healey, Chancellor of the Exchequer of Great Britain who is a Socialist,

and he says that labor has been responsible for a good deal of the inflation in Great Britain. Don't you think that labor is responsible for some of the inflation in this country, too?

MR. ABEL: No, I think we have definitely had the situation proven here with the vast growth of cost-of-living provisions, which are actually after-the-fact cases—I mean the cost-of-living provision is activated after the cost of living has risen. We are always three months behind.

MR. SPIVAK: Isn't that inflation itself?

MR. ABEL: No, it isn't. It is merely catching up with what has transpired and where the workers have actually lost some of their wage standards as it is.

MR. PETTIT: Mr. Wurf, I assume you are concerned about the cost of bread?

MR. WURF: Terribly concerned.

MR. PETTIT: How do you feel about the Soviet grain transactions? Do you think detente, the policy of detente has caused economic damage to the United States?

MR. WURF: I have been appalled by two aspects of the detente. One, the fact that detente did not bring the kind of arms reduction that it promised in the first place with regard to the arms burden of this nation and the safety of this nation in its relationship with the Soviet Union. Secondly, I am appalled by the fact that the manner in which grain was handled the last time we sold grain to the Soviet Union, and apparently the manner in which it is being sold now, is designed to take money out of the pocketbooks of workers who are being badly beaten about by the inflation. The way the government is handling this thing, these great big grain oligarchies will make fantastic profits at the expense of the well-being of American workers. If we are to sell grain abroad I agree with the position taken by the AFL-CIO, that we should set up a governmental corporation and there shouldn't be profiteering on it, and further than that, it should be handled in such a manner as to not only increase the cost of bread but increase the cost of beef and pork and the other commodities that are so dependent upon grain.

MR. PETTIT: Do you support the boycott that is now under way?

MR. WURF: I haven't the power to support or not support the boycott now under way. I am stating clearly that I think, very basically, that detente has been a failure with regard to defense, that detente is being used as a ripoff by the people who sell vodka and Pepsi-Cola and the people who sell grain to the

Soviet Union, and I am for any reasonable, rational steps to see to it that there is concern for the American consumer.

MR. ROWEN: Mr. Georgine, in a Labor Day statement you said that lowering interest rates could boost the home-building industry out of its doldrums, but most economists, as I understand it, challenge that. They say what is really holding up home-building sales is the price structure, that the average wage earner has been priced out of the market. I wonder whether or not you see housing prices coming down in this country at any time soon.

MR. GEORGINE: I don't see any indication that housing prices are going to come down. The average worker, today—the average house today, or the median price of a house today is somewhere in the vicinity of \$40,000. The average worker today cannot afford to pay that kind of money for a house. For someone to say that the interest rates are not so high so that they discourage the buying of homes is just clearly, as I see it, not facing reality. The interest rates in the past 20 years have doubled. The cost of land in the last 20 years has doubled. The cost of on-site labor in building a house has diminished by 50 percent. In other words, it costs half as much today to build a house as it did 20 years ago in relation to the full price of the house. So I can't see how anyone could say that the cost of labor has put the buyer out of the market.

(Announcements)

MR. ROWEN: Mr. Georgine, we were discussing mortgage interest rates, and you were saying you thought the high rates were indeed a factor in the low home-building activity. As I understand it, what you were suggesting was a reduction in the mortgage interest rates to about six or six-and-a-half percent, is that right; is that what you would like to see?

MR. GEORGINE: That is what we would like to see.

MR. ROWEN: Do you really think we are going to have a rate like that in this country short of a depression, and would that be healthy?

MR. GEORGINE: There seems to be no indication by the administration that they agree with us, and they certainly are doing everything they can to keep the interest rates high. Dr. Burns just keeps moving it up every chance he gets. But the fact of the matter is that the system that exists right now is not bringing the home building that is needed to keep this country on par with its needs. We will have the worst year for home building this year since 1946.

MR. ROWEN: Are you in favor of some kind of subsidy pro-

gram, perhaps, that would bring the average interest rates down, the average mortgage rates down?

MR. GEORGINE: In home building?

MR. ROWEN: In home building.

MR. GEORGINE: Yes.

MR. CALAME: Mr. Ryor, with school terms getting ready to start this week in many cities, how widespread do you think strikes by teachers may be across the nation?

MR. RYOR: Our statistics show us just recently there may be as many as 130 teachers strikes this year across the country.

MR. CALAME: Would that be worse than last year?

MR. RYOR: That would be about the same as last year.

MR. CALAME: And do you think that the growing militancy of your organization in particular which has become a very major union in the field of education, do you think it is paying off for you? What would be your assessment of that?

MR. RYOR: I think definitely it is paying off. I think the organization of teachers and the need to speak for their own views, political, economic, personal, is very critical, and I think when one looks at the facts around the teachers' strikes, many of them, are for recognition. It is absolutely critical in our judgment that we have a federal collective bargaining bill that makes it possible to resolve those conflicts. If you will look at the state of Rhode Island as an example, there are ten strikes this fall which most likely will be caused by boards of education who refuse to accept an arbitor's award. I think it is very important to the teachers of this country that we have some means of sitting down the boards of education, all teachers, to resolve those questions.

MR. SWOBODA: Mr. Woodcock, all government affirmative action programs to end hiring discrimination against women and minorities depend upon creation of new jobs through continued economic growth. If, as many economists suggest, we are headed into an era of low or no growth in the economy, how do we deal with hiring discrimination?

MR. WOODCOCK: Let me divide that as quickly as I can into two pieces: Here is the individual who appeared at the factory gate some years ago, was refused a job because he was black, a chicano or a woman or whatever. He finally gets a job because of an affirmative action program. He is now going to be laid off because the 1973 date won't keep him on the stream.

Our position is, the earliest date where an application was made and that person was effectively discriminated [against], should be used for all purposes that do not harm a fellow worker but not to use that seniority to displace a fellow worker, because that is letting the employer who committed the transgression, off the hook. We say that that individual, where a '68 date, let us say, would have kept that person on the job—the '73 date does not—the employer shall be responsible for the money payments but not to displace a fellow worker. Secondly, what you have got here is a company who has followed an affirmative action program. You now have an acceptable mix of employment. Then the recession cuts back. We draw a distinction between a union situation and a non-union. If it is non-union, then the phrase "last hired, first fired" effectively applies, but it does not in a union situation, because in Mr. Abel's union and in my union when you are laid off you get money payments, you get health care protection and above all you have the right to return to the job, so that that employer-employee relationship continues, and we need to work together at restoring the economy so they get back to work.

To say we are going to bust them all up and lay off male whites, to make waves, is another way of saying it is an attempt to destroy the labor movement.

MR. SWOBODA: The conflict between minority and seniority rights is now before the court. If seniority rights lose, what do you predict for the industrial scene?

MR. WOODCOCK: There is a case before the United States Supreme Court in which the steelworkers are primarily involved, and we are before the court on an amicus situation. So far, through the Circuit Court of Appeals, they have been protective of the seniority system, and the issue before the Supreme Court, as I understand it—I am no lawyer—is a rather narrow one as to whether or not synthetic seniority shall be allowed with regard to those who can prove that they have in fact in the past been kept off a job because of discriminatory practices.

MR. SPIVAK: Mr. Woodcock, whenever the economy is in trouble, labor leaders look to the federal government today for help. Will you spell out for us what you think the government's responsibilities are to labor?

MR. WOODCOCK: It is not the responsibility to labor, it is a responsibility to the economy, to the nation. We accept as a fact—I certainly do—that the federal budget above all of the budgets has to be the balance wheel. As the private sector shrinks, then the public sector doesn't move in to fill that void, the shrinking is going to continue. It is not just the labor movement that is at issue, everybody is at issue, and we have a

hang-up in this town about the size of the federal budget. Mr. Rowen has written some excellent articles on that, although he has made the observation, you know, that the American people have been sort of sold—that it is like the household budget, which it isn't. What we are saying is that the federal government has to have a much more affirmative positive action of spending and tax cuts to restore the economy, because it is a fact that one percent of unemployment loses the federal government the equivalent of \$16 billion, and if we had the unemployment when Mr. Nixon became President in January, 1969, the budget would be balanced.

MR. SPIVAK: You are not worried at all about having so large a deficit that we have more inflation, that everything that labor gets is taken away from it by inflation, which is the most serious tax of all?

MR. WOODCOCK: No. The ratio of debt to national income, that is, the gross national product at war's end was 119 percent. If you go back to 1940 it was 40 percent, and even with this greatest recession since the depression it is still only 30 percent. The fact is the ratio of debt to income has been coming down, down, down, except for this recession when it has taken a little uplift. We have a hang-up on this. We look at a big number, and we don't realize all the numbers have become big. Unless we get over this hang-up, we are going to be in trouble, long-time trouble, because if we are committing ourselves to between 7 and 8 percent unemployment through the rest of this decade, that is going to do something to our democracy which—when you tie into our personality politics and the lack of party responsibility, I worry a little bit what is going to happen with the politics of the United States.

MR. PETTIT: Funny you should mention politics. I was about to ask Mr. Abel about that. In 1972 the great barons of the AFL-CIO sat on their hands, sat out the presidential campaign. Mr. Meany has indicated that will not happen the next time.

Mr. Abel, as a man who is fairly astute in politics, which presidential candidates do you find unacceptable to you besides George McGovern and George Wallace?

MR. ABEL: I frankly haven't spent much time up to this point trying to analyze the candidates. As you know, there is a barnful of them, and I am sure most of them will not even come close to the starting gate, and perhaps a lot of them that aren't considered candidates today will, by the time the election rolls around.

MR. PETTIT: McGovern and Wallace are unacceptable to you, though, are they not?

MR. ABEL: That is correct.

MR. PETTIT: Who else?

MR. ABEL: Those are the only ones we have indicated. Certainly I would be greatly surprised if the incumbent President would be acceptable to the trade union movement, but I certainly would not at this juncture try to indicate who might be in or who might be out. I don't think anybody has the slightest idea at this juncture.

MR. PETTIT: But you intend to be very, very active in the '76 conventions?

MR. ABEL: I think it is wrong to think we weren't active in the last election or the convention for that matter, and certainly labor did not sit the last one out. We concentrated on the Congress, and it is a very good thing we did.

MR. PETTIT: You sat out the presidential campaign.

MR. ABEL: We sat out the presidential campaign, but we did it because we knew that we should concentrate on Congress in order to do what little we were able to do now, and it is a good thing we did.

MR. PETTIT: But you are not going to do that next time?

MR. ABEL: I don't know, and I don't think anybody else knows at this juncture what we are going to do.

MR. ROWEN: Mr. Wurf, you made a speech at the National Press Club recently in which you said the banks had "held up"—I think that was your phrase—held up New York City, jacking up the interest rates to a usurious 9 and 1/2 percent. I wonder if you think New York credit was worth lower rates?

MR. WURF: One of the real tragedies that emanates in New York—and there are a number of factors at work there, but I think, clearly, the irresponsibility of the banks demanding a usurious 9 and 1/2 percent for bonds that were guaranteed by tax collections, that specifically were controlled and set aside and guaranteed to the bondholders, 9 and 1/2 percent tax-free, which is something like 14 or 15 percent interest to those who would buy those bonds, is an incredible rate.

Secondly, let me say in general, I think every time New York gets into a position, when the unions give, when all of the sectors in New York give toward solving the problem, the governor gets involved, he is prepared to take steps with regard to the state legislature, again the banks sort of handle the situation the way a drug peddler handles a drug addict. You know, he sort of says "Give me more, and perhaps I will give you this little

package of dope." And what has been going on in New York is absolutely shameless.

I would point out, Mr. Rowen, that when Mr. Rockefeller was on the frying pan after he left, and the Urban Development Corporation, which is far less safe with regard to refinancing, the banks, the legislature, the governor, found a way to bail out Mr. Rockefeller's pet baby with far less guarantees than are available to the purchasers of those municipal bonds. And I think the fact that David Rockefeller is Nelson Rockefeller's brother, and the banks feel warm and friendly towards Mr. Rockefeller, had much to do with that situation.

MR. ROWEN: But I wonder if your analogy with the dope peddlers is really good. Why would the banks deliberately hold up New York if it would jeopardize their own investments, which seems to be the case right now?

MR. WURF: Their investment is not jeopardized. What they are doing is not only putting the monkey on New York's shoulders, but since the situation has developed in New York with regard to rates, I think if you look at the municipal bond market, the state bond market, the school board bond market, rates have leaped tremendously across the United States.

I would also point out that perhaps the banks didn't intend for the situation to get as wild and as difficult as it has become, and perhaps the situation may or may not be out of control. But fundamentally the banks have reaped tremendous profits as a result of the situation in New York, not only from New York but from many, many other municipalities and other public subdivisions who have to sell bonds in order to carry on their capital programs.

MR. ROWEN: Some people think the real mistake the banks made was not stepping in five years ago to force the city to come up with a better financial plan.

MR. WURF: I think fundamentally the problem in New York has gone on for 20 years, where you have had greater and greater impact on that city. That city has to carry a burden with regard to welfare, with regard to health care delivery, with regard to a university system that no other city in the United States has to carry. At the same time the politicians have been unable—and when they were willing they found that the state legislature wouldn't give them the authority during the many years that Nelson Rockefeller was governor—that city has really been victimized by a crisis in terms of needs that were addressed to the city treasurer and at the same time a refusal on the part of the state, which was in the hands of Republicans all those years, to give the city the where-with-all to carry out the problem. And as long as it met the needs of the Republican politicians in Albany, the banks were quite willing to see serious

shortcomings in fiscal planning in New York City. Now the banks are sort of standing there and wringing their hands and suddenly discovering that they need more and more and more in terms of interest rates and more and more and more in terms of guarantees.

MR. CALAME: Mr. Georgine, within the past several years there has been a sharp increase in business among non-union contractors, contractors who use non-union labor. Many people have indicated they believe this was due to the extremely sharp increases a few years ago in wage rates of many building trades workers whom you represent.

Do you think that situation is improving with the workers having shown some restraint in the last two or three years?

MR. GEORGINE: I don't necessarily agree with your first precept, but in any case, let me say that in the last three years the increases in building and construction trades wages have not kept up with the increased cost of living and the reduction in buying power. As a matter of fact, we have been far below that particular level. So to say that that is one of the causes of the increase in open-shop work is just not completely and totally accurate.

MR. CALAME: Do you find the contracts being obtained by non-union contractors or the work they are doing is increasing and gaining rapidly, say compared to the contractors who use union labor?

MR. GEORGINE: There is some increase, and there are a lot of reasons for that increase. First of all, there has been tremendous unemployment in the building and construction trades industry. We have been under double digit unemployment for 14 consecutive months. When you have unemployment, you have contractors who are going in and bidding at rates that would be paid much lower than those that are necessary for union contracts. It is pretty tough to compete with that type of competition, so that is part of the problem.

MR. SWOBODA: Mr. Ryor, the National Education Association has become one of the largest unions in the country today. Can you see the day when the NEA joins the AFL-CIO?

MR. RYOR: No, I don't see that day. I think our representative assembly has made it clear their interests lie principally in the direction of the coalition of public employees, and hopefully to develop a more meaningful relationship in that direction.

MR. RYOR: I believe that, and I think our people believe that, or we wouldn't be outside the AFL-CIO.

MR. SWOBODA: Are you working toward that end?

MR. RYOR: Working toward what end, Mr. Swoboda?

MR. SWOBODA: Drawing the public employee unions out of the AFL-CIO?

MR. RYOR: We are working toward the end of organizing teachers in this country, and we believe our programs and the design of our programs will be sufficiently appealing to the teachers to attract them to our organization.

MR. SWOBODA: But can you organize in a vacuum, can you organize without the support, say, of Mr. Wurf's union and without closely working with his members?

MR. RYOR: I think working closely with Mr. Wurf's members is a desirable thing, in my judgment, because there are many public employees around the school setting who are not teachers. But I think at the same time the question of organizing teachers is not a problem. We have grown at the rate of 4,200 members a week over the last year, and we are the fastest-growing public employee organization in the country.

MR. SPIVAK: Mr. Ryor, Albert Shanker, President of the American Federation of Teachers, believes there has been a severe loss of confidence in the schools in this country. Do you think there has been?

MR. RYOR: According to the Gallup Poll last fall, 1974, the opinion of public schools, as rated and taken by Gallup, reflects 67 or 68 percent confidence. In an A, B, C, D rating, 68 percent of the public school parents said they believed that the schools were doing a "B" or better job. That seems to me to reflect a degree of confidence.

MR. SPIVAK: There is still 33 percent who feels teachers haven't.

MR. RYOR: That is true.

MR. SPIVAK: Do you think teachers' strikes have contributed to that in any way?

MR. RYOR: That is hard to speculate. I suspect in some communities that is true.

MR. SPIVAK: You ought to have an opinion on that one.

MR. RYOR: I don't believe teachers' strikes have had an

CONSTITUTION
of the
INTERNATIONAL UNION

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



Adopted at
Atlantic City, N. J.
April, 1972

With Interpretations adopted by the
International Executive Board

77040061637

THE following pages contain the living law of our International Union.

As our organization has grown, we have strengthened our Constitution from time to time, by the democratic action of Convention delegates. Through that process of gradual amendment, we have shaped the body of our laws to meet new times and new needs of the membership.

Between Conventions, this Constitution is our basic guide. It serves as our standard for sound procedure and keeps us from actions which would undermine our unity and weaken the workers' cause.

The UAW will continue to grow, and this basic law will continue to reflect the needs and protect the rights of our members. Through wise use of our Constitution, we demonstrate that working men and women of all races, colors, creeds and philosophies can govern themselves as citizens of the industrial community and we prepare the basis for a dynamic, richer economic democracy which our combined efforts will win for our children.

LEONARD WOODCOCK,
International President.

CONSTITUTION
of the
INTERNATIONAL UNION

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



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Constitution of the International Union, UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA (UAW)

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Note: In all places in the Constitution in which reference is made to the masculine it should be deemed to include the feminine. Amendments by the 1972 Convention appear in bold type. Where a portion of a section has been deleted, the entire section, as amended, appears in bold type. The 1972 Convention provided that where the sense 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
2 of the ideals and hopes of the workers who come
3 under the jurisdiction of this International Union,
4 **UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL**
5 **IMPLEMENT WORKERS OF AMERICA (UAW)**; that all
6 men are created equal, that they are endowed by
7 their Creator with certain inalienable Rights, that
8 among these are Life, Liberty and the Pursuit of
9 Happiness. That to secure these Rights, Govern-
10 ments are instituted among men, deriving their just
11 powers from the consent of the governed. Within
12 the orderly processes of such Government lies the
13 hope of the worker.

14 We hold that the exigencies of the times, the
15 complete subdivision of Labor in the development
16 and operation of the industrial mass production
17 system imposes conditions under which the worker
18 is gradually but surely absorbed and controlled by
19 the machine.

20 We hold these conditions to be utterly at vari-
21 ance with the spirit of justice and the needs of
22 mankind. We believe the right of the workers to
23 organize for mutual protection is the culminating
24 growth of a great industry, which is evidence not
25 only of its increased power but also of an economic
26 and social change in our civilization.

27 We believe that organized labor and organized
28 management possess the ability and owe the duty
29 to society of maintaining, through co-operative
30 effort, a mutually satisfactory and beneficial em-
31 ployer-employee relationship based upon under-
32 standing through the medium of conference.

33 The worker does not seek to usurp management's
34 functions or ask for a place on the Board of Direc-
35 tors of concerns where organized. The worker
36 through his Union merely asks for his rights. Man-

Art. 1
1 agreement invests thousands of dollars in the busi-
2 ness. The worker's investment in the business is
3 his sinew, his blood and his life. The organized
4 worker seeks a place at the conference table, to-
5 gether with the management, when decisions are
6 made which affect the amount of food he, his wife
7 and family shall consume; the extent of educa-
8 tion his children may have; the kind and amount
9 of clothing they may wear; and their very exist-
10 ence. He asks that hours of labor be progressively
11 reduced in proportion as modern machinery in-
12 creases his productivity. He asks that the savings
13 due to the inauguration of machinery and changes
14 in technical methods shall be equitably divided be-
15 tween management and the worker. The organized
16 worker asks that those who may be discharged be
17 paid adequate dismissal wages to enable him to
18 start afresh in another field; that society under-
19 take to train him in new skills and that it make
20 provisions through ameliorative social laws for the
21 innocent and residual sufferers from the inevitable
22 industrial shifts which constitute progress.

ARTICLE 1 Name

23 This Organization shall be known as the "Inter-
24 national Union, UNITED AUTOMOBILE, AEROSPACE AND
25 AGRICULTURAL IMPLEMENT WORKERS OF AMERICA
26 (UAW)," hereinafter referred to as the Interna-
27 tional Union. This document shall be officially
28 known as the Constitution and Bylaws of said
29 International Union, and it shall also be the Con-
30 stitution of every affiliated subordinate body.

ARTICLE 2 Objects

31 Section 1. To improve working conditions, create
32 a uniform system of shorter hours and higher
33 wages; to maintain and protect the interests of
34 workers under the jurisdiction of this International
35 Union.

36 Section 2. To unite in one organization, regard-
37 less of religion, race, creed, color, sex, political af-
38 filiation or nationality, all employes, under the ju-
39 risdiction of the International Union.

40 Section 3. To improve the sanitary and working
41 conditions of employment within the factory, and
42 in the accomplishment of these necessary reforms
43 we pledge ourselves to utilize the conference room
44 and joint agreements; or if these fail to establish
45 justice for the workers under the jurisdiction of
46 this International Union to advocate and support
47 strike action.

48 Section 4. To educate our membership in the
49 history of the Labor Movement and to develop and
50 maintain an intelligent and dignified membership;
51 to vote and work for the election of candidates and
52 the passage of improved legislation in the interest
53 of all labor. To enforce existing laws; to work for
54 the repeal of those which are unjust to Labor; to
55 work for legislation on a national scale, having as
56 its object the establishment of real social and un-
57 employment insurance, the expense of which to be
58 borne by the employer and the Government.

59 Section 5. To engage in legislative, political, edu-
60 cational, civic, welfare and other activities which
61 further, directly or indirectly, the joint interests of
62 the membership of this organization in the im-

Art. 3-4-5-6

1 improvement of general economic and social condi-
2 tions in the United States of America, Canada, and
3 generally in the nations of the world.

4 Section 6. (a) To work as an autonomous Inter-
5 national Union affiliated with the Canadian Labour
6 Congress together with other International Unions,
7 for solidification of the entire labor movement;
8 provided, however, that the International Execu-
9 tive Board may at any time alter the Union's
10 relationship to such bodies in any way it deems
11 appropriate. To provide assistance, financial and
12 otherwise, to labor and other organizations in the
13 United States, Canada, and other parts of the
14 world having purposes and objectives similar or
15 related to those sought by this organization.

16 (b) The International Executive Board is au-
17 thorized to take whatever action is required to en-
18 able the UAW to mobilize, assist and work with
19 other organizations, alone or in combination, to-
20 ward the objective of meeting the urgent problems
21 which confront society and the labor movement in
22 this 20th century period of rapid and accelerating
23 technological and social change.

ARTICLE 3 Constitution

24 This Constitution as amended at the Atlantic
25 City, N. J. Convention convened on April 23, 1972
26 and as may hereafter be amended, shall be the su-
27 preme law of the International Union, United Au-
28 tomobile, Aerospace and Agricultural Implement
29 Workers of America (UAW), and can be amended
30 only by a majority vote of the delegates at suc-
31 ceeding regular Constitutional or Special Conven-
32 tions.

ARTICLE 4 International Union Headquarters

33 The headquarters of the International Union
34 shall be Solidarity House, in the City of Detroit,
35 State of Michigan.

ARTICLE 5 Jurisdiction

36 The International Union, UNITED AUTOMOBILE,
37 AEROSPACE AND AGRICULTURAL IMPLEMENT WORKERS
38 OF AMERICA (UAW), shall take in and hold jurisdic-
39 tion over all employes of plants and shops engaged
40 in the manufacture of parts (including tools, dies,
41 etc.), and the assembly of these parts into farm,
42 automobile, automotive propelled products, aero-
43 space and agricultural implements, including em-
44 ployes engaged in office work, sales, distribution
45 and maintenance thereof and such other branches
46 of industry as the International Executive Board
47 shall decide. The jurisdiction of this International
48 Union shall be full and final.

ARTICLE 6 Membership

49 Section 1. The International Union shall be com-
50 posed of workers eligible for membership in the
51 International Union, UNITED AUTOMOBILE, AEROSPACE
52 AND AGRICULTURAL IMPLEMENT WORKERS OF AMERICA
53 (UAW).

Art. 6
Section 2(a). Any person eligible to become

1 member of the International Union who is not
2 affiliated with any organization whose principles
3 and philosophy are contrary to those of this International
4 Union as outlined in the Preamble of this
5 Constitution may apply for membership to the Local
6 Union having jurisdiction over the plant in
7 which he is employed. The applicant must, at the
8 time of application, be an actual worker in and
9 around the plant. All applicants for membership in
10 any Local Union of the International Union shall fill
11 out an official application provided by the International
12 Union, answering all questions contained in
13 such application, and sign a promise to abide by
14 all laws, rules and regulations and the Constitution
15 of the International Union. All applications thus
16 received shall be referred to the Local Union for
17 consideration, and shall be acted upon as soon as
18 possible, but not later than sixty (60) days from
19 the date the application is received by the Financial
20 Secretary of the Local Union.

22 Section 2. (b) Notwithstanding any other provisions
23 in this Constitution, applicants working for
24 unorganized employers or in those units not yet
25 under the jurisdiction of the UAW Local Union may
26 become members of the International Union directly
27 by signing an application for membership in a
28 form approved by the International Executive
29 Board and by the payment of the sum of one dollar
30 (\$1.00) (or such other amount determined by
31 the International Executive Board), toward initiation
32 fees and dues. Once a Local Union is chartered
33 in, or awarded jurisdiction over the unit in
34 which such member is working, he shall automatically
35 become a member of that Local Union.

36 Section 3. Notwithstanding any other provisions
37 of this Constitution, whenever an International
38 Officer or International Representative, is a member
39 of a Local Union which is disbanded or goes
40 out of existence, or whose charter is revoked, said
41 Officer, or International Representative, may apply
42 for membership in another Local Union in the
43 same region. If accepted as a member by membership
44 action of such Local Union, the International
45 Officer, or International Representative, shall be
46 considered to have remained in continuous good
47 standing in the International Union during the
48 period between the cessation of the existence of his
49 original Local Union and his acceptance by the
50 membership of the new Local Union.

51 Section 4. Upon acceptance of the application,
52 membership shall date from the first day of the
53 month for which dues are paid.

54 Section 5. Applications for membership rejected
55 by the Local Union shall not be reconsidered until
56 thirty (30) days have elapsed.

57 Section 6. Unless waived by the Local Union, or
58 unit of an Amalgamated Local, any candidate failing
59 to present himself for initiation within four
60 (4) weeks after notification of his being accepted
61 to membership, without good and sufficient reason
62 being given, shall forfeit all money paid by him.

63 Section 7. The original application signed by
64 each member shall be retained by the Local Union
65 for its record and official receipt shall be given to
66 each new member for all monies paid. All receipts
67 shall be made out in duplicate, the original to be
68 given to the member, the duplicate to be retained

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1 by the Local Union and made available to the International
2 Union upon request. These duplicate
3 receipts may be destroyed after a Local Union
4 audit upon written approval of the International
5 Secretary-Treasurer.

6 Section 8. No new member will be recorded at
7 the International office nor will initiation fee or
8 per capita tax be accepted for new members until
9 a monthly report is received from the Financial
10 Secretary of the Local Union.

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

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

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

40 Section 11. No application shall be accepted from
41 the one designated as the head of a department,
42 directing company policy or having the authority
43 to hire and discharge workers. Members of the
44 Union who are promoted to such positions shall be
45 issued a withdrawal card immediately by the Local
46 Union, in conformity with Article 17 of this
47 Constitution. Members promoted to minor positions
48 where they work with their fellow workers and do
49 not have the power of discipline by hiring or
50 discharging employes may retain their membership
51 in the Local Union at the discretion of the Local
52 Union.

53 Section 12. The names of all applicants for admission
54 about whose applications there is the least
55 doubt may be published in the "official publication."
56 No applicants whose names have been published
57 shall be received into membership until
58 thirty (30) days after the date of such publication.

59 Section 13. Any member in good standing who
60 shall have become totally incapacitated by accident
61 or illness may, at the discretion of his Local Union,
62 be granted a gratuitous membership, continuing
63 during incapacity. Appropriate cards denoting such
64 membership shall be prepared by the International
65 Union and furnished to Local Unions upon request,
66 and at cost.

67 Section 14. All members of the Local Union are
68 also members of this International Union and sub-

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1 to the orders, rulings and decisions of this International Union and the properly constituted authorities of the same.

4 Section 15. The International Union and the Local Union to which the member belongs shall be his exclusive representative for the purpose of collective bargaining in respect to rates of pay, wages, hours of employment or other conditions of employment, and for the negotiation and execution of contracts with employers covering all such matters, including contracts requiring his membership or the continuance of his membership in the Union as a condition of his employment or continued employment, and contracts requiring the employer to deduct, collect, or assist in collecting from his wages any dues, initiation fees, reinstatement fees or fines, payable to the International Union or his Local Union.

19 Section 16. The International Union and the Local Union to which the member belongs, and each of them, are by him irrevocably designated, authorized and empowered exclusively to appear and act for him and in his behalf before any board, court, committee or other tribunal in any matter affecting his status as an employe or as a member of his Local Union or the International Union, and exclusively to act as his agent to represent and bind him in the presentation, prosecution, adjustment and settlement of all grievances, complaints or disputes of any kind or character arising out of the employer-employe relationship, as fully and to all intents and purposes as he might or could do if personally present.

34 Section 17. A member may resign or terminate his membership only if he is in good standing, is not in arrears or delinquent in the payment of any dues or other financial obligation to the International Union or to his Local Union and there are no charges filed and pending against him. Such resignation or termination shall be effective only if by written communication, signed by the member, and sent by registered or certified mail, return receipt requested, to the Financial Secretary of the Local Union within the ten (10) day period prior to the end of the fiscal year of the Local Union as fixed by this Constitution, whereupon it shall become effective sixty (60) days after the end of such fiscal year; provided, that if the employer of such member has been authorized either by such member individually or by the Collective Bargaining Agreement between the employer and the Union to check off the membership dues of such member, then such resignation shall become effective upon the effective termination of such authorization, or upon the expiration of such sixty (60) day period, whichever is later.

57 Section 18. A member who resigns or terminates his membership shall have no right or interest in any property of the Local Union or of the International Union, including any dues or other financial obligations paid by him in advance of the effective date of such resignation or termination.

63 Section 19. Any member in good standing who is retired, shall be entitled to a "retired membership status" which, without being required to pay membership dues during the period of such retirement, shall entitle him to all of the privileges of membership except the right to vote in elections conducted pursuant to Article 19, Section 3; Article

45, Section 2; and Article 50, Sections 1 & 2. 5. Appropriate cards denoting such membership status shall be prepared by the International Union and furnished to Local Unions upon request and at cost. The regular withdrawal-transfer provisions of this Constitution shall be applicable if such retired member returns to active employment.

8 Section 20. Non-members covered by an agency shop clause in a UAW contract shall receive all the material benefits to which members are entitled but shall not be allowed other membership participation in the affairs of the Union.

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

ARTICLE 7

Powers of Administration

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

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

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

27 (c) Between meetings of the International Executive Board the administrative authority of the International Union shall be vested in the International President. The International President shall be responsible to the International Executive Board for the administration of the Union between International Executive Board meetings, according to the Constitution, the actions of the International Convention and the decisions of the International Executive Board. On all matters of major importance he shall consult the other International Executive Officers. He shall report his actions to the International Executive Board for its approval or rejection.

43 (d) In case of the absence or incapacity of the International President his powers and duties shall be assumed by the International Secretary-Treasurer.

47 Section 2. To achieve the objectives and purposes of this organization as set forth in this Constitution, the funds of this organization are authorized to be managed, invested, expended or used under this Article and Constitution not only for the purposes and objectives expressly set forth in Article 2 and otherwise in this Constitution but also for any additional purposes and objectives not inconsistent therewith as may be contained at any time in the resolutions and programs adopted and/or ratified by any International Convention or which the International Executive Board believes will further the general interest and welfare of the membership of this organization, or any substantial part thereof.

ARTICLE 8
Conventions

1 Section 1. The 24th Regular Constitutional Con-
2 vention shall be held during the month of April,
3 1974, provided that the date of holding such Con-
4 vention may be advanced or delayed one (1) month
5 upon a resolution to that effect adopted by the
6 International Executive Board.

7 Section 2. The business of the International Con-
8 vention shall proceed in the following order unless
9 otherwise ordered by the Convention:

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

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

33 Section 4. Special Conventions of the Interna-
34 tional Union shall be called by the International
35 President: (1) When so instructed by a two-thirds
36 (%) vote of the International Executive Board or
37 in the event of the failure of the International
38 President to do so, by such other Board Members
39 as the Board may designate; (2) By a referendum
40 vote of the membership initiated upon the written
41 request of at least fifteen (15) Local Unions from
42 five (5) different states or provinces, having an
43 aggregate membership of not less than twenty per
44 cent (20%) of the total membership as reported
45 to the last preceding Convention. The Local Unions
46 demanding a Special Convention must state the
47 reason or reasons why such Convention is desired,
48 the place and date for the Convention and the
49 dates for mailing out and returning the ballots. It
50 shall be the duty of the International President, or
51 the person designated by the International Execu-
52 tive Board to send out the call, to state such reason
53 or reasons and the place and dates involved in
54 submitting the proposal to Local Unions for a
55 referendum vote. The reasons for and against such
56 convention shall be published and forwarded to
57 Local Unions. Such Convention shall not have
58 authority to consider any matter other than that
59 which is specifically stated in the Call to the Con-
60 vention. It shall be mandatory that all Local Un-
61 ion hold a secret vote on the question of calling
62 a Special Convention. All Local Unions shall vote
63 their decision on the question involved, through
64 the Union procedure, by secret ballot. Local Un-
65 ion election boards shall tabulate the ballots and
66 the Local Union's vote to the International

1 Secretary-Treasurer, who, within thirty days
2 after the setting of a deadline of a return date,
3 shall publish the "yes" and "no" vote of each Local
4 Union in the "official publication." If a majority of
5 all the members voting in all Local Unions is in
6 favor of a Special Convention, a Special Con-
7 vention shall be mandatory. When the International
8 Executive Board has directed the calling of a Spe-
9 cial Convention pursuant to the provisions of (1)
10 the first sentence of this Section, the delegates
11 from each Local Union who had been elected to the
12 last preceding regular Constitutional Convention
13 shall serve as delegates to the Special Convention.
14 Each Local Union shall carry the same total vote
15 as it carried at such previous regular Constitu-
16 tional Convention. If the purpose, or one of the
17 purposes, of a Special Convention is collective bar-
18 gaining policies, the President (and Shop Commit-
19 tee Chairman, if it is a different individual), if not
20 delegates under this provision may, by Local Union
21 membership action, be made special delegates at
22 such Special Convention with the right to be
23 present on the Convention floor with voice, but
24 without any vote. Under the same circumstances
25 in units of Amalgamated Local Unions, with mem-
26 bership in excess of one thousand (1,000), the Unit
27 Chairman may, by unit membership action, be
28 made such a special delegate. If there are vacan-
29 cies in the voting delegation, they shall be filled in
30 the following manner:

- 31 (a) By alternates where the same were elected
32 to the preceding regular Constitutional Con-
33 vention;
- 34 (b) If the number of delegates is insufficient
35 after applying (a), by reapportioning the
36 votes of the Local Union among the remain-
37 ing delegates to the extent permitted by
38 Section 7 of this Article;
- 39 (c) If the number of delegates is insufficient
40 after applying (a) and (b), and the purpose
41 or one of the purposes of the Special Con-
42 vention is collective bargaining policies, by
43 including any special delegates which the
44 Local Union or unit membership may have
45 provided for in accordance with this para-
46 graph, with the President of the Local Union
47 to precede the Shop Committee Chairman;
- 48 (d) If the number of delegates is insufficient
49 after applying (a), (b), and (c), by electing
50 additional delegates, these additional dele-
51 gates to be nominated and elected by secret
52 ballot at successive membership meetings;
53 the required notices for such nomination and
54 election being those set forth in Sections 22,
55 23 and 24 of this Article.

56 This foregoing procedure shall be disregarded in
57 the event of any Special Convention directed to be
58 called by referendum vote pursuant to (2) of the
59 first sentence of this Section, in which event the
60 vote of each Local Union and the election of dele-
61 gates from each Local Union shall be the same as
62 provided for in this Article for regular Constitu-
63 tional Conventions except that in applying Section
64 9 of this Article to determine the average monthly
65 per capita taxes paid by a Local Union, a twenty-
66 four (24) month period concluding with the fourth
67 (4th) month prior to the month in which the Spe-
68 cial Convention is to convene shall be used.

Art. 5. Each Local Union shall have one (1) delegate for two hundred (200) members or less and one (1) additional delegate for the next three hundred (300) members or major fraction thereof, and one (1) additional delegate for each additional eight hundred (800) members or major fraction thereof except Amalgamated Local Unions which elect as many delegates as they have manufacturing units who average two hundred (200) dues-paying members or more, and that those manufacturing units who have two hundred (200) members or more may elect their own delegates to the Convention and those with less than two hundred (200) shall be grouped together and vote as a miscellaneous group. In the event the miscellaneous group within an Amalgamated Local Union has less than two hundred (200), the International Secretary-Treasurer shall allocate such membership to some other unit of the Local Union in such a manner as will result in the maximum number of delegates.

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

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

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

Section 9. The number of members in each Local Union, for the purpose of this Article, shall be determined by the average number of monthly per capita taxes paid by the Local Union to the International Union for the period from and including the fourth month preceding that in which the last

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biennial Convention was held to not less than four (4) months nor more than five (5) months prior to the next Convention for which representation is to be determined. Per capita from Local Unions shall be accepted in the regular manner.

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

Section 10. Not less than sixty (60) days previous to the convening of the Regular Convention, the International Secretary-Treasurer shall issue the Call to the Convention and shall furnish all Local Unions with credentials and alternate credential forms in contrasting colors, in duplicate, which must be attested as required on the forms. The original of each credential and alternate credential shall be retained by the delegate or alternate delegate and the duplicate copies shall be forwarded to the International Secretary-Treasurer. No credentials shall be accepted later than twenty-one (21) days prior to the date for the convening of the Convention. In convening Special Conventions, not less than thirty (30) days shall be required to issue the Call.

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

Section 12. Local Unions, in order to be entitled to representation at the Convention shall have been affiliated with the International Union for at least three (3) months prior to the holding of the Convention. New Local Unions shall have paid at least two (2) months' full per capita tax prior to the month in which the Convention is to be held. If such newly chartered Local Union has been in existence since the last preceding Convention, it shall be entitled to its full quota of delegates based upon the average number of months per capita tax paid to the International Union during the period of time since the last preceding Convention. With respect to newly chartered Local Unions who received their charter subsequent to the last Convention, representation shall likewise be based upon the per capita tax paid to the International Union, averaged over the period of time from the last preceding Convention. In the case of an Amalgamated Local Union where a shop has been organized for over a year and secures a separate charter, it shall not be considered a new Local Union. Members representing Local Unions or shop organizations within Amalgamated Local Unions, which have not been in existence for twelve (12) months prior to the Convention, shall be exempt

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1 from the provisions of Section 11 of this Article
2 provided they become members of their Local
3 Union or shop organization not later than thirty
4 (30) days after the issuance of or acceptance under
5 the charter thereof.

6 Section 13. Each member of the International
7 Retired Worker Advisory Council shall automati-
8 cally be a delegate to the UAW Constitutional Con-
9 vention with voice and one (1) vote, as provided in
10 Article 55, Section 4(f) of this Constitution.

11 Section 14. International Officers and Interna-
12 tional Representatives of the International Union
13 shall have a voice but no vote in the Convention
14 of the International Union unless they are duly
15 accredited delegates from Local Unions. Any mem-
16 ber who is eligible may be elected to office whether
17 or not he is a delegate to the International Con-
18 vention.

19 Section 15. Copies of all resolutions and consti-
20 tutional amendments to be considered by the Con-
21 vention must be sent to the International Secretary-
22 Treasurer not later than three (3) weeks prior
23 to the date set for the Convention. These will then
24 be sorted and distributed by the International Sec-
25 retary-Treasurer among the chairmen of the vari-
26 ous and proper committees. Protests of delegate
27 elections must be received by the International
28 Secretary-Treasurer by whichever of the following
29 dates occurs first: (1) Not more than seven (7)
30 days after the Local Union delegate election or (2)
31 not less than ten (10) days prior to the convening
32 of the Convention. These protests shall be referred
33 to the Credentials Committee and the Credentials
34 Committee may waive failure to comply with the
35 foregoing time limitation where the interests of
36 justice would require.

37 Section 16. The International Executive Board
38 shall select from the credentials of the delegates
39 presented, a Constitution Committee, which shall
40 assemble at least two (2) weeks prior to the meet-
41 ing of the Convention at the place designated. It
42 shall be the duty of said committee to take up all
43 recommendations concerning changes or additions
44 to the Constitution submitted by the International
45 Officers, International Executive Board and Local
46 Unions to act thereon. This Committee shall have
47 authority to originate amendments to the Constitu-
48 tion.

49 Section 17. (a) The International Executive
50 Board shall select from the credentials of delegates
51 a Credentials Committee, which shall assemble at
52 least ten (10) days prior to the meeting of the
53 Convention. The Committee shall examine all cre-
54 dentials received at the International Office and in-
55 vestigate the standing of the delegates and the Lo-
56 cal Unions they represent; they shall receive the
57 original credentials of the delegates elected to at-
58 tend the Convention, and be in a position to report
59 at the opening of the Convention.

60 (b) If the Credentials Committee should decide
61 that an election in any Local Union has been im-
62 properly conducted and that delegates elected in
63 such election should not be seated, the Credentials
64 Committee may, jointly with the International
65 President when he is satisfied that the necessary
66 Constitutional interpretations have been reason-
67 ably applied, order the delegate election to be rerun
68 in such Local Union prior to the opening of the
69 Convention. This rerun of the initial election shall

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be supervised by a Sub-Committee of the Creden-
tials Committee. All notices and other time limita-
tions provided for in this Constitution shall be au-
tomatically waived for any such rerun election
provided that every effort shall be made to give
the maximum notices permitted by the circum-
stances.

(c) If the Convention approves the Credentials
Committee's report and recommendation on the in-
itial election, the delegates elected in the rerun
shall be seated if confirmed by the Credentials
Committee and Convention. If the Convention
should reverse the Credentials Committee and ap-
prove the initial election, the delegates elected in
such initial election shall be seated and the Inter-
national Union shall reimburse the Local Union for
the cost of rerunning the election.

(d) If, prior to the holding of an election of de-
legates, a clear violation of the International Con-
stitution or the Local Union's Bylaws occurs in
the pre-election procedures, the International Pres-
ident shall have the authority to order a correction
of the violation prior to the holding of the election.
Such action by the International President is sub-
ject to appeal to the Credentials Committee.

Section 18. The International Executive Board
shall select from the credentials of delegates to
each International Convention a Resolutions Com-
mittee of not less than seven (7) members, which
shall assemble at least ten (10) days prior to the
convening of the Convention. It shall be the duty
of said Committee to consider such resolutions as
may be properly referred to it under this Constitu-
tion. This Committee shall have authority to origi-
nate resolutions to be presented at the Convention.

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

Section 20. All Convention Committees shall
have an odd number of, and not more than thir-
teen (13) members.

Section 21. Following the issuance of the Con-
vention Call by the International Secretary-Treas-
urer, each Local Union shall issue a call for the
nomination of its delegates to the Convention. In
the absence of a democratically elected standing
election committee (Article 38, Section 10), an
election committee shall be nominated and elected
by the Local Union at a regular or a specially
called meeting for that purpose of which at least
seven (7) days' notice shall be given. The election
committee shall handle all the details insofar as
they relate to the procedure of the election, and
adopt such safeguards as are necessary to insure
a fair election.

Section 22. The nomination of delegates to the
Convention may occur at the meeting at which
the election committee is elected or at a later date
but in either case at least seven (7) days' notice
shall be given. After the deadline on accepting
nominations has expired, no election of so-called
"sticker" or "write-in" candidates shall be con-
sidered legal. A list of nominees shall be available
to the membership. Candidates shall not serve on

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1 the election committee or as challengers or ob-
2 servers.

3 Section 23. Delegates to the International Con-
4 vention shall be elected by secret ballot of the Local
5 Union of which they are members and in no
6 case shall be appointed.

7 Section 24. At least seven (7) days shall elapse
8 between the time of nomination of delegates and
9 the date the election shall take place. All members
10 shall be duly notified, at least fifteen (15) days in
11 advance, of the time and place of said election and
12 the hours the polls will be open. Polling places
13 must be open a sufficient number of hours on one
14 (1) or more days to allow all members of the
15 Local Union an opportunity to cast their ballots.
16 Each member shall personally cast his vote at the
17 polls.

18 Section 25. Local Union action to instruct a
19 delegate does not serve to commit or bind the
20 delegate on any issue he may vote on at the
21 Convention.

ARTICLE 9

Political Requirements of Union Officials

22 International Officers, International Board Mem-
23 bers, International Representatives and Local
24 Union Officers shall, from the date of taking office,
25 be required to register and vote in elections for
26 civil officers in the area in which their homes are
27 located, provided they are eligible under the laws
28 of the area and that it is a physical possibility for
29 them to do so. Violation of this Section shall sub-
30 ject the person charged to discipline, in pursuance
31 of the procedure provided for in this Constitution.

ARTICLE 10

Officers and Elections

32 Section 1. The elective officers of the Interna-
33 tional Union shall be one (1) International Presi-
34 dent, one (1) International Secretary-Treasurer,
35 six (6) International Vice Presidents, who shall be
36 elected by the Convention, and such International
37 Executive Board members as provided in Section
38 22 of this Article. The duties of the Vice-Presidents
39 shall be to assist the International President. In
40 addition, the Director of the Canadian Region,
41 elected in accordance with Section 2 of this Article
42 shall be installed as an International Vice-Presi-
43 dent, whose duties shall be those as set forth in
44 Article 13, Sections 24-27.

45 Section 2. Within the geographical districts as
46 determined by the International Constitution, the
47 International Executive Board Members shall be
48 nominated and elected in the regions as established
49 by the International Executive Board and existing
50 on the actual day any such election commences.
51 Only the delegates from the Local Unions in such
52 regions shall nominate and vote for their Inter-
53 national Board Members. Any member in contin-
54 uous good standing for one (1) year, and who has
55 worked at least ninety (90) working days in a
56 plant or plants located within the region, whose
57 Local Union is located within the region can be
58 nominated and elected. It shall require a two-
59 thirds (2/3) vote of the International Executive
60 Board to change the composition of any region
61 within a geographical district.

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1 Section 3. The term of office of all elective offi-
2 cers shall be for the period up to the next Conven-
3 tion and the term of office shall begin immediately
4 upon installation. The term of office of the Trustees
5 shall be as provided for in Article 51.

6 Section 4. Nomination and election of all elective
7 officers and Trustees shall take place in the regular
8 order of business of the Convention and election
9 shall be determined by a majority vote of the
10 delegates voting. Candidates shall be elected to
11 various offices by one (1) roll-call vote. In the
12 election of the Vice-Presidents each delegate may
13 vote for six (6) candidates. If there are twelve
14 (12) or more nominees for the six (6) offices and
15 less than six (6) candidates receive a majority vote,
16 the candidate receiving the lowest number of
17 votes shall be eliminated from the run-off election,
18 and in each successive run-off election the candi-
19 date receiving the lowest number of votes shall
20 be eliminated, unless such elimination would re-
21 sult in reducing the number of candidates in nomi-
22 nation to a figure equal to the remaining vacancy
23 or vacancies.

24 Section 5. All elections of International Officers
25 and International Executive Board Members shall
26 be by roll-call vote.

27 Section 6. No member shall be nominated or
28 elected as an elective officer of the International
29 Union, as set forth in Section 1 of this Article, who
30 is sixty-five (65) years of age or over as of the
31 date of nomination, or who has not been in con-
32 tinuous good standing for a period of one (1) year
33 preceding the date of nomination. Any elected
34 officer who becomes sixty-five (65) years of age
35 during his term of office may continue to serve the
36 remainder of his term.

37 Section 7. No member of any Local Union, lo-
38 cated in the United States of America, or Canada,
39 shall be eligible to hold any elective or appointive
40 position in this International Union or any Local
41 Union in this International Union, if he is a mem-
42 ber of any organization which is declared illegal
43 by the government of the United States of Amer-
44 ica, or Canada, through Constitutional procedure.

45 Section 8. No member of any Local Union shall
46 be eligible to hold any elective or appointive posi-
47 tion in this International Union or any Local Union
48 in this International Union if he is a member of
49 or subservient to any political organization, such
50 as the Communist, Fascist or Nazi Organization
51 which owes its allegiance to any government other
52 than the United States or Canada, directly or in-
53 directly.

54 Section 9. No member of any Local Union shall
55 be eligible to hold any elective or appointive posi-
56 tion in the International Union, or any Local
57 Union, if he is affirmatively engaged in the pro-
58 motion, implementation, furtherance, or support
59 of organized in-plant rackets, such as numbers,
60 bookmaking, etc.

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

67 Section 11. When a charge is preferred that a
68 member is violating Section 10 of this Article, it

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1 shall be made and the accused member shall be
2 tried according to the appropriate provisions of
3 Articles 30 and 31. Resignation from an elective
4 office or appointive position, or withdrawal of
5 candidacy by any member charged with violation
6 of Section 10 shall not require the dismissal of
7 such charges.

8 Section 12. Upon conviction of a member by a
9 Trial Committee of a Local Union or by an Inter-
10 national Union Trial Committee of violation of
11 Section 10 of this Article, any elective or appointive
12 office or position then held by such member
13 shall be automatically vacated regardless of any
14 other penalty imposed.

15 Section 13. No member of any Local Union shall
16 be eligible to hold or seek any elective or appointive
17 position in the International Union, or
18 in any Local Union, if he affirmatively engaged in
19 the promotion, implementation, furtherance or support
20 of any other union or collective bargaining
21 group with the purpose or intent of supplanting
22 the International Union, or any subordinate body
23 thereof, as the recognized collective bargaining
24 agent, or if he is affirmatively engaged in efforts
25 to decertify the International Union or any subordinate
26 body thereof as the recognized collective bargaining
27 agent. If, upon investigation by the
28 International Union, it should appear by convincing
29 evidence that any member is in violation of this
30 Section, the International President, or the International
31 Executive Board, may summarily suspend
32 that member from any office or position, or the
33 right to seek such office or position. Said suspended
34 member shall be promptly notified and, within
35 thirty (30) days of such notification, may appeal
36 the suspension, in which case his appeal shall be
37 processed in the same manner as appeals to the
38 International Executive Board from decisions of
39 subordinate bodies under Article 33 of this Constitution;
40 provided that the suspension shall automatically
41 be lifted unless the International Executive Board
42 has rendered its decision within one
43 hundred twenty (120) days of the day the appealing
44 member commences his appeal. If the suspended
45 member fails to appeal from the suspension
46 within the thirty (30) days allowed, or if the
47 International Executive Board upon review upholds
48 the suspension by a two-thirds (2/3) vote, the
49 member shall be considered removed from any
50 office or position he may have held, as well as
51 from the privilege of seeking election or appointment
52 to any office or position, and he shall not
53 thereafter be eligible to hold any office or position
54 unless and until the removal has been lifted by a
55 two-thirds (2/3) vote of the International Executive
56 Board. Any member so suspended, who has taken
57 an appeal to the International Executive Board
58 without having the suspension lifted, may appeal
59 the suspension either to the Public Review Board
60 or the Convention Appeals Committee as provided
61 for in Article 33 of this Constitution. The procedure
62 provided in this Section shall be in addition to,
63 and exclusive of, any other action which may
64 be taken against such member.

65 Section 14. No member removed from office or
66 position by reason of a conviction of any offense
67 enumerated in Section 17 of Article 31 by a Local
68 Union Trial Committee, shall be restored to office
69 or position by reason of a reversal of such conviction
70 by the body which elected the Trial Commit-

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1 tee, until after the lapse of sixty (60) days following
2 such reversal, without a review having been
3 ordered by the International Executive Board.

4 Section 15. Whenever any member removed from
5 elective office or position by reason of having been
6 convicted of an offense shall have taken an appeal
7 under Article 33, and whenever a review of any
8 such conviction shall have been ordered by the
9 International Executive Board under Section 18
10 of Article 31, the vacancy in office or position may
11 be filled according to the applicable provisions of
12 Section 14 of Article 38 or Section 19 of this
13 Article, but any successor in such office or position
14 shall hold the office or position subject to the
15 right of restoration of the removed officer upon
16 reversal of his conviction subject to Section 14 of
17 this Article.

18 Section 16. No member shall be entitled as a
19 matter of right to restoration to any appointive
20 position by reason of acquittal or reversal of a conviction.

21 Section 17. Incoming elective officers of the
22 International Union shall be obligated and installed
23 immediately after being elected. The obligation
24 shall be the same as that provided for Local Union
25 officers.

26 Section 18. In the event of the death, removal
27 or resignation of the International President, International
28 Secretary-Treasurer, any of the International
29 Vice-Presidents, except the Canadian Director,
30 he shall be replaced by a member of the International
31 Executive Board. It shall require a majority vote of all
32 members of the International Executive Board to elect a
33 successor.

34 In the event of the death, removal, or resignation
35 of an International Trustee, the International Executive
36 Board shall elect a replacement to serve
37 until the next regular Constitutional Convention.

38 Section 19. In the event a vacancy occurs on the
39 International Executive Board because of the
40 death, removal, promotion of a member, or other
41 cause, the International Executive Board shall,
42 within thirty (30) days, call a special regional
43 convention for the region which the International
44 Executive Board Member represented. Such vacancy
45 shall be filled by a member elected by the
46 delegates from the Local Unions in the region. In
47 the event of such vacancy occurring within sixty
48 (60) days before a regular Constitutional Convention
49 no election shall take place and the office
50 shall remain vacant. In any such special regional
51 convention, the delegates from each Local Union
52 who had been elected to the last preceding regular
53 Constitutional Convention shall serve as delegates
54 to the Special Convention. Each Local Union shall
55 carry the same total vote as it carried at such
56 previous regular Constitutional Convention. If
57 there are vacancies in the voting delegation, they
58 shall be filled in the following manner:

- 59 (a) By alternates where the same were elected to the preceding Constitutional Convention;
- 60 (b) If the number of delegates is insufficient after applying (a), by reapportioning the votes of the Local Union among the remaining delegates to the extent permitted by Section 7 of Article 8;
- 61 (c) If the number of delegates is insufficient after applying (a) and (b), by electing addi-

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 1 tional delegates, these additional delegates
 2 to be nominated and elected by secret ballot
 3 at successive membership meetings; the re-
 4 quired notices for such nomination and elec-
 5 tion being those set forth in Sections 22 and
 6 24 of Article 8.

7 Section 20. The International Executive Board
 8 shall consist of the International Executive Board
 9 Members elected from the regions together with
 10 the International President, International Secre-
 11 tary-Treasurer and the International Vice-
 12 Presidents.

13 Section 21. Voting strength of International Ex-
 14 ecutive Board Members:

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

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

23 (c) Voting strength of each region shall be com-
 24 puted on the basis of average monthly per
 25 capita tax payments from each respective re-
 26 gion through the period of twelve (12)
 27 months commencing thirteen (13) months
 28 preceding each quarterly meeting of the In-
 29 ternational Executive Board. The voting
 30 strength of Executive Board members at special
 31 Executive Board meetings shall be on
 32 the basis as at the preceding regular Execu-
 33 tive Board Meeting.

34 (d) The International President, International
 35 Secretary-Treasurer and the International Vice-
 36 Presidents, except for the Canadian Director, shall
 37 each carry the same number of votes, which shall
 38 be equal to the average of the votes cast by the
 39 remaining members of the International Executive
 40 Board.

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

43 Section 22. The geographical districts and the
 44 number of International Executive Board members
 45 for each district of the International Union in the
 46 United States and Canada shall be as listed below.
 47 District 7 shall be known as the Canadian region,
 48 and the member of the International Executive
 49 Board elected from District 7 shall be known as the
 50 Canadian Director and he shall also be installed as
 51 an International Vice-President, as provided in
 52 Section 1 of this Article.

- 53 1. Michigan 6
 54 2. Ohio, West Virginia, and those parts of
 55 Pennsylvania west of and including the
 56 counties of McKean, Cameron, Cambria
 57 and Somerset 3
 58 3. Indiana, Kentucky 1
 59 4. Illinois, Iowa and Nebraska 1
 60 5. Missouri, Arkansas, Louisiana, Kansas,
 61 Oklahoma, Texas, Colorado and New
 62 Mexico 1
 63 6. Washington, Oregon, California, Idaho,
 64 Nevada, Utah, Arizona, Alaska and
 65 Hawaii 1
 66 7. Canadian Region 1
 67 8. Tennessee, Virginia, North Carolina,
 68 South Carolina, Mississippi, Alabama,
 69 Georgia, Florida, the District of Colum-

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 1 bia, Maryland, Delaware and the follow-
 2 ing counties of Pennsylvania: Franklin,
 3 Cumberland, Adams and York 1
 4 9. New York, New Jersey, Rhode Island,
 5 Connecticut, Massachusetts, Vermont,
 6 New Hampshire, Maine and those parts
 7 of Pennsylvania east of and including the
 8 counties of Potter, Clinton, Center, Blair,
 9 Clearfield and Bedford, but excluding the
 10 counties of Franklin, Cumberland, Adams
 11 and York 2
 12 10. Wisconsin, Minnesota, North Dakota,
 13 South Dakota, Wyoming and Montana... 1

ARTICLE 11

Salaries

14 Section 1. The salaries of the International Pres-
 15 ident, International Secretary-Treasurer, Interna-
 16 tional Vice-Presidents and International Executive
 17 Board Members, then in effect, shall be increased
 18 by five percent (5%) effective with the first pay
 19 periods in January 1973 and January 1974.

20 Section 2. The salaries of the International Rep-
 21 resentatives, then in effect, shall be increased by
 22 five percent (5%) effective with the first pay peri-
 23 ods in January 1973 and January 1974.

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

29 International President, thirty-seven thousand,
 30 five hundred and thirty-four dollars and thirty-
 31 eight cents (\$37,534.38) per annum.

32 International Secretary-Treasurer, thirty-two
 33 thousand, seven hundred and forty-three dollars
 34 and seventy-eight cents (\$32,743.78) per annum.

35 International Vice-Presidents, thirty thousand,
 36 nine hundred and forty-seven dollars and thirty
 37 cents (\$30,947.30) per annum.

38 International Executive Board Members twenty-
 39 six thousand, one hundred and fifty-six dollars and
 40 seventy cents (\$26,156.70) per annum.

41 Salaries shall be payable in bi-weekly install-
 42 ments.

43 Section 4. The International President, Inter-
 44 national Secretary-Treasurer, International Vice-
 45 Presidents and International Executive Board
 46 Members shall devote their full time to their duties
 47 and shall not serve as an officer of a Local Union,
 48 District Council or any other subordinate body,
 49 beyond ninety (90) days after being elected as an
 50 International Officer.

51 Section 5. An International Executive Board
 52 Member shall serve under the general direction of
 53 the International President, subject to the decisions
 54 of the International Executive Board.

55 Section 6. International Officers, International
 56 Executive Board Members and International Repre-
 57 sentatives shall receive such expenses and allow-
 58 ances, including per diem allowances, as the Inter-
 59 national Executive Board shall from time to time
 60 by resolution determine to be necessary and appro-
 61 priate to the discharge of their obligations to the
 62 Union.

63 Section 7. The International Executive Board
 64 shall from time to time by resolution determine
 65 the salary, expenses and allowances to be paid any

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1 member, including a temporary organizer, per-
2 forming services for the International Union at its
3 request; provided that such salary, expenses and
4 allowances shall not exceed those prevailing for
5 International Representatives except to the extent
6 that such member's lost time would exceed the
7 salary of an International Representative.

8 Section 8. The full salary for International Rep-
9 resentatives shall be sixteen thousand, eight
10 hundred and sixty-eight dollars and eighty-seven
11 cents (\$16,868.87). The initial salary for a newly
12 appointed International Representative shall be fif-
13 teen hundred dollars (\$1,500.00) less than the clas-
14 sification rate for his assignment and shall be in-
15 creased in six (6) equal increments, so that at the
16 end of forty-eight (48) weeks, he shall be receiving
17 the full salary for his classification. The Interna-
18 tional Executive Board shall determine the salaries
19 of International Representatives acting as profes-
20 sional specialists, key personnel and major and mi-
21 nor department heads.

22 Salaries shall be payable in bi-weekly install-
23 ments.

24 Section 9. The International President, Interna-
25 tional Secretary-Treasurer, International Vice-
26 Presidents and International Executive Board
27 Members shall, on their first election, be entitled
28 to traveling expense for themselves and families
29 and the moving of household goods from their
30 home to their assigned location and also on return
31 at the close of their official terms.

32 Section 10. International Officers, International
33 Executive Board Members and International Rep-
34 resentatives shall receive, in addition to their
35 salaries, such fringe benefits as pensions, severance
36 pay, medical-surgical-health insurance, sickness
37 and accident insurance, life insurance, vacations,
38 Supplemental Unemployment Benefits, etc., in such
39 amounts and under such conditions, as the Interna-
40 tional Executive Board shall from time to time
41 by resolution determine to be necessary and appro-
42 priate.

43 Section 11. No person in the International Union
44 who holds a paid full-time job in the Union shall
45 hold any other paid position in the Union at the
46 same time.

47 Section 12. The International Executive Board
48 shall from time to time by resolution establish
49 salaries, expenses, allowances and fringe benefits
50 for clerical, custodial, maintenance and similar
51 employes of the International Union.

ARTICLE 12

Duties of the International Executive Board

52 Section 1. The International Executive Board
53 shall execute the instructions of the International
54 Convention and shall be the highest authority of
55 the International Union between Conventions, sub-
56 ject to the provisions of this Constitution, and shall
57 have the power to authorize strikes, issue charters
58 and punish all subordinate bodies for violation of
59 this Constitution.

60 Section 2. In case of disputes or conditions within
61 a subordinate body that might threaten its exist-
62 ence the International Executive Board by ma-
63 jority vote, may reorganize the subordinate body
64 by ordering a special election to be held within

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1 thirty (30) days after the members in ge... stand-
2 ing are notified by mail. Under no circumstances
3 shall more than one (1) such special election be
4 held within a year's period in any one (1) sub-
5 ordinate body. Under this provision, the elected
6 officers of the subordinate body shall continue to
7 hold office until the election and may run for re-
8 election. The International Executive Board may
9 have two (2) representatives to work with the
10 elected Local Union Election Committee. The pro-
11 cedures of this Section shall be equally applicable
12 to units of Amalgamated Local Unions.

Section 3. Where necessary to:

- 13 (a) prevent or correct corruption or financial
14 malpractice;
- 15 (b) assure the performance of collective bar-
16 gaining agreements or other duties as a bar-
17 gaining representative;
- 18 (c) restore democratic procedures within any
19 chartered subordinate body; or,
- 20 (d) otherwise assure carrying out the legitimate
21 objectives of this International Union by such
22 subordinate body.

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

41 In any case of suspension of officers, an election
42 of new officers shall take place within sixty (60)
43 days from date of order whereupon the subordinate
44 body shall be returned its autonomy under this
45 Constitution; unless circumstances which necessi-
46 tate an extension of time, in which event the
47 Executive Board during said administratorship may
48 specifically extend this period for a total of no
49 more than one hundred twenty (120) additional
50 days. The conduct of all elections during an ad-
51 ministratorship shall be the responsibility of the
52 administrator.

53 The procedures of this Section shall be equally
54 applicable to units of Amalgamated Local Unions
55 insofar as appropriate.

56 Section 4. In case of vacancy, the Board shall
57 cause such vacancy to be filled until the next Con-
58 vention, in accordance with Article 10.

59 Section 5. It shall repeal any bylaws of any
60 subordinate body, which do not conform to this
61 Constitution.

62 Section 6. It shall review and decide, between
63 Conventions, all questions involving interpretation
64 of this Constitution when any member or sub-
65 ordinate body wishes to appeal, or the Board on its
66 own initiative wishes to consider, the decision on
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1 an such question made (pursuant to Article 13
2 Section 8) by the International President.

3 **Section 7.** It shall pass upon all claims, griev-
4 ances and appeals from the decisions of subordinate
5 bodies of the International Union, in the manner
6 provided by this Constitution.

7 **Section 8.** It shall transmit a report of the activi-
8 ties of the International Union and a summary and
9 explanation of the actions of the International
10 Executive Board relating to International finances
11 to each Local Union of this International Union.

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

16 **Section 10.** Upon written request of three (3)
17 members of the International Executive Board, the
18 International Secretary-Treasurer, within forty-
19 eight (48) hours of receipt of such a request shall
20 poll the International Executive Board on the
21 question of a Special Board meeting. Upon a ma-
22 jority vote for such a meeting, the President shall
23 convene the Board within five (5) days. In case
24 the International President fails to convene the
25 Board within the time allotted, the International
26 Secretary-Treasurer or a Board Member previously
27 designated by the Board shall convene the Board.

28 **Section 11.** Two-thirds (2/3) of the number of
29 members comprising the International Executive
30 Board present in person shall constitute a quorum
31 of the International Executive Board. Notwith-
32 standing the foregoing, when the International
33 President calls a special meeting of the Interna-
34 tional Executive Board because he believes emer-
35 gency action under Sections 2 and 3 of this Article,
36 or Sections 9 and 10 of Article 36, to be essential
37 with regard to a specific dispute in any area with
38 the objective of protecting the interests of a sub-
39 ordinate body, or any part of the membership
40 thereof, and less than the regular quorum answers
41 such call, those members answering the call may
42 act within the limited area described above pro-
43 vided they constitute a special quorum. Such
44 special quorum shall in any event consist of not
45 less than eight (8) members of said International
46 Executive Board, present in person, which must
47 include at least two (2) International Officers and
48 at least four (4) Board Members. Any such special
49 Board meeting operating on the basis of such a
50 special quorum shall be empowered to conduct any
51 hearing and by a seventy-five per cent (75%) vote
52 of its members, take any action, make any decision,
53 or impose any penalty concerning said specific
54 dispute which the full International Executive
55 Board could take pursuant to any of the above-
56 noted applicable provisions of this Constitution
57 which shall be binding until the last day of the
58 next succeeding regular meeting of the Interna-
59 tional Executive Board. All proceedings of such
60 special Board meeting shall be reported to the
61 next regular meeting of the International Execu-
62 tive Board, and any member or subordinate body
63 feeling aggrieved by any such action, decision or
64 penalty of such special Board meeting may file a
65 protest with the International Executive Board
66 and shall have the right to be heard in person by
such International Executive Board upon request.

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1 Whether or not any protest is taken, the Interna-
2 tional Executive Board shall review the action, de-
3 cision or penalty taken or imposed by the special
4 Board meeting and shall, if satisfied as to its pro-
5 priety, affirm such action, decision, or penalty. Any
6 member or subordinate body feeling aggrieved by
7 such decision of the full International Executive
8 Board shall have the normal right of appeal there-
9 from pursuant to Article 33, Section 9, even though
10 the member or subordinate body did not avail him-
11 self of the right hereinabove to file a protest from
12 the action, decision, or penalty of the special Board
13 meeting to the full International Executive Board.

14 **Section 12.** Only a majority of the International
15 Executive Board can adjourn a Board meeting.

16 **Section 13.** The International Executive Board
17 shall set up such departments as provided for in
18 this Constitution. It may, if voted by a two-thirds
19 (2/3) vote, create additional departments for pro-
20 moting the business of this International Union or
21 the welfare of its membership. It may hire pro-
22 fessional specialists not members of the Interna-
23 tional Union for such departments if they are not
24 available within the membership.

25 **Section 14.** If and when a strike has been ap-
26 proved by the International Executive Board, it
27 shall be the duty of the International Executive
28 Board to render all financial assistance to the
29 members on strike consistent with the resources
30 and responsibilities of the International Union.

31 **Section 15.** Financial Officers (including Presi-
32 dents) of the Local Unions of this International
33 Union shall be bonded by such methods and agen-
34 cies, and in such amounts as the International
35 Executive Board may determine, but in no case
36 shall the bond be for less than the amount required
37 by law.

38 **Section 16.** The International Executive Board
39 shall have power to adjust disputes between em-
40 ployers and employes and to make contracts with
41 employers in accordance with this Constitution. In
42 addition, the International Executive Board shall
43 have power to adjust jurisdictional disputes be-
44 tween Local Unions.

45 **Section 17.** Where the International Executive
46 Board has established a satisfactory administrative
47 arm for the handling of members' appeals relating
48 to the processing of collective bargaining griev-
49 ances, a decision by such administrative arm may
50 be appealed to the International Executive Board
51 by the procedures set forth in Article 33, Section 6.

52 **Section 18.** The International Executive Board
53 may rescind, reverse or repeal any action of any
54 of the International Officers or Representatives.

55 **Section 19.** Verbatim minutes shall be taken at
56 all meetings of the International Executive Board,
57 (except when the Board, by a seven-eighths (7/8)
58 vote of those present, decides that the best in-
59 terests of the Union would be served by an in-
60 formal discussion of the membership of the Board
61 in session as a committee of the whole, in which
62 event the Board shall confine itself to discussion
63 but shall take no formal action, and no minutes
64 shall be taken). Such minutes shall be transcribed
65 immediately and copies thereof shall be distributed
66 to all elected officers of the International Union

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1 action as completed. Such copies shall be made
 2 available to any interested member in good stand-
 3 ing for inspection at the offices of the International
 4 Secretary-Treasurer and of each International
 5 Executive Board member. In addition, the Secre-
 6 tary-Treasurer shall prepare a summary of official
 7 International Executive Board action after each
 8 International Executive Board meeting, which shall
 9 be sent to each Local Union.

10 Section 20. The International Executive Board
 11 shall create and operate a Political Action Commu-
 12 nity to be known as UAW Voluntary Action Community
 13 Action Program Committee (UAW V CAP). This
 14 Committee shall be authorized to make policy deci-
 15 sions concerning expenditures and contributions in-
 16 volving federal elections and to make expenditures
 17 and contributions from a fund established by vol-
 18 untary contributions from UAW members, their
 19 families and friends. Once each year a summary
 20 report of income and disbursements in federal elec-
 21 tions by category shall be made.

ARTICLE 13
 DUTIES OF INTERNATIONAL OFFICERS
 International President

22 Section 1. The International President shall pre-
 23 side at all sessions of the International Convention
 24 and all sessions of the International Executive
 25 Board. He shall perform such other duties as are
 26 necessary to protect and advance the interests of
 27 the International Union, and shall report his activi-
 28 ties to all Local Unions and the general member-
 29 ship through the official publication. He shall re-
 30 port his activities to the quarterly meeting of the
 31 International Executive Board for approval or
 32 rejection and to the International Convention.

33 Section 2. Between sessions of the International
 34 Executive Board, he shall execute the instructions
 35 of the International Executive Board and have
 36 full authority to direct the working of this organi-
 37 zation within the provisions of this Constitution
 38 and shall report his acts to the regular quarterly
 39 meeting of the International Executive Board.

40 Section 3. As set forth in this Constitution or
 41 voted by the International Executive Board, he
 42 shall assign any elected officer to represent or
 43 direct the workings of this International Union.

44 Section 4. The International President shall have
 45 power to withdraw any field assignment made to
 46 any elected officer when he becomes convinced that
 47 the officer has been derelict in his duty or been
 48 guilty of a dishonest act. Such withdrawal of as-
 49 signment shall not act to suspend the vote or pay
 50 of such an officer, which power lies only in the
 51 International Executive Board as provided in this
 52 Constitution. Any officer whose assignment is with-
 53 drawn may follow the procedure outlined in Article
 54 12, Section 10, to convene the International Execu-
 55 tive Board. If the International Executive Board
 56 reaffirms the original assignment then the Presi-
 57 dent shall not again suspend this assignment.

58 Section 5. He shall appoint such Representatives
 59 as he may deem necessary from time to time, such
 60 appointments to be pending the approval of the
 61 International Executive Board. He may remove
 62 from the payroll any Representative derelict in the
 63 performance of any duty, guilty of any dishonest

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1 act, or to conserve the finances of this Interna-
 2 tional Union, pending the approval of the Inter-
 3 national Executive Board at its next session.

4 Section 6. After submitting his recommendations
 5 to the International Executive Board, he shall hire
 6 such legal, technical or professional help as is
 7 necessary to efficiently operate such departments
 8 of this International Union, except in the depart-
 9 ment of the International Secretary-Treasurer.

10 Section 7. He shall fill by appointment all vacan-
 11 cies occurring in the International Office Staff,
 12 except in the department of the International Sec-
 13 retary-Treasurer as otherwise provided for in this
 14 Constitution.

15 Section 8. He shall decide disputes or questions
 16 in controversy, including all questions involving
 17 interpretation of this Constitution, except such
 18 cases as follow the procedure and conditions as
 19 outlined in this Constitution, all his decisions being
 20 subject to appeal, first to the International Execu-
 21 tive Board and then to the Convention. Notice in
 22 writing of appeal of any decision of the Interna-
 23 tional President must be filed with the Interna-
 24 tional Secretary-Treasurer and the International
 25 President within thirty (30) days from date of
 26 decision.

27 Section 9. He shall have authority to call special
 28 meetings of Councils or Local Unions whenever he
 29 deems such meetings necessary to protect the
 30 interests of its membership, after proper notifica-
 31 tion or consultation with officers of subordinate
 32 bodies involved. He shall have the authority to
 33 delegate such duties to any International Officer
 34 or Representative he may name, provided such
 35 delegation of authority is written, signed by him
 36 and bears the seal of the International Union.

37 Section 10. He shall convene regular and special
 38 sessions of the International Executive Board
 39 whenever necessary.

40 Section 11. He shall be empowered to grant to
 41 Local Unions or units dispensations relating to
 42 initiation fees, per capita tax and/or Strike In-
 43 surance Fund dues, to the International Union
 44 with the approval of the International Executive
 45 Board, when in his judgment such dispensations
 46 will add to the growth of or conserve the interests
 47 of this International Union.

48 Section 12. He shall devote all his time to the
 49 affairs of this International Union, executing the
 50 instructions of the International Executive Board
 51 and exercising general supervision over all depart-
 52 ments of this International Union.

53 Section 13. During his term of office he shall
 54 establish his residence in the metropolitan area of
 55 the city where the headquarters of this Interna-
 56 tional Union is established.

International Secretary-Treasurer

57 Section 14. The International Secretary-Treas-
 58 urer shall attend all sessions of the International
 59 Convention, and of the International Executive
 60 Board. He shall cause to be recorded the proceed-
 61 ings of the International Convention and meetings
 62 of the International Executive Board. He shall
 63 have charge of and preserve all books, documents
 64 and effects of the International Office except such
 65 records as properly belong to the office of the

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

15 Section 15. The International Secretary-Treas-
 16 urer shall be the custodian of the funds of this
 17 International Union. He shall deposit sufficient
 18 funds of the International Union in some respon-
 19 sible bank or banks to meet current obligations
 20 of the International Union and shall invest the
 21 remainder of the funds under procedures and
 22 standards determined from time to time by resolu-
 23 tion of the International Executive Board.

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

47 Section 17. The International Secretary-Treas-
 48 urer shall give a bond, amount of which shall be
 49 determined by the International Executive Board
 50 and paid for by the International Union, to insure
 51 faithful discharge of his duties.

52 Section 18. The International Secretary-Treas-
 53 urer shall perform such other duties as are herein
 54 provided for in this Constitution or may be as-
 55 signed to him by the International Executive
 56 Board.

57 Section 19. When a Local Union has failed to
 58 report and pay the per capita tax as provided for
 59 herein, the International Secretary-Treasurer shall
 60 notify the Local Union President and Board of
 61 Trustees of that fact.

62 Section 20. The International Secretary-Treas-
 63 urer shall keep a complete record of the member-
 64 ship of the International Union.

65 Section 21. The International Secretary-Treas-
 66 urer shall, with the consent of the International
 67 Executive Board, employ such assistants as may
 68 be necessary to conduct the affairs of his office.

1 Section 22. The International Secretary-Treas-
 2 urer shall issue a standard "Work Permit" card
 3 which shall be furnished to Local Unions at cost.
 4 Such work permit shall be cancelled or renewed
 5 thirty (30) days following the date contained there-
 6 on. The charge for each work permit or renewal
 7 by the Local Union shall be not less than the
 8 amount of the monthly dues set by the Local Un-
 9 ion, one-half (1/2) of which shall be paid to the
 10 International Union. It shall be left to the discre-
 11 tion of the Local Union to determine the duration
 12 of the period for which work permits are issued.
 13 In no case, however, shall work permits be issued
 14 to any worker for a period of more than three
 15 (3) consecutive months.

16 Section 23. The International Secretary-Treas-
 17 urer shall assume the powers and duties of the
 18 International President in case of the latter's ab-
 19 sence or incapacity.

International Executive Board Members

20 Section 24. An International Executive Board
 21 Member shall have direct supervision over all or-
 22 ganizational activities within the region from which
 23 he is elected. In case a geographical district has
 24 more than one regional board member, his activity
 25 shall be confined within a definite area within his
 26 region, which area shall be clearly defined by the
 27 International Executive Board.

28 Section 25. His field of activity shall be limited
 29 to shops within his region unless directed to other
 30 activities at the direction of the International Ex-
 31 ecutive Board or the International President.

32 Section 26. He shall examine all contracts nego-
 33 tiated within his region before they are signed and
 34 submit them to the International Executive Board
 35 with his recommendation, negotiate disputes with
 36 the bargaining committees wherever possible, act
 37 to obtain favorable legislation for labor and work
 38 for the general welfare of the membership.

39 Section 27. Where district councils are estab-
 40 lished within his region, he shall attend their meet-
 41 ings when possible and work in cooperation with
 42 such councils. He shall submit quarterly reports
 43 of organizational activity within his region to the
 44 International President and also to the Interna-
 45 tional Executive Board fifteen (15) days prior to
 46 the convening of the quarterly meeting of the
 47 International Executive Board, for its approval.

ARTICLE 14

International Representatives

48 Section 1. International Representatives, or tem-
 49 porary organizers, commissions must be approved
 50 and signed by the International President and shall
 51 be countersigned by the International Secretary-
 52 Treasurer and be subject to the approval of the
 53 International Executive Board.

54 Section 2. International Representatives, or tem-
 55 porary organizers, shall work under the jurisdic-
 56 tion of the International President subject to the
 57 approval of the International Executive Board and
 58 under the direct supervision of the International
 59 Executive Board Member of the region to which
 60 he is assigned, unless otherwise commissioned.

61 Section 3. No person can be appointed an Inter-
 62 national Representative, or temporary organizer,

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1 unless he is a member in continuous good standing
2 of the International Union for a period of one (1)
3 year and has not reached the age of sixty-five (65).

4 **Section 4.** Effective January 1, 1965, all appointed
5 Representatives of the International Union who
6 are sixty-five (65) years of age or over shall retire.
7 Thereafter, such Representatives shall retire
8 on the first day of the month following the month
9 in which they become sixty-five (65) years of age.

10 **Section 5.** Appointed International Representa-
11 tives, or temporary organizers, may be removed
12 by the International President subject to the ap-
13 proval of the International Executive Board.

14 **Section 6.** An International Representative, or
15 temporary organizer, shall not, while holding such
16 position, be eligible as a candidate for, or hold, any
17 elective office or position in a Local Union, but an
18 officer of a Local Union may be appointed to act
19 as an International Representative, or temporary
20 organizer, on a part-time basis for parts of the day,
21 or for full days not to exceed one hundred and
22 eighty (180) in any calendar year. An Interna-
23 tional Representative, or temporary organizer, shall
24 be eligible as a candidate for an elective office in
25 the International Union.

ARTICLE 15

Fiscal Year

26 The Fiscal Year of the International Union shall
27 begin the first day of January of each year and
28 end on the 31st day of December of the same year.

ARTICLE 16

Initiation Fees and Dues

29 **Section 1.** (a) Effective as of June 1, 1968, the
30 initiation fee charged by each Local Union shall be
31 increased by five dollars (\$5.00), which the Local
32 Union shall set aside in a New Member Orientation
33 Fund, to be expended with the approval of the
34 Regional Director. The initiation fee, no part of
35 which shall be considered as a Local Union fine,
36 shall be not less than ten dollars (\$10.00) nor more
37 than twenty dollars (\$20.00) for membership in a
38 Local Union of the International Union.

39 (b) A Local Union may increase its initiation
40 fee, within the limitations set forth in paragraph
41 (a) of this Section, in accordance with the proce-
42 dures of Article 47, Section 1.

43 (c) Men and women returning from service in
44 the Armed Forces of the United Nations shall be
45 exempt from payment of an initiation fee upon
46 presentation of military discharge papers to the Lo-
47 cal Union Financial Secretary within one (1) year
48 of the date of their discharge.

49 (d) One dollar (\$1.00) of each initiation fee shall
50 be forwarded to the International Secretary-Treas-
51 urer.

52 **Section 2.** All dues are payable during the current
53 month to the Financial Secretary of the Local
54 Union. Minimum union dues shall be a sum equi-
55 valent to two hours straight time pay per month. For
56 those members paid by the hour, day, week or
57 month, the dues shall be based on the amount
58 earned per straight time hour in the last payroll
59 period worked before the dues are payable, includ-
60 ing cost-of-living allowance and any other amounts

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

11 Dues income shall be distributed so that the Lo-
12 cal Union shall receive thirty-seven (37) percent,
13 the International Union Strike Insurance Fund
14 shall receive thirty (30) percent, the General Ad-
15 ministrative Fund of the International Union shall
16 receive thirty (30) percent, and the International
17 Union's Family Education Center Fund shall re-
18 ceive three (3) percent for the capitalization, im-
19 provement and operation of the program.

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

37 All dues established by this Article shall be uni-
38 formly required of all its members by each Local
39 Union or unit of an Amalgamated Local Union ex-
40 cept as specific exoneration or special arrange-
41 ment, may be granted pursuant to Section 16 of
42 this Article, or Section 11 of Article 13, or Section
43 29 of this Article.

44 **Section 3.** (a) Where required by the necessities
45 of collective bargaining, a Local Union, or an In-
46 tra-Corporation Council and its affiliates, may,
47 with International Executive Board authorization,
48 double their monthly dues in each of not more
49 than four (4) months preceding the terminal date
50 of the old contract, or following the ratification of
51 a new agreement.

52 (b) Each Local Union which is authorized to
53 double its monthly dues shall be required to place
54 half of such dues in trust for each month collected,
55 until it has been determined by the International
56 Executive Board whether such additional dues
57 shall be applied to future dues, or refunded to each
58 member.

59 **Section 4.** The International Union shall provide
60 uniform monthly dues buttons, at not more than
61 cost, of a different color for each month. It shall
62 be mandatory for Local Unions using dues buttons
63 to use only those buttons provided by the Inter-
64 national Union, which shall be supplied by the
65 International Secretary-Treasurer to the Financial
66 Secretaries of the Local Unions upon request. Lo-
67 cal Unions covered by Union Shop or check-off
68 agreements may, upon approval of the Interna-

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1 tional Executive Board, use an annual membership
2 button, membership card or other suitable identifi-
3 cation of membership in lieu of monthly dues
4 buttons.

5 Section 5. Upon acceptance of the application,
6 membership shall date from the first day of the
7 month for which dues are paid.

8 Section 6. The Local Union shall set aside five
9 cents (.05) of each month's dues payment as a Cit-
10 izenship and Legislative Fund to be used for the
11 purpose of strengthening democracy by encourag-
12 ing members, and citizens generally, to register
13 and vote in community, state, and national elec-
14 tions and to carry on organizational and educa-
15 tional programs directed toward the achievement
16 of an even higher understanding of citizenship re-
17 sponsibility and the need for active participation
18 in the affairs of a free and democratic society. Lo-
19 cal Unions are obligated to carry out such pro-
20 grams in conjunction with city, county and state
21 (CAP) councils. Three cents (.03) of each month's
22 dues payment must be laid aside by the Local Union
23 as a special fund to be used only for education-
24 al or recreation-leisure time activities as outlined
25 in Article 27 of this Constitution, provided that two
26 cents (.02) shall be apportioned to education and
27 one cent (.01) apportioned to recreation-leisure
28 time activities. One cent (.01) of each month's dues
29 payment must be set aside by the Local Union as a
30 Retired Members Fund to be used only to promote
31 and support programs benefiting retired members.
32 Local Unions are obligated to carry out this policy
33 in conjunction with community groups where com-
34 munity groups exist for the purpose of promoting
35 and supporting programs benefiting retired mem-
36 bers and other retired workers.

37 Section 7. (a) Any member shall have the right
38 to object to the expenditure of a portion of his
39 dues money for activities or causes primarily polit-
40 ical in nature. The approximate proportion of dues
41 spent for such political purposes shall be deter-
42 mined by a committee of the International Execu-
43 tive Board, which shall be appointed by the Presi-
44 dent, subject to the approval of said Board. The
45 member may perfect his objection by individually
46 notifying the International Secretary-Treasurer of
47 his objection by registered or certified mail; pro-
48 vided, however, that such objection shall be timely
49 only during the first fourteen (14) days of Union
50 membership and during the fourteen (14) days fol-
51 lowing each anniversary of Union membership. An
52 objection may be continued from year-to-year by
53 individual notifications given during each annual
54 fourteen (14) day period.

55 (b) If an objecting member is dissatisfied with
56 the approximate proportional allocation made by
57 the committee of the International Executive
58 Board, or the disposition of his objection by the
59 International Secretary-Treasurer, he may appeal
60 directly to the full International Executive Board
61 and the decision of the International Executive
62 Board shall be appealable to the Public Review
63 Board or the Convention Appeals Committee at the
64 option of said member.

65 Section 8. Any member who has not paid his
66 dues during the calendar month in which they are
67 due shall automatically become delinquent except
68 as otherwise provided in this Article. In order to
69 regain his good standing membership, he must ful-

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1 ly reinstate himself in accordance with Section 9 of
2 this Article.

3 Section 9. The reinstatement fee established by a
4 Local Union shall be not less than the regular
5 initiation fee charged by the Local Union, plus the
6 dues for each month of delinquency in dues up to
7 either the date of his automatic suspension or the
8 date of his reinstatement, as the Local Union in its
9 discretion may determine, plus the current month's
10 dues. Such reinstatement fee shall be uniformly
11 applied to all delinquent members of the Local
12 Union. Individuals suspended as a result of their
13 failure to pay dues while employed in a shop under
14 the jurisdiction of another Local Union shall be
15 dealt with in conformity with Article 17, Section 3.

16 Section 10. Local Unions may notify members of
17 their delinquency. However, failure of the Local
18 Union to notify the member of delinquency shall
19 not exonerate such member from automatic sus-
20 pension except as provided in Section 27 of this
21 Article.

22 Section 11(a). From each member's dues, each
23 Local Union must remit a monthly per capita tax
24 of thirty (30) percent, an additional three (3) per-
25 cent to the International Union's Family Education
26 Center Fund and the Local Union shall retain
27 thirty-seven (37) percent. In each month, each Lo-
28 cal Union must remit the additional thirty (30)
29 percent allocation of dues as Union Strike Insur-
30 ance Fund dues to the International Union which
31 shall place said money in the International Union's
32 Strike Insurance Fund.

33 The member's monthly per capita tax, Family
34 Education Center Fund amount, and Strike Insur-
35 ance Fund dues shall be forwarded to the Interna-
36 tional Secretary-Treasurer.

37 One dollar (\$1.00) of each reinstatement fee
38 shall be forwarded to the International Secretary-
39 Treasurer.

40 (b) If the Local Union does not charge back
41 dues for the period following the date of automatic
42 suspension to the date of reinstatement, but impos-
43 es a fine based upon the length of such period, the
44 Local Union must forward to the International Union
45 one-half (1/2) of the fine so collected.

46 Section 12. When a member has been suspended
47 for non-payment of dues and the Financial Secre-
48 tary or other officers of the Local Union accept
49 such payment thereafter, acceptance of his dues
50 shall not operate to exonerate or reinstate the
51 member, or to waive the provisions of the Consti-
52 tution relative to forfeiture and reinstatement of
53 members.

54 Section 13. The provisions of Section 8 of this
55 Article shall not apply to a member who has en-
56 tered the military service of the United States of
57 America or Canada, who shall be entitled to an
58 honorable military service membership and whose
59 membership in continuous good standing in the Lo-
60 cal Union shall not be broken by such service, pro-
61 vided he reports to his Local Union at the time of
62 entering such service or thereafter furnishes the
63 necessary proof of military service. He shall be-
64 come subject to the provisions of this Section at
65 the end of such military service.

66 Section 14. The International Union shall set
67 aside all sums remitted by Local Unions as Union
68 Strike Insurance Fund dues and the funds resulting

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1 shall be a special fund to be known as the International Strike Insurance Fund, to be drawn upon exclusively for the purposes of (1) aiding Local Unions engaged in authorized strikes and in cases of lockouts, and (2) assisting by donations or loans other International Unions and non-affiliated Local Unions similarly engaged, and (3) meeting financial obligations or expenditures which this International Union or its affiliated Local Unions incur as a result of authorized strikes or in cases of lockouts, and then only by a two-thirds (2/3) vote of the International Executive Board. Following the Eighteenth (18th) Constitutional Convention the International Executive Board shall be authorized to establish a special fund to be known as the UAW Free World Labor Defense Fund and to place in said fund all interest and/or dividends accruing from the investment of the monies in the International Strike Insurance Fund, effective January 1, 1962. From the remainder of each member's monthly per capita tax, the International Union shall set aside:

1. Five cents (.05) which shall be expended only for publication of "Solidarity," the official publication of the International Union or of any successor official publication.
2. One cent (.01) to the Fair Practices and Anti-Discrimination Fund to be expended only for the support and promotion of the programs and activities of the International Union in support of fair employment practices and in opposition to all discriminatory practices in employment.
3. Three cents (.03) as the International Union Education Fund to be expended only for the programs and activities of the International Union Education Department.
4. One cent (.01) as the International Union Recreation Fund which fund shall be apportioned to each region on a per capita basis.
5. Five cents (.05) as the Special Citizenship Fund to be used for the purpose of strengthening democracy by encouraging members and citizens generally to register and vote in community, state and national elections and to carry on organizational and educational programs directed toward the achievement of an ever higher understanding of citizenship responsibility and the need for active participation in the affairs of a free and democratic society.
6. One cent (.01) as the International Union Retired Members Fund, which shall be used only to promote and support programs benefiting retired members, including such programs of the International Union relating to retired members as may be adopted from time to time, and to finance the operation of the International Union Retired Members Department.

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

Section 16. Where Local Unions deem it necessary they may exonerate certain members from the payment of dues to the Local Union. However, such members, with the exception of those holding

gratuitous life membership, shall be considered as dues-paying members and per capita tax shall be paid on such members.

Section 17. All per capita taxes, and all other monies collected for the International Union shall be transmitted to the International Secretary-Treasurer by the twentieth of each month following collection. All such per capita taxes and other monies are strictly the property of the International Union and in no case shall any part thereof be used by Local Unions, except upon permission of the International Executive Board.

Section 18. The International Secretary-Treasurer will issue the official receipt of the office of Secretary-Treasurer for all monies collected.

Section 19. Any member who has not worked forty (40) hours by reason of not having been scheduled to work forty (40) hours, or received benefits in lieu of work equivalent to forty (40) hours' pay, within any calendar month shall be entitled to exemption of payment of regular monthly dues.

Benefits in lieu of work shall include the following: Supplemental Unemployment Benefits (or any equivalent type layoff benefit), vacation pay, holiday pay, jury duty pay, bereavement pay, and paid absence allowance, but shall not include the following: pension benefits, sick and accident benefits, and Workmen's Compensation. However, dues paid on the basis of Supplemental Unemployment Benefits (or any equivalent type layoff benefit) shall be five dollars (\$5.00) per month or a sum equivalent to two (2) hours straight time pay per month, whichever is less.

A member who has been laid off or is on leave of absence from his regular employment who is covered by check-off provisions under which management notifies the Local Union of members who are on leave of absence, laid off or rehired, shall automatically be considered as entitled to "out-of-work" credits, unless he has received benefits in lieu of work equivalent to forty (40) hours' pay, as provided in the second paragraph of this Section. Any other member in order to be entitled to "out-of-work" credits shall report his lay-off or leave of absence, in person or otherwise, to the Financial Secretary of his Local Union within one month of the date such lay-off became effective.

Any member who is covered by check-off as set forth above shall report immediately to the Financial Secretary of his Local Union any other employment he may obtain during the period of his lay-off or leave of absence. Any member not covered by check-off shall report to the Financial Secretary of his Local Union the termination of his lay-off or leave of absence, or any other employment he may obtain during the period of his lay-off or leave of absence.

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

Section 20. Any member who is entitled to "out-of-work" credits under Section 19 of this Article and who does not secure an honorable withdrawal transfer card, shall be presumed to continue to be entitled to "out-of-work" credits and thus remains in continuous good standing without the necessity of paying dues for the first six (6) months of such

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1 laid off or leave unless the member has had em-
 2 ployment during this period which would neces-
 3 sitate his paying dues under the first paragraph of
 4 Section 19 of this Article or taking an honorable
 5 withdrawal transfer card under Article 17, Section
 6 2. Unless any such member shall, during the last
 7 ten (10) days of such six (6) month period, certify
 8 in writing to the Local Union Financial Secretary,
 9 in person or by registered or certified letter, that
 10 he continues to be eligible for good standing mem-
 11 bership without payment of dues pursuant to Sec-
 12 tion 19 of this Article and Article 17, Section 2, the
 13 member shall automatically be noted on the Local
 14 Union's records as having been issued an honorable
 15 withdrawal transfer card at the conclusion of said
 16 six (6) month period. If a member does certify as
 17 provided herein during the last ten (10) days of the
 18 six (6) month period, he shall continue to be eligi-
 19 ble for "out-of-work" credits for each additional
 20 month if during the last ten (10) days of such
 21 month he similarly certifies. Such a member shall
 22 automatically be noted on the Local Union's records
 23 as having been issued an honorable withdrawal
 24 transfer card on the first day of such month in
 25 which he fails to certify as provided herein.

26 Section 21. Any member becoming out of work
 27 because of illness or injury shall be exempt from
 28 the above Section. Such members shall be auto-
 29 matically exonerated from the payment of dues
 30 and shall be issued "out-of-work" credits provided
 31 good and sufficient proof is submitted to substan-
 32 tiate illness or injury. The above shall not apply to
 33 those employees who receive salaries equivalent to
 34 forty (40) hours' pay within any calendar month.

35 Section 22. Any member who has paid his dues
 36 by check-off for any month for which the member
 37 is exempted from payment of dues under Sections
 38 19, 20 or 21 of this Article shall be entitled to a
 39 refund of such dues if he claims the same in person
 40 or in writing from the Financial Secretary of the
 41 Local Union within two (2) months following the
 42 month for which the refund is due. Any member
 43 who has paid his dues in advance other than by
 44 check-off, for any month for which the member is
 45 exempted from payment of dues under Sections 19,
 46 20 or 21 of this Article shall, when he returns to
 47 work, be given credit on future dues for any such
 48 month.

49 Section 23. The Local Union shall use a receipt
 50 book or receipting register and form of official re-
 51 ceipt furnished by the International Union. All
 52 receipts shall be made out in duplicate, the original
 53 to be given to the member, the duplicate to be re-
 54 tained by the Local Union and made available to
 55 the International Union upon request. The Interna-
 56 tional Secretary-Treasurer may order the destruc-
 57 tion of the duplicate receipts when they are no
 58 longer necessary.

59 Section 24. Local Unions covered by check-off
 60 agreements or having a check-off arrangement will
 61 be exempt from the provisions of the preceding
 62 Section, providing the company clearly shows on
 63 the check stub or pay envelope of each Union em-
 64 ployee the amount of the deduction and the reason
 65 therefor.

66 Section 25. A Local Union failing to pay full per
 67 capita tax due the International Union within a
 68 two (2) months' period, shall stand automatically

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1 suspended until the Local Union has been rein-
 2 stated through payment of deficiency incurred, un-
 3 less exonerated from payment of same as provided
 4 for in this Constitution.

5 Section 26. A Local Union failing to pay all of
 6 its financial obligations due the International Un-
 7 ion shall not be entitled to a voice or vote in the
 8 International Convention.

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

27 Section 28. The International Executive Board
 28 shall be empowered, at its discretion, to arrange
 29 loans from Local Unions and other sources to sup-
 30 plement the Strike Fund where conditions dictate,
 31 and, in this connection, may use any or all of the
 32 International Union's real or personal property to
 33 secure any such loan or loans. At least once each
 34 month, the International Secretary-Treasurer shall
 35 advise all Local Unions of the exact Strike Fund
 36 balance. The International Executive Board shall
 37 establish a program for strike relief which shall
 38 provide aid and assistance to members actively
 39 participating in an authorized strike or involved
 40 in a lockout, and, as between such members, shall
 41 primarily base such aid and assistance upon the
 42 right of each member to participate in accordance
 43 with his family obligations.

44 Section 29. The International Executive Board
 45 on request of a Local Union or unit of an Amalga-
 46 mated Local Union, shall have the power to make
 47 special arrangements with respect to the dues
 48 schedules established in this Article, where unusual
 49 circumstances justify such arrangements.

ARTICLE 17

Honorable Withdrawal Transfer Cards

50 Section 1. All honorable withdrawal transfer
 51 cards shall be supplied by the International Secre-
 52 tary-Treasurer; they shall be available to the Local
 53 Unions in duplicate form in pads and shall be sold
 54 at cost.

55 Section 2. Any member laid off from his plant
 56 but regularly employed on jobs outside the juris-
 57 diction of the International Union shall take an
 58 honorable withdrawal transfer card, or in order to
 59 maintain himself in good standing in his Local
 60 Union, shall pay dues in accordance with Article
 61 16 and Article 47.

62 Any member who has voluntarily separated him-
 63 self from the jurisdiction of the UAW shall be
 64 issued a withdrawal card immediately by his Local

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1 Unfn. The above shall not apply to those mem-
2 bers who are employed by or officially represent
3 the UAW.

4 Section 3. Any member in good standing at the
5 time of leaving the jurisdiction of his Local Union
6 shall establish his membership in another UAW
7 Local Union by either of the following:

8 (a) By obtaining an honorable withdrawal trans-
9 fer card and depositing same immediately in
10 such other UAW Local Union. Failure to de-
11 posit the honorable withdrawal transfer card
12 within one (1) calendar month and to pay
13 dues which have accrued since coming within
14 the jurisdiction of such other UAW Local
15 Union will result in termination of the hon-
16 orable withdrawal transfer card.

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

21 This shall not apply to members holding a Local
22 Union constitutional office who involuntarily left
23 the jurisdiction of their Local Union. However,
24 while holding such office such member shall not be
25 eligible to hold any constitutional office in, or be a
26 delegate to the International Convention from any
27 Local Union other than the one which he involun-
28 tarily left.

29 Section 4. When a member in good standing is
30 transferred to another plant as the result of trans-
31 fer of operations and pursuant to a collective bar-
32 gaining agreement, which plant is under the juris-
33 diction of another Local Union, his continuous good
34 standing shall not be broken and shall be con-
35 sidered continuous good standing in the new Local
36 Union.

37 Section 5. Any member who is laid off and sub-
38 sequently transfers to another UAW Local Union
39 and returns to his original Local Union within the
40 period of one year from the date of such lay-off
41 shall be considered to have been in continuous
42 good standing for the purpose of meeting the good
43 standing membership requirements of the Interna-
44 tional Constitution or Local Union Bylaws as it
45 relates to election eligibility; provided, however,
46 that such member maintains his continuous good
47 standing in accordance with the provisions of this
48 Constitution while holding membership in such
49 UAW Local Union.

50 Section 6. A member shall be entitled to an hon-
51 orable withdrawal transfer card provided he shall
52 have his dues paid up to and including the current
53 month, or out-of-work receipts, and there are no
54 charges or debts owed to the Local Union.

55 Section 7. A member who is transferred to an-
56 other Local Union and who has paid his current
57 dues or his dues in advance shall not be required
58 to pay duplicate dues. The Local Union to which
59 the advance dues payments have been made shall
60 forward them to the Local Union to which the
61 member is transferred or refund them to the mem-
62 ber.

63 Section 8. When a holder of an honorable with-
64 drawal transfer card loses the same he can only
65 receive a duplicate thereof by applying to the Lo-
66 cal Union Financial Secretary who issued the
67 same. The Financial Secretary of the Local Union,

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1 after sufficient time has elapsed for an investiga-
2 tion to be made, will issue a duplicate honorable
3 withdrawal transfer card upon receipt of the pay-
4 ment of one dollar (\$1.00) from the applicant.

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

9 Section 10. A person who has deposited his hon-
10 orable withdrawal transfer card and thus resumed
11 membership in the Union shall thereupon be sub-
12 ject to charges and trial for acts or conduct detri-
13 mental to the interests of the Union or its mem-
14 bers, committed while he was out of the Union on
15 honorable withdrawal transfer card. The provisions
16 of Article 31 shall be applicable in such cases.

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

34 Section 12. Any Local Union Officer, Shop Com-
35 mittee Member or Shop Steward offered a position
36 with management shall secure permission from his
37 Local Union before accepting such position in order
38 to be entitled to an honorable withdrawal transfer
39 card. Members violating this Section shall be sub-
40 ject to expulsion from the Union.

41 Section 13. Any International Officer, Regional
42 Director, International Representative or any other
43 full-time employe of the International Union of-
44 fered a personnel or labor relations position with
45 management shall secure permission from the In-
46 ternational Executive Board before accepting such
47 position in order to be entitled to an honorable
48 withdrawal transfer card. Members violating this
49 Section shall be subject to expulsion from the
50 Union.

ARTICLE 18

Unemployment and Welfare

51 Section 1. The various regions where unemploy-
52 ment is a major problem shall make provisions for
53 handling the welfare and unemployment grievances
54 of members laid off from the shops either on a
55 local, district or regional basis.

56 Section 2. The International Executive Board,
57 upon recommendation of the Regional Board mem-
58 ber, may appropriate funds to assist Local Unions
59 or districts where their finances are insufficient to
60 defray necessary expenses of Local Unions or their
61 district, provided the itemized expenses involved
62 shall be submitted to the International Executive
63 Board.

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ARTICLE 19

Contracts and Negotiations

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

23 Section 2. When a grievance exists between a
 24 Local Union and management and negotiations are
 25 in progress, and an International Union officer or
 26 representative is participating by request of the
 27 Local Union involved, a committee selected by the
 28 Local Union shall participate in all conferences and
 29 negotiations. Copies of all contracts shall be filed
 30 with the International Secretary-Treasurer.

31 Section 3. No Local Union Officer, International
 32 Officer or International Representative shall have
 33 the authority to negotiate the terms of a contract
 34 or any supplement thereof with any employer
 35 without first obtaining the approval of the Local
 36 Union. After negotiations have been concluded with
 37 the employer, the proposed contract or supplement
 38 shall be submitted to the vote of the Local Union
 39 membership or Manufacturing Unit membership in
 40 the case of an Amalgamated Local Union at a
 41 meeting called especially for such purpose; should
 42 the proposed contract or supplement be approved
 43 by a majority vote of the Local Union or unit
 44 members present at the meeting, it shall be re-
 45 ferred to the Regional Director for his recommen-
 46 dation to the International Executive Board for
 47 its approval or rejection. In case the regional Board
 48 Member recommends approval, the contract be-
 49 comes operative until the final action is taken by
 50 the International Executive Board.

51 Upon application to and approval of the Inter-
 52 national Executive Board, a ratification procedure
 53 may be adopted wherein apprenticeable skilled
 54 trades and related workers, production workers,
 55 office workers, engineers, and technicians would
 56 vote separately on contractual matters common to
 57 all and, in the same vote, on those matters which
 58 relate exclusively to their group.

59 Before contract or supplement demands affecting
 60 skilled workers are submitted to the employer,
 61 they shall be submitted to the Skilled Trades De-
 62 partment in order to effectuate an industry-wide
 63 standardization of agreements on wages, hours,
 64 apprenticeship programs, journeyman standards
 65 and working conditions.

1 Section 4. National agreements and supplements
 2 thereof shall be ratified by the Local Unions in-
 3 volved.

4 Section 5. The general meeting of the Local Un-
 5 ion members of a manufacturing establishment
 6 under the jurisdiction of an Amalgamated Local
 7 Union shall be the highest authority for handling
 8 problems within the manufacturing establishment,
 9 in conformity with the bylaws of the Local Union
 10 and this International Constitution.

11 Section 6. The International Executive Board
 12 shall protect all Local Unions who have succeeded
 13 in establishing higher wages and favorable condi-
 14 tions and have superior agreements, so that no in-
 15 fringement by Local Unions with inferior agree-
 16 ments in plants doing similar work may be com-
 17 mitted against the Local Union with advanced
 18 agreements.

19 Section 7. Each Local Union or unit of an Amal-
 20 gamated Local Union shall be required to maintain
 21 a complete and up-to-date schedule of job classi-
 22 fications and wage rates; a copy of which must be
 23 attached to each contract submitted to the Inter-
 24 national Union.

ARTICLE 20

National and Corporation Bargaining Councils

25 Section 1. In cases where there are a number of
 26 Local Unions involved in negotiations and bargain-
 27 ing with a major corporation or an association of
 28 corporations, the International Executive Board
 29 shall set up an Intra-Corporation Council. Such an
 30 Intra-Corporation Council shall be an administra-
 31 tive arm of the International Union and not a
 32 subordinate body. Such Local Unions so involved
 33 shall be members and shall participate through
 34 duly elected delegates. When the large corpora-
 35 tion or National Association has widely scattered
 36 branches, the Intra-Corporation Council shall set
 37 up Sub-Corporation Councils.

38 Section 2. The International Executive Board
 39 shall determine the geographical districts or occu-
 40 pational or manufacturing groupings in which Sub-
 41 Corporation Councils shall be established. The
 42 Intra-Corporation Council shall be composed of
 43 delegates from the Sub-Corporation Council.

44 Section 3. Directors to work with such Councils
 45 shall be appointed by the President subject to the
 46 approval of the International Executive Board.

47 Section 4. Voting at National Intra-Corporation
 48 Council meetings shall be based on per capita tax
 49 paid to the International Union by the various
 50 Local Unions participating.

51 Section 5. The purpose of the Intra-Corporation
 52 Council shall be to coordinate the demands of the
 53 separate members and to formulate policies in
 54 dealing with their common employer. The Intra-
 55 Corporation Council shall be convened not later
 56 than thirty (30) days prior to the opening of ne-
 57 gotiations for a new National Corporation agreement
 58 to formulate new contract demands. The Council
 59 shall deal only with matters pertaining to problems
 60 arising in their immediate corporations. It shall
 61 be understood that such Intra-Corporation Council
 62 is not a legislative body of the International Union
 63 and shall not deal with policies of the International
 64 Union other than those concerning their own im-
 65 mediate corporation problems.

ARTICLE 21

National and Regional Wage-Hour Conferences

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

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

ARTICLE 22

NATIONAL AND REGIONAL WAGE-HOUR COUNCILS

National Wage-Hour Councils

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

Section 1. The National Wage-Hour Councils shall consist of duly elected representatives from the Regional Wage-Hour Councils and plants where there are no Regional Wage-Hour Councils of a single industry. In the absence of a Regional Wage-Hour Council of a single industry, representation to a National Wage-Hour Council from any one Local Union (including Amalgamated Local Unions) shall not exceed two (2) delegates.

Section 2. It shall be the duty of the National Wage-Hour Council to assist and cooperate with the Competitive Shop Department and the International President in the organization of unorganized plants.

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

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

Regional Wage-Hour Councils

Regional Wage-Hour Councils shall be established by the International Executive Board only in those cases where wage-hour conferences would prove inadequate in meeting the problems of organizing the unorganized competitive shops, and

coordinating the work of establishing uniform standards within a competitive group. Such Regional Wage-Hour Councils shall be administrative arms of the International Union and not subordinate bodies. In the event such Wage-Hour Councils are established, they shall be governed by the following provisions:

Section 5. A Regional Wage-Hour Council shall consist of duly elected representatives from plants or departments in plants doing similar work who can conveniently get together.

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

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

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

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

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

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

ARTICLE 23

Community Action Program Councils

Section 1. The objective and purpose of the UAW Community Action Program Councils are to develop, promote and implement policies and programs designed to improve and enrich the quality of American life. The UAW Community Action Program (hereinafter referred to as CAP) shall engage in community, civic, welfare, educational, environmental, cultural, citizenship-legislative, consumer protection, community services and other activities to improve the economic and social conditions of UAW members and their families and to promote the general welfare and democratic way of life for all people.

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

Section 2. The UAW International Executive Board is authorized to implement and develop programs and policies designed to achieve the purposes

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1 and objectives of the UAW Community Action
2 Program, through its councils.

3 Section 3. To assist in the development of these
4 programs and policies, the International Executive
5 Board is authorized to establish a National UAW
6 Community Action Program Advisory Council,
7 which shall meet at least once each year or as nec-
8 essary and as determined by the International
9 President or the International Executive Board.

10 (a) It shall be the duty of such council to advise
11 and counsel the International Executive Board on
12 programs and policies, including the per capita tax
13 requirements of each Local Union to the CAP
14 Councils.

15 (b) Representation to the UAW National CAP
16 Advisory Council shall be determined by the Inter-
17 national President, subject to the approval of the
18 International Executive Board.

19 Section 4. It shall be mandatory that each Local
20 Union affiliate with the appropriate State CAP
21 Council and any city, county or area CAP Council
22 established under this structure in accordance with
23 the requirements of Article 37, Sections 1 and 2 of
24 this Constitution.

25 Section 5. Upon approval of the International
26 President, Regional Directors are authorized to es-
27 tablish, in states under their jurisdiction, or in con-
28 cert with other Directors within states under their
29 jurisdiction, appropriate state, city, county and
30 area CAP Councils, or a combination of same,
31 where sufficient membership exists for the estab-
32 lishment of such councils.

33 Section 6. All state, city, county and area coun-
34 cils established under the UAW Community Action
35 Program shall be subordinate bodies of the Inter-
36 national Union.

37 Section 7. Membership in UAW CAP Councils
38 shall be confined to UAW Local Unions, UAW Re-
39 tired Worker Chapters and UAW Women's Auxil-
40 iaries.

41 Section 8. Each CAP Council established shall be
42 required to adopt bylaws governing said council
43 which shall require the approval of the Interna-
44 tional Executive Board. All bylaws established for
45 CAP Councils must include a budget, which shall
46 require the approval of the Regional Director(s)
47 and the UAW CAP Department. All expenditures
48 of CAP Councils are required to be made in ac-
49 cordance with the financial guidelines for CAP
50 Councils, as established by the International Exec-
51 utive Board and the National CAP Advisory Coun-
52 cil.

53 Section 9. All Local Unions, (except those in the
54 State of Michigan), affiliated with the various
55 state, city, county and area CAP Councils shall be
56 required to develop in their bylaws a requirement
57 which will advise the membership, at the time of
58 their election for executive officers as set forth un-
59 der Article 38, Section 1 of this Constitution, of
60 those officers or all of same under Article 38, Sec-
61 tion 1 of this Constitution, who as a result of their
62 election to their respective offices may also serve
63 as a delegate to the state, city, county or area
64 council established in their area.

65 Section 10. All CAP Councils shall develop in
66 their bylaws appropriate procedures for the elec-
67 tion of officers of the council, representation to the

1 council and other provisions for the effective oper-
2 ation of the CAP Council, which is required to
3 meet the standards for such councils as developed
4 by the International Executive Board.

5 Section 11. The International President shall be
6 the Chairman of the UAW Community Action Pro-
7 gram Department and will chair the National
8 UAW CAP Advisory Council.

ARTICLE 24

Competitive Shop Department

9 Section 1. The International Executive Board
10 shall create a Competitive Shop Department for
11 the International Union.

12 Section 2. The International President shall ap-
13 point a director for the Competitive Shop Depart-
14 ment, subject to the approval of the International
15 Executive Board, who is best qualified by experi-
16 ence and who now is and has been a member of
17 the Union for at least two (2) years. The Inter-
18 national Executive Board may remove the director
19 of the Competitive Shop Department.

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

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

34 Section 5. Organizers working on such assign-
35 ments shall make reports on the progress of or-
36 ganization to the Competitive Shop Department
37 as well as to their Regional Directors.

38 Section 6. It shall be the duty of the Competitive
39 Shop Department to check all agreements referred
40 to it by the International Executive Board, and to
41 make recommendations to the various Local Unions
42 for the standardization of wage-hour provisions
43 throughout given competitive industries.

ARTICLE 25

Research Department

44 Section 1. The International Executive Board
45 shall create a Research Department for the Inter-
46 national Union.

47 Section 2. The President of the International
48 Union shall appoint a director for the Research
49 Department who shall be selected from the Inter-
50 national Union, if possible, and who is competent
51 and qualified by previous experience and training
52 to do such work; but such appointment shall not
53 be considered final until it is approved by the
54 International Executive Board at their next meet-
55 ing. It shall be mandatory that the International
56 Research Department shall be kept informed of
57 changes in rates, working standards and so forth
58 by all Local Unions.

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Article 1

1 International Union or are members of the Inter-
2 national Executive Board. The name of each mem-
3 ber qualified as aforesaid for service on the Trial
4 Committee shall be written on a slip of paper on
5 which shall also appear the number and location of
6 the Local Union from which he was a delegate, the
7 said slips being all of uniform size and appearance.
8 The said slips of paper shall be deposited in a box
9 by the Secretary-Treasurer in the presence of the
10 International Executive Board and the box shall
11 be sealed and thoroughly shaken. The Interna-
12 tional Secretary-Treasurer shall then open the
13 container and the member of the International
14 Executive Board selected for that purpose and
15 blindfolded shall draw the names of fifty (50)
16 delegates, one by one. After these names are
17 drawn they shall be read by the International
18 Secretary-Treasurer in the presence of the Inter-
19 national Executive Board and each name in suc-
20 cession shall be set opposite a number from one
21 (1) to fifty (50).

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

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

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

44 Section 9. Such an order shall be mandatory
45 upon any member of the Union receiving this
46 notice. Should he fail to appear, unless his absence
47 is excused by a signed affidavit of illness or Local
48 Union emergency, attested to by the Executive
49 Board of his Local Union, such a member may be
50 subject to charges in his Local Union, and to ex-
51 pulsion.

52 Section 10. Upon his appearance at the Inter-
53 national Office, each member of the Trial Com-
54 mittee thus notified shall produce affidavit attest-
55 ing his membership in good standing in his Local
56 Union, signed by the Financial Secretary of his
57 Local Union.

58 Section 11. In case one (1) or more members
59 of the Trial Committee thus notified shall fail to
60 appear for the above reasons or fail to produce
61 such certificate of membership in good standing,
62 the next member of the panel, numbering down
63 from one (1) to fifty (50) shall be notified to
64 report.

65 Section 12. The International Trial Committee
66 shall go into session immediately upon arrival of
67 the full panel and shall hear the charges brought
68 by the accuser and all the witnesses named for

1 substantiation, and shall hear the defense of the
2 accused and all his witnesses for substantiation.
3 The Trial Committee shall decide its own rules of
4 procedure relating to the conduct of the trial and
5 may elect its own Chairman and Secretary, pro-
6 viding that verbatim minutes of all evidence shall
7 be reported by a court stenographer. The accused
8 and the accuser shall have a right to be repre-
9 sented by counsel.

10 Section 13. The Trial Committee, upon comple-
11 tion of the hearing on the evidence and arguments,
12 shall go into closed session to determine the verdict
13 and penalty. A two-thirds (2/3) vote shall be re-
14 quired to find the accused guilty. In case the ac-
15 cused is found guilty, the Trial Committee may,
16 by a majority vote, reprimand the accused or it
17 may, by a two-thirds (2/3) vote, assess a fine not
18 to exceed five hundred dollars (\$500.00), with
19 automatic suspension, removal from office or ex-
20 pulsion in the event of the failure of the accused
21 to pay the fine within a specified time; or it may,
22 by two-thirds (2/3) vote, suspend or remove the
23 accused from office, or suspend or expel him from
24 membership in the International Union.

25 Section 14. In case a Trial Committee finds the
26 accused innocent they may determine the honest
27 or malicious intent of the accuser. If they find
28 the accuser guilty of obvious malice in filing the
29 charges they may assess a penalty against him in
30 accordance with Section 13 of this Article.

31 Section 15. Charges against an International
32 Officer or International Executive Board Member,
33 concerning his own Local Union, shall not be filed
34 according to Local Union trial procedures, but in
35 accordance with the above provisions.

ARTICLE 31

Trials of Members

36 Section 1. A charge by a member or members
37 in good standing that a member or members have
38 violated this Constitution or engaged in conduct
39 unbecoming a member of the Union must be spe-
40 cifically set forth in writing and signed by the
41 member or members making the charges. The
42 charges must state the exact nature of the alleged
43 offense or offenses and, if possible, the period of
44 time during which the offense or offenses allegedly
45 took place. Two (2) or more members may be
46 jointly charged with having participated in the
47 same act or acts charged as an offense or with
48 having acted jointly in commission of such an
49 offense and may be jointly tried.

50 Section 2. Charges must be submitted to the
51 Recording Secretary of the Local Union or of the
52 Shop Organization, as the case may be, within
53 sixty (60) days of the time the complainant first be-
54 came aware, or reasonably should have been aware,
55 of the alleged offense, provided, that if the charges
56 are against the Recording Secretary, they shall be
57 submitted to the President of the Local Union or
58 the chief executive officer of the Shop Organiza-
59 tion, as the case may be, and provided further,
60 that charges preferred against one for acts or
61 conduct detrimental to the interest of the Union
62 or its members, committed while he was out of the
63 Union on withdrawal card, shall be submitted with-
64 in sixty (60) days from the time of the deposit of
65 his withdrawal card.

Article 1

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

Prior to the notification to a member that charges have been filed against him, the Local Union Executive Board shall review the charges and consider them improper if:

- (a) The charges do not state the exact nature of the alleged offense as required by Section 1 of this Article;
- (b) The charges are untimely under Section 2 of this Article;
- (c) The act complained of does not sustain a charge of a violation of the Constitution or conduct unbecoming a member of the Union;
- (d) The charges involve a question which should be decided by the membership at a membership meeting and not by the trial procedure.

Both the accused and the accuser shall be notified in writing of the Executive Board's determination and either the accused or the accuser may appeal from such determination, pursuant to Article 33, Section 6. Such an appeal must be limited to the question of whether the charges are proper or improper under items (a), (b), (c) or (d) of this Section.

Section 4. A member against whom charges have been filed shall be notified of such charges by receipted registered or certified mail within seven (7) days after the charges have been submitted to the Local Union or, in the case of an Amalgamated Local Union, to the Shop Organization of which he is a member.

Section 5. A member preferring charges, and a member against whom charges are preferred shall be permitted representation by counsel of his own choice; such counsel, however, shall be required to abide by the Trial Procedure as established by the Trial Committee and as outlined in this Constitution.

Section 6. A member against whom charges have been filed may be suspended from any elective or appointive office or position he may hold in his Local Union or Shop Organization, as the case may be, pending trial, by a two-thirds (2/3) vote at such Local Union or Shop Organization meeting.

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

- (a) In Local Unions or units of Amalgamated Local Unions with a membership of five hundred (500) or more, a total of nineteen (19) names shall be so drawn. The names shall be read off in the order in which drawn. It shall be an obligation of member-

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ship for any member whose name has been drawn to serve on the Trial Committee; provided that any such member who feels that he cannot serve for good and sufficient reasons may state those reasons to the meeting and withdraw. If any of the nineteen (19) named members shall so withdraw, additional names shall be drawn so that the list shall again total nineteen (19). The charging member and charged member, or their designated counsel, shall each have the right to strike as many as five (5) names without stating any grounds or reasons, it being intended that each side be limited to five (5) challenges even though more than one (1) charged or charging party is involved. The Trial Committee shall consist of the seven (7) members whose names were first drawn, and neither withdrawn nor stricken, and the next two (2) members in order of drawing who have not been withdrawn nor stricken shall serve as alternates.

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

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

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

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

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

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

Section 9. Any Officer, Executive Board Member or Joint Council delegate, where such council

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1 exists, if charged with a violation of the Amalgamated Local Union Bylaws or International Constitution or if charged with being derelict in performing his duties as a Local Union officer or failure to carry out the union obligation which he accepted, shall be tried by a Trial Committee selected either from the delegate body of such Amalgamated Local Union, where such delegate body exists, or from a general membership meeting where no delegate body exists. Any disciplinary action taken by said Trial Committee against such officer, Executive Board Member, or Joint Council delegate shall be limited to his membership in the Joint Council or governing body of the Amalgamated Local Union.

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

- 22 (a) By a majority vote, reprimand the accused; or
- 24 (b) It may, by a two-thirds (2/3) vote, assess a fine not to exceed one hundred dollars (\$100.00)—with automatic suspension, removal from office or expulsion in the event of the failure of the accused to pay the fine within a specified time; or
- 31 (c) It may, by a two-thirds (2/3) vote, suspend or remove the accused from office or suspend or expel him from membership in the International Union.

34 The Trial Committee may not apply more than one (1) of the above three (3) penalties against the accused.

37 Section 11. The Trial Committee shall thereupon report its verdict and judgment to the body from which it was selected at the membership meeting of that body next following the determination of the verdict and judgment of the Trial Committee, after giving the accused written notification of its verdict and judgment and of said membership meeting. In case of a verdict of acquittal, such verdict and judgment shall become final upon being reported at said membership meeting and no further action may be taken, except as provided in Section 17 of this Article. In case of a verdict of guilty, such verdict and judgment shall become effective upon approval by a majority vote taken by secret ballot at the membership meeting. In case of a verdict of guilty, the membership meeting may, by a majority vote taken by secret ballot, modify the verdict or order a new trial. The vote shall first be upon the verdict of guilty. If such verdict is not approved by such majority vote, the accused shall stand acquitted. If the verdict of guilty is approved by such majority vote, the vote shall then be upon the penalty recommended by the Trial Committee. This vote shall be conducted by first voting by secret ballot upon the penalty recommended by the Trial Committee. If a majority vote supports the recommended penalty, it shall be considered approved. If a majority vote rejects the recommended penalty, the membership shall then decide upon an appropriate penalty by majority vote by secret ballot. The Recording Secretary shall notify the accused member in writing of the verdict and judgment resulting from that meeting.

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1 Section 12. A member who is under suspension from membership, including a temporary suspension, shall be required to pay all dues during the period of suspension. Suspended members shall not be entitled to "Out-of-Work" credits. In the case of a plant in which Union membership is a condition of employment, suspension from membership, including temporary suspension, shall not require removal from the job; provided that in cases of extreme emergency, removal from the job may be required by a two-thirds (2/3) vote of the Local Union or unit membership suspending the member or approving his suspension. In the case of a plant in which Union membership is a condition of employment, expulsion from membership shall require removal from the job. Application of this Section shall in all cases, however, be limited by applicable state or federal laws, and no provision of this Section shall be applied in any situation where the application would violate any controlling state or federal law.

22 Section 13. In case the Trial Committee finds the accused obviously innocent it may determine the honest or malicious intent of the accuser. Should the Trial Committee tentatively conclude that the accuser was guilty of obvious malice, it shall so notify him in writing and afford him an opportunity for a hearing. If, as a result of such hearing, it finds the accuser guilty of obvious malice in filing the charges, it may assess a penalty against him in accordance with Section 10 of this Article; provided, however, that such a penalty shall be limited to the following: A fine not to exceed one hundred dollars (\$100.00), with automatic suspension in the event of failure of the accused to pay the fine within a specified time; or suspension from membership for a period not to exceed three (3) months. The procedures of Sections 10 and 11 of this Article shall be followed.

40 Section 14. In the event the charged party is acquitted on his trial, the Trial Committee may determine whether the accuser should be reprimanded because the charge was frivolous or insubstantial. Should the Trial Committee tentatively conclude that the charge was frivolous or insubstantial, it shall so notify the accuser in writing and afford him an opportunity for a hearing. If, as a result of such hearing, it finds that the charge was frivolous or insubstantial, it shall submit to the membership of the body from which it was selected, a recommendation that the accuser who filed the frivolous or insubstantial charges, be automatically suspended, unless and until he has paid a specified fine which shall not be less than fifty dollars (\$50.00) nor more than one hundred dollars (\$100.00). Such verdict and penalty in relation to the accuser shall become effective only upon approval of that membership. The procedures of Sections 10 and 11 of this Article shall be followed.

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

65 Section 16. Where a member against whom charges have been filed has been duly suspended in compliance with the provisions of Section 6 of this Article and has been found guilty by the Trial Committee, he shall have the right to attend the

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1 n...ling of the Shop Organization or of the Local
2 Union, as the case may be, in which any verdict
3 and judgment is presented for approval, and shall
4 be afforded full opportunity to present to the
5 meeting his position on all matters bearing upon
6 his trial, verdict and judgment.

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

10 (a) Illegally seeking or holding office or position
11 in violation of Section 10 of Article 10.

12 (b) Misappropriation or embezzlement of Union
13 funds.

14 (c) Fraud in a Local Union election as defined
15 in Article 49.

16 (d) Any other offense concerning which the
17 International Executive Board has the present
18 authority to act under the emergency
19 provisions of Article 31, Section 20.

20 an acquittal by the Trial Committee or by the
21 Local Union, if appealed, shall be reviewed directly
22 by the International Executive Board pursuant
23 to the procedures of Article 33, Section 5. Such
24 appeal must be taken within thirty (30) days by
25 any member of the Local Union or the Regional
26 Director.

27 In case of a conviction, the penalty may be re-
28 viewed by the International Executive Board upon
29 an appeal taken within thirty (30) days by any
30 member of the Local Union or the Regional Di-
31 rector on the ground that the penalty imposed is
32 grossly disproportionate to the gravity of the
33 offense.

34 Section 18. Upon appeal from an acquittal, the
35 International Executive Board shall review the
36 record of the trial and subsequent proceedings in
37 the Local Union and such other matters relevant
38 to the charges and the appeal as it feels necessary
39 in order to assure justice. The Board shall be
40 empowered, if it finds that the verdict was against
41 the great weight of the evidence, to set it aside
42 and to order a new trial by an International Union
43 Trial Committee in accordance with Sections 22
44 and 23 of this Article.

45 Upon appeal from a penalty, the International
46 Executive Board may refer the penalty to an
47 International Union Trial Committee selected in
48 accordance with Sections 22 and 23 of this Article.
49 The International Union Trial Committee may in
50 any such case prescribe any penalty provided by
51 this Constitution but without reviewing the verdict
52 of guilt.

53 Any decision by the International Executive
54 Board pursuant to this Section shall be appealable
55 through the normal procedures of Article 33,
56 Section 8, but the action of any subsequent appel-
57 lant body regardless of any other provisions of this
58 Constitution shall be confined within the area of
59 relief permitted by this Section.

60 Section 19. Any member expelled or suspended
61 from membership for more than two (2) years
62 may be reinstated to full membership or to mem-
63 bership without right to hold office or appointive
64 position at any time after two (2) years following
65 the final action which effected his expulsion or
66 suspension. Such reinstatement may be ordered
67 only by a majority vote of the body which initiated
68 the action resulting in the member's expulsion or
69 suspension; provided that if that body is subordi-

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1 nate to the International Executive Board, the
2 reinstatement shall be effective only if and when
3 it is approved by a majority vote of the Inter-
4 national Executive Board. If the body initially
5 passing on the petition for reinstatement denies
6 that petition in whole or in part, it shall be subject
7 to the normal appeal procedure provided in Article
8 33 of this Constitution; provided that if the initial
9 expulsion or suspension was approved by either a
10 Convention of the International Union or the
11 Public Review Board, any appeal from the decision
12 of the International Executive Board in connection
13 with the petition for reinstatement may be ap-
14 pealed only to whichever of the two (2) bodies
15 (the Convention or the Public Review Board)
16 passed on the initial expulsion or suspension.

17 Section 20. In cases of extreme emergency and
18 when it appears to the International Executive
19 Board that irreparable injury may result to the
20 International Union or to a subordinate body from
21 offenses punishable under this Constitution re-
22 cently committed or being committed by any mem-
23 ber or members unless the Board shall intervene,
24 and, without regard to the existence of a present
25 emergency, in any case in which it shall appear
26 to the Board that two (2) or more members have
27 engaged at any time since the original adoption of
28 this Section at the Twelfth Constitutional Con-
29 vention in a conspiracy to commit an offense against
30 the Union, the Board may, if two-thirds (2/3) of its
31 members concur, prefer charges against such mem-
32 ber or members for the violation of this Constitu-
33 tion or for conduct unbecoming a member of the
34 Union, which charges shall be specifically set forth
35 in writing and signed by the Secretary-Treasurer
36 of the International Union. At the same session at
37 which any such charges are voted the Board shall
38 select one (1) of its members who shall serve as
39 the representative for the Board in the trial of
40 the charges.

41 Section 21. If it shall be charged by the Inter-
42 national Executive Board that two (2) or more
43 members have participated in the same act or acts
44 charged as an offense or having acted jointly in
45 the commission of an offense, or have engaged in
46 a conspiracy to commit an offense punishable
47 under this Constitution any such members may be
48 jointly tried.

49 Section 22. Charges preferred against a member
50 or members by the International Executive Board
51 shall be tried by an International Union Trial
52 Committee chosen in the manner provided for the
53 selection of such a committee in Article 30. Sections
54 5 through 12, inclusive, except that the accused
55 and the representative for the International Execu-
56 tive Board shall each be entitled to strike only five
57 (5) names from the panel. In cases where two (2)
58 or more members are charged jointly the panel
59 drawn by the Secretary-Treasurer shall consist of
60 a number of names equal to fifty (50), plus ten
61 (10) times the number by which the number of
62 accused exceeds one (1), so that if there are two
63 (2) accused, sixty (60) names shall be drawn, if
64 three (3) are accused seventy (70) names shall be
65 drawn, and so on. Each of the accused shall be
66 entitled to strike five (5) names and the represent-
67 ative for the International Executive Board shall
68 be entitled to strike a number equal to five (5)
69 times the number of accused. The accused shall
70 proceed in striking names from the panel in the

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1 alphabetical order of their names and in the man-
2 ner provided in Article 30, Section 7.

3 Section 23. Upon completion of the trial, the
4 International Union Trial Committee shall go into
5 closed session to determine the verdict and penalty.
6 A two-thirds (2/3) vote shall be required to find
7 the accused guilty. In the event the accused is
8 found guilty the International Union Trial Com-
9 mittee may impose the penalties provided by
10 Section 10 of this Article. In the event the Inter-
11 national Union Trial Committee finds the accused
12 guilty, the accused may appeal the decision to the
13 Convention Appeals Committee of the Public
14 Review Board in the same way as provided in
15 Article 33 for an appeal from a decision of the
16 International Executive Board. In the event the
17 International Union Trial Committee finds the
18 accused not guilty, the decision shall be final.

19 Section 24. Whenever it is charged that a mem-
20 ber is affirmatively engaged in the promotion,
21 implementation, furtherance or support of any
22 other union or collective bargaining group with
23 the purpose or intent of supplanting the Interna-
24 tional Union, or any subordinate body thereof, as
25 the recognized collective bargaining agent, or if
26 he is affirmatively engaged in efforts to decertify
27 the International Union or any subordinate body
28 thereof as the recognized collective bargaining
29 agent, such charge will be filed with the Interna-
30 tional Executive Board and a copy shall be sent
31 to such member. The member shall be subject to
32 suspension or expulsion by the International Execu-
33 tive Board after hearing on such charges, with the
34 Board designating a special committee to conduct
35 a hearing and make recommendations in a manner
36 similar to that provided for the operation of In-
37 ternational Executive Board Appeals Committees
38 under Article 33 of this Constitution. The special
39 committee shall make recommendations to the
40 International Executive Board which recommenda-
41 tions shall be processed by the International Execu-
42 tive Board in the same manner that it processes
43 recommendations of said Appeals Committees; pro-
44 vided that if the special committee recommends
45 that the charged member be suspended or expelled,
46 it shall have the authority to temporarily suspend
47 the charged member until the International Execu-
48 tive Board has taken action on the recommenda-
49 tions. The International Executive Board, if it finds
50 the member guilty of the offense charged by a
51 two-thirds (2/3) vote, may suspend or expel the
52 member. Any member suspended or expelled under
53 this Section shall have the right to appeal such
54 suspension or expulsion either to the Public Review
55 Board or the Convention Appeals Committee as
56 provided in Article 33 of this Constitution. The
57 procedure provided for in this Section shall be in
58 addition to and exclusive of, any other action
59 which may be taken against such member.

ARTICLE 32

Public Review Board

60 Section 1. For the purpose of insuring a continu-
61 ation of high moral and ethical standards in the
62 administrative and operative practices of the
63 International Union and its subordinate bodies, and
64 to further strengthen the democratic processes and
65 appeal procedures within the Union as they affect
66 the rights and privileges of individual members or

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1 subordinate bodies, there shall be established a
2 Public Review Board consisting of impartial persons
3 of good public repute, not working under the
4 jurisdiction of the UAW or employed by the Inter-
5 national Union or any of its subordinate bodies.

6 Section 2. The Public Review Board shall con-
7 sist of seven (7) members, including the chairman.
8 Their terms shall be for the period between Inter-
9 national Constitutional Conventions. At the
10 Sixteenth (16th) International Constitutional Con-
11 vention, and at the subsequent International Con-
12 stitutional Conventions, the International President
13 shall, subject to the approval of the International
14 Executive Board, propose the names of the chair-
15 man and members of the Public Review Board for
16 ratification by said International Constitutional
17 Convention. Should any vacancy on the Public Re-
18 view Board occur between International Constitu-
19 tional Conventions, the vacancy shall be filled by
20 appointment by the International President, sub-
21 ject to the approval of the International Executive
22 Board, from a list of names submitted by the re-
23 maining members of the Public Review Board.

24 Section 3. (a) The Public Review Board shall
25 have the authority and duty to make final and
26 binding decisions on all cases appealed to it in ac-
27 cordance with Article 33 of the International Con-
28 stitution, and to deal with matters related to al-
29 leged violation of any UAW ethical practices codes
30 that may be adopted by the International Union.

31 (b) The Public Review Board shall have the
32 authority and duty to make final and binding deci-
33 sions on all cases appealed to it in accordance with
34 Article 16, Section 7, of the International Constitu-
35 tion.

36 Section 4. Any complaint filed under Sections
37 5(a) or (b) of this Article, alleging violation of
38 any UAW ethical practices codes that may be
39 adopted by the International Union, must be filed
40 within sixty (60) days of the time the charging
41 member first becomes aware or reasonably should
42 have become aware of the alleged violation.

43 Section 5. To facilitate the orderly handling of
44 complaints related to alleged violations of any
45 UAW ethical practices codes, the following proced-
46 ures shall apply:

47 (a) If a complaint is against the operation of a
48 subordinate body or any officer or repre-
49 sentative thereof, the complaint must be
50 initiated by a member of that subordinate
51 body who shall be obligated to first attempt
52 to seek redress and correction of the matter
53 complained of through appeal to the mem-
54 bership of the Local Union. Failing to get
55 redress from the Local Union, the member
56 shall submit his complaint to the Interna-
57 tional Executive Board through the Interna-
58 tional President who shall forward a
59 copy of the complaint directly to the chair-
60 man of the Public Review Board. The In-
61 ternational Executive Board shall have the
62 initial responsibility for investigating the
63 complaint. The chairman of the Public Re-
64 view Board will be kept advised of the case
65 by the International Executive Board. Upon
66 completion of the International Executive
67 Board's investigation and action, the chair-
68 man of the Public Review Board and the
69 complaining member will be informed as to

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the disposition made of the case by the International Executive Board. In the event the complaining member is dissatisfied with the decision and action of the International Executive Board, he may, within thirty (30) days, appeal such decision to the Public Review Board. In the absence of such an appeal, the Public Review Board may act on the matter if it concludes that there is substance to the original complaint and that the action of the International Executive Board does not satisfactorily meet the problem.

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

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

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

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

Section 6. The Public Review Board shall formulate such rules of procedure and establish such practices as are necessary to facilitate its proper functioning. In order to minimize the time requirements and to expedite the disposition of cases, the chairman shall be authorized to create panels of not less than three (3) members of the Public Review Board to act for and in behalf of the Public Review Board. When, as a result of preliminary investigation, the Public Review Board, or the panel thereof, concludes that the complaint fails to state allegations sufficiently serious and substantial to justify a hearing, or when it appears that there is no reasonable possibility that any substantial evidence in support of the allegations can be produced, the Board or the panel, in its discretion may dismiss such matter without any

hearing. The Public Review Board, or the panel thereof, shall advise the complaining member, the International Union, and any subordinate body or bodies concerned of its decision or findings.

Section 7. In case the Public Review Board or the panel thereof finds that the accused is obviously innocent of any violation of the ethical codes, the Board, or the panel thereof, may make judgment with respect to the lack of good faith of the accuser, and if the facts indicate that the accuser acted in bad faith or with malicious intent and in a willful effort to divide and disrupt the Union, the Public Review Board may assess a penalty against the accuser; provided, however, that such penalty shall be limited to the following: a fine of not less than one hundred dollars (\$100.00) nor more than five hundred dollars (\$500.00) with automatic suspension in the event of the failure of the member to pay the fine within a specified time; and/or suspension from membership for a period of not less than three (3) months.

Section 8. The Public Review Board shall prepare and submit to the membership an annual report of its activities, in which report it shall draw the attention of the membership to any situation or action which it has investigated upon complaint and found to be improper, and shall comment upon the steps that have been taken by the Union to correct such situation. The Public Review Board shall further include a summary of all appeals it has handled during the year. Copies of the Public Review Board's annual report shall be mailed to all Local Unions and notice of this fact shall be published in the next edition of Solidarity. Copies shall be available to members upon request and during convention years copies shall be distributed to all delegates. The annual report shall be made available to the public press and all other media of public communication. The Public Review Board may, in its discretion, submit an interim report. Such interim report shall also be made available to all members and the public in the same manner as the annual report.

Section 9. The International Executive Board is instructed and authorized to provide for an annual operating budget to insure the proper functioning of the Public Review Board. The International Secretary-Treasurer is instructed and authorized to deposit quarterly in a depository designated by the Public Review Board to the account of the Public Review Board the necessary funds required by the budget submitted by them. Such budget shall cover all necessary expenses, including office, staff, travel and operating expenses, and shall provide for reasonable compensation to the members of the Public Review Board. The Public Review Board shall establish an office separate and apart from any union building. The staff and office personnel essential to the proper functioning of the Public Review Board shall be selected by the members thereof and shall be compensated out of its operating budget. The chairman of the Public Review Board shall be required to have its books and financial records audited annually; such audits and the summary of the financial transactions shall be submitted to the International Secretary-Treasurer, who in turn shall make such information available to the delegates at each Constitutional Convention.

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ARTICLE 33
Appeals

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1 Section 1. All subordinate bodies of the Interna-
2 tional Union, and members thereof, shall be en-
3 titled to the right of appeal. In all cases, however,
4 the decision of the lower tribunal must be com-
5 plied with before the right to appeal can be ac-
6 cepted by the next tribunal in authority, and shall
7 remain in effect until reversed or modified. The
8 International President may, upon written appli-
9 cation by an appellant waive in whole or in part
10 requirements of such compliance, where unusual
11 circumstances would warrant such waiver.

12 Section 2. Any member of any Local Union or
13 unit of an Amalgamated Local Union who wishes
14 to challenge any action, decision or penalty of that
15 body or of any official or representative of that
16 body must, in all cases and procedures where no
17 other time limit is specifically set forth by this
18 Constitution, initiate the challenge before the ap-
19 propriate body of such Local Union or unit within
20 sixty (60) days of the time the challenger first be-
21 comes aware or reasonably should have become
22 aware of the alleged action, decision, or penalty
23 of that body.

24 Section 3. Any member of an Amalgamated Local
25 Union wishing to appeal from any action, deci-
26 sion or penalty of his unit shall first appeal such
27 action, decision or penalty to the Amalgamated Local
28 Union's delegate body, where such exists, or the
29 general membership meeting, where no delegate
30 body exists. This appeal shall be taken by
31 submitting a written notice of appeal to the Amal-
32 gamated Local Union's Recording Secretary within
33 thirty (30) days of the unit's action, decision, or
34 penalty being appealed from. The Amalgamated
35 Local Union shall review the appeal, with the aid
36 of an investigating committee or otherwise, and
37 shall determine the appeal, but if a Unit Trial
38 Committee is involved in the proceedings, it shall
39 not select its own Trial Committee to retry the
40 case. An appeal from the decision of the Amal-
41 gamated Local Union shall be carried to the Inter-
42 national Executive Board.

43 Section 4. Any member or subordinate body ap-
44 pealing from any action, decision or penalty of any
45 subordinate body, shall be permitted representation
46 before any reviewing body by counsel of his own
47 choice. The appellant and/or counsel shall be af-
48 forded full opportunity to present to any reviewing
49 body the appellant's position on all matters bear-
50 ing upon the action, decision or penalty under re-
51 view; providing that this right to appear shall be
52 limited to an appearance before a committee or
53 panel of any reviewing body where the reviewing
54 body has established the committee or panel to
55 conduct a hearing and submit recommendations to
56 the full reviewing body.

57 Section 5. Any member feeling himself aggrieved
58 by any action, decision or penalty of his subordi-
59 nate body shall be entitled to appeal that action,
60 decision or penalty to the International Executive
61 Board only when it has been passed upon by the
62 Local Union membership or delegate body, as the
63 case may be; except where direct appeal to the In-
64 ternational Executive Board from some action, de-
65 cision or penalty of a body other than the Local
66 Union membership or delegate body shall be specif-

1 ically permitted by another Article of this Consti-
2 tution. An appeal to the Local Union may be made
3 at a meeting or in writing to the Recording Secre-
4 tary. An appeal to the International Executive
5 Board may be made without action by the mem-
6 bership or delegate body if the membership or dele-
7 gate body does not meet and act on the appeal
8 within forty-five (45) days following the appeal to
9 the Local Union. When no membership or delegate
10 body meeting is held during this forty-five (45)
11 day period the Local Union Executive Board may
12 consider and pass on the appeal.

13 Section 6. Any member wishing to appeal from
14 the action, decision or penalty of his subordinate
15 body shall do so in writing within thirty (30) days
16 after the aforesaid action, decision or penalty. He
17 shall send such appeal to the International Union
18 President and should send a copy of the appeal to
19 the Recording Secretary of the subordinate body.
20 The appeal should set forth the action, decision or
21 penalty being appealed and should include any and
22 all information available in support of the appeal.
23 The International President shall secure from the
24 subordinate body a complete statement of the mat-
25 ters in issue, including copies of all charges, and
26 any records, minutes, transcripts of testimony and
27 other material relating to the appeal.

28 Section 7. (a) The International Executive Board
29 shall appoint a two (2) member committee to con-
30 sider the appeal and make recommendations. This
31 two (2) member committee shall be composed of
32 members of the International Executive Board, but
33 shall not include the Regional Director of the re-
34 gion from which the appeal originates. The appeal
35 and any information secured by the International
36 President, pursuant to Section 6 of this Article,
37 shall be forwarded to the committee. After a re-
38 view of the appeal the committee may hold a
39 hearing, before either the full committee or, in its
40 discretion, one of its members, unless the commit-
41 tee concludes that no useful purpose would be
42 served by a hearing, in which event the committee,
43 in its discretion may make recommendations on
44 the appeal without a hearing. If a hearing is held,
45 it shall be held as close to the locality from which
46 the appeal originates as is possible in order to min-
47 imize expense and inconvenience to the appellant.
48 The appellant and appellee (or their representa-
49 tives) shall be required to appear before the Ap-
50 peals Committee, with such counsel and witnesses
51 as they may choose, and shall answer fully and
52 truthfully all questions put to them by members of
53 the Appeals Committee. The extent and scope of
54 the hearing shall be such as in the discretion of
55 the committee shall bring to light all facts and
56 issues involved. The appellant and/or appellee shall
57 each be entitled to submit any briefs or any other
58 written statements of position that either of them
59 may wish. The committee shall consider the files
60 and records of the case, and such briefs as may be
61 submitted by either side. Based upon this consid-
62 eration, the Appeals Committee shall make a rec-
63 ommendation which, together with all of the
64 aforesaid documents, shall be submitted to a nine
65 (9) member committee of the International Execu-
66 tive Board, of which five (5) members shall consti-
67 tute a quorum. The nine (9) member committee of
68 the International Executive Board shall consider
69 said documents, together with the Appeals Com-

1 mltice recommendation, and shall make a decision
2 on the appeal.

3 (b) The International President may decide an
4 appeal, rather than submitting it to a two (2)
5 member committee of the International Executive
6 Board, if he concludes that such procedure is ap-
7 propriate. In such case, the International President
8 may designate a representative to conduct any in-
9 vestigation or hearing deemed necessary, in ac-
10 cordance with the procedures set forth in subsec-
11 tion (a) hereof. The International President shall
12 base his decision on the files and records of the
13 case, and such briefs as may be submitted by ei-
14 ther side.

15 (c) Both where the appeal has been decided by
16 the nine (9) member committee of the Internation-
17 al Executive Board and where it has been decided
18 by the International President, copies of the deci-
19 sion shall be sent to all members of the Internation-
20 al Executive Board and the decision shall be-
21 come the decision of the International Executive
22 Board unless, within ten (10) days, one or more
23 members of the International Executive Board
24 shall raise an objection to the decision, in which
25 case the appeal shall be referred, for decision, to
26 the International Executive Board at its next regu-
27 lar meeting. The International President shall
28 promptly notify all parties concerned of the deci-
29 sion of the International Executive Board. The In-
30 ternational Executive Board shall use its best ef-
31 forts to render its decision within sixty (60) days
32 of receipt of the appeal by the International Presi-
33 dent.

34 Section 8. Any subordinate body or member
35 thereof wishing to appeal from any decision of the
36 International Executive Board or an International
37 Trial Committee may, in all cases, take such ap-
38 appeal to the Constitution Convention Appeals Com-
39 mittee of the International Union. The Convention
40 Appeals Committee shall have the authority to
41 consider and decide all appeals submitted to it
42 from decisions of the International Executive
43 Board and International Trial Committees under
44 this Section. All decisions of the Committee shall
45 be final and binding.

46 The Constitution Convention Appeals Commit-
47 tee shall consist of a member and a first and sec-
48 ond alternate from each region selected by lot
49 from the delegates when they elect their Regional
50 Director. At the 23rd Constitutional Convention
51 half the regions shall select members and altern-
52 ates to serve on the Committee for a two (2) year
53 term and half shall select members and alternates
54 to serve for a four (4) year term. It shall be decid-
55 ed by lot which regions are to select for a two (2)
56 year term and which are to select for a four (4)
57 year term. At each succeeding Constitutional Con-
58 vention the regions whose members' terms then
59 expire shall select members and alternates to serve
60 for a four (4) year term. In the event a vacancy
61 occurs on the Committee, it shall be filled by the
62 ranking alternate from that region. All remaining
63 vacancies shall be filled by lot at the next Consti-
64 tutional Convention.

65 The Convention Appeals Committee shall meet
66 semi-annually, at International Union Headquar-
67 ters, to act upon all appeals that have been sub-
68 mitted under this Section at least thirty (30) days
69 prior to the date established for their meeting. The

1 administrative procedures for the Convention Ap-
2 peals Committee shall be established by the Inter-
3 national Executive Board, subject to review by
4 subsequent regular Constitutional Conventions.

5 The appellant shall, however, have the alterna-
6 tive of appealing such decision of the International
7 Executive Board or an International Trial Com-
8 mittee to the Public Review Board established in
9 Article 32 of this Constitution in the following cas-
10 es:

11 (a) Any case arising under the procedure set
12 forth in Article 10 (Section 13), Article 12
13 (Sections 2 and 3), Articles 30 and 31, Arti-
14 cle 33 (Sections 9 and 12), Article 36 (Sec-
15 tions 9 and 10), Article 38 (Sections 11 and
16 12), Article 48 (Sections 5 and 6) of this
17 Constitution, or

18 (b) Those cases decided by an administrative
19 arm of the International Executive Board,
20 pursuant to Article 12, Section 17, or by the
21 International Executive Board, which concern
22 action or inaction relative to the process-
23 ing of a grievance, in which the appellant
24 has alleged before the administrative arm or
25 the International Executive Board that the
26 grievance was improperly handled because
27 of fraud, discrimination, or collusion with
28 management.

29 (c) In any other case in which the International
30 Executive Board has passed upon an appeal
31 from the action of a subordinate body.

32 Section 9. Regardless of which alternative the
33 appellant decides to utilize, he must take the ap-
34 peal within thirty (30) days of notification of the
35 International Executive Board's decision, (unless
36 such time is extended by the International Union
37 President, where, in his opinion, justice will be
38 served by such an extension), by serving a notice
39 of appeal upon and filing a written statement of
40 his reasons for appeal with the International Presi-
41 dent.

42 Section 10. If the appellant elects to appeal to
43 the Public Review Board, the appeal shall be con-
44 sidered by the Board or a panel thereof. The In-
45 ternational President shall forward to the chair-
46 man of the Public Review Board all documents
47 and records in the case. After studying said docu-
48 ments and records, the Board or the panel shall
49 hold a hearing; provided that where the Board or
50 panel concludes after preliminary consideration
51 and/or investigation that the appeal is insubstan-
52 tial or that no useful purpose would be served by
53 a hearing, the Board may, in its discretion, decide
54 or dismiss the appeal without a hearing. The ex-
55 tent and scope of the hearing, as well as other
56 matters of procedure and timing, shall be con-
57 trolled by the rules of procedure which shall be
58 established for such hearings by the full Board
59 pursuant to Article 32, Section 6.

60 Section 11. The Board or panel thereof shall,
61 upon due consideration, issue its decision which
62 shall be final and binding upon all parties. In cases
63 coming within Section 8 of this Article, with the
64 exception of cases concerning the processing of
65 grievances, the Board or panel shall decide and
66 dispose of all matters raised by the appeal. In cases
67 that do involve the processing of grievances, the
68 Board or panel shall first determine whether the
69 specific allegation upon which the appellant claims

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1 the Board's or panel's jurisdiction to be based is,
2 or is not, true. If such allegation is found to be
3 true, the Board or panel shall proceed to dispose
4 of all facets of the appeal; provided that in no
5 event shall the Public Review Board have the
6 jurisdiction to review in any way an official collec-
7 tive bargaining policy of the International Union.
8 If the Board or the panel shall decide that such
9 jurisdictional allegation is not true, it shall dismiss
10 the appeal in which event the appellant shall, with-
11 in thirty (30) days of notification of such dismissal,
12 be entitled to appeal the matter to the Constitu-
13 tional Convention of the International Union; pro-
14 vided that in such appeal, the appellant may not
15 again raise any issue which the Board or the panel
16 negated in its decision dismissing for lack of juris-
17 diction.

18 Section 12. It shall be the duty of any member
19 or subordinate body who feels aggrieved by any
20 action, decision, or penalty imposed upon him or it,
21 to exhaust his or its remedy and all appeals there-
22 from under the laws of this International Union
23 prior to appealing to a civil court or governmental
24 agency for redress.

ARTICLE 34
District Councils

25 Section 1. When a majority of Local Unions of
26 this International Union representing a majority of
27 the membership within their geographical district,
28 request the establishment of a District Council,
29 such Local Union representatives shall be as-
30 sembled by the Regional Directors of that area
31 for the formation of such a Council.

32 Section 2. When such a District Council is estab-
33 lished, it shall be mandatory for all Local Unions
34 of this International Union to affiliate with the
35 Council of their geographical district and obtain a
36 charter from the International Union.

37 Section 3. The purpose of the District Council
38 shall be to recommend to the Regional Director
39 and the International Union, constructive measures
40 for the welfare of Local Unions and their mem-
41 bers. It shall discuss comparative wages, rates,
42 agreements, methods of approach, organizational
43 problems, National, State and Provincial legislative
44 programs and such other problems as may be of
45 general interest to the Local Union membership.

46 Section 4. The District Council shall be com-
47 posed of delegates elected from the Local Unions
48 in accordance with appropriate procedures estab-
49 lished in the bylaws of each member Local Union.
50 The term of the delegates elected by a Local Union
51 shall be two (2) years. To avoid unnecessary ex-
52 pense in District Councils, Local Unions may em-
53 power as many delegates as they desire to carry
54 and vote the entire vote of the Local Union.

55 Section 5. Activities of the District Councils
56 shall be financed by the payment of a per capita
57 tax by each Local Union affiliated with the District
58 Council, which shall require the approval of the
59 International Executive Board.

60 Section 6. The per capita tax may be used to as-
61 sist in organizational work, prepare educational
62 literature, lobby for legislative programs and pro-
63 grams of benefit to its affiliated Local Unions.

64 Section 7. When a subordinate body has failed
65 to report and pay the per capita tax to the District

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1 Council, the District Council Secretary-Treasurer
2 shall report this fact to the International Secre-
3 tary-Treasurer; the International Secretary-Treas-
4 urer shall notify the Subordinate Body President
5 and Board of Trustees. Such subordinate body shall
6 stand suspended until such deficiency is made good.

7 Section 8. The District Council shall draft its
8 bylaws in conformity with this Constitution and
9 subject to the approval of the International Execu-
10 tive Board.

11 Section 9. To dissolve a District Council the Re-
12 gional Director(s), on the request of three (3)
13 Local Unions within the geographical district, shall
14 call a special meeting of the Council to be held
15 within thirty (30) days of such request, with prop-
16 er notice of the purpose of the meeting, to vote
17 upon the dissolution of the Council. At this meet-
18 ing the District Council may be dissolved by a vote
19 of a majority of the Local Unions representing a
20 majority of the membership within the geographi-
21 cal district.

ARTICLE 35

Amalgamated Local Unions

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

38 Section 2. Any two (2) or more manufacturing
39 units of an Amalgamated Local Union may petition
40 the International Executive Board to set up a
41 Joint Council in their Local Union. The Interna-
42 tional Executive Board shall without undue delay
43 investigate the practicality of a Joint Council for
44 that Local Union and if they determine that a
45 Joint Council shall be set up, the Local Union shall
46 without delay set up a Joint Council based on the
47 principles in Section 3 of this Article. Members of
48 such a Joint Council, whether directly elected
49 thereto or holding membership thereon by virtue
50 of being elected to some other office or position,
51 shall be elected by secret ballot with the same
52 notice procedures as set forth in Section 2 of
53 Article 38.

54 Section 3. The membership of the Local Union
55 shall be guaranteed:

56 (a) Proportional representation from each man-
57 ufacturing unit, based on the dues dollar
58 each manufacturing unit pays to the Local
59 Union. In no case shall any manufacturing
60 unit be entitled to less than two (2) repre-
61 sentatives to the Joint Council.

62 (b) The right to appeal from any decision of
63 the Joint Council by referendum vote of the
64 membership.

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1 (c) That each manufacturing unit will have unit
2 autonomy on matters pertaining strictly to
3 that unit.

4 (d) That a percentage of every dues dollar which
5 a manufacturing unit pays to the Local Un-
6 ion may be set aside as a fund for the use of
7 that manufacturing unit for whatever pur-
8 pose they so desire.

9 Section 4. Additional organized manufacturing
10 units may be added to Amalgamated Local Unions
11 only upon approval of the International Executive
12 Board and subject to the majority vote of the
13 membership of the unit and the Joint Council or
14 membership of the Amalgamated Local Union. Un-
15 organized manufacturing units may be added to an
16 Amalgamated Local Union upon the approval of
17 the Regional Director.

ARTICLE 36

Local Union Charters and Subordinate Bodies

18 Section 1. A Local Union may be formed by fif-
19 teen (15) or more persons working within the
20 jurisdiction of the International Union by applying
21 to the International Secretary-Treasurer for a
22 charter.

23 Section 2. The International Secretary-Treas-
24 urer shall furnish the applicants for a charter with
25 an application blank, and when the same has been
26 properly filled out and returned with fifteen dol-
27 lars (\$15.00) charter fee, upon approval of the In-
28 ternational Executive Board, a charter shall be
29 granted and initial supplies furnished.

30 Section 3. The charter fee for Local Unions shall
31 be fifteen dollars (\$15.00), which shall entitle the
32 Local Union to a charter, one (1) membership re-
33 ceipt book, one (1) International bookkeeping set,
34 one (1) Recording Secretary's minute book, fifteen
35 (15) Constitutions, one (1) roll call book and one
36 (1) gavel.

37 Section 4. The charter and supplies shall remain
38 the property of the International Union, to be used
39 by the Local Union only as long as said Local Un-
40 ion and its members comply with the laws of the
41 International Union.

42 Section 5. Any member who shall counterfeit,
43 imitate or falsify the International Union dues re-
44 ceipts, insignia, label or buttons, or knowingly use
45 such imitations or counterfeits, shall be fined or
46 expelled from this Union, as the circumstances may
47 warrant after trial has been accorded the accused.

48 Section 6. The charters to be issued to Local Un-
49 ions shall be in the following form:

CHARTER

50 To All Whom These Presents Shall Come:
51 Know Ye, that the International Union, UNITED
52 AUTOMOBILE, AEROSPACE AND AGRICULTURAL IMPLE-
53 MENT WORKERS OF AMERICA (UAW), established for
54 the purpose of effecting through organization of
55 the Automobile, Aerospace, Agricultural Imple-
56 ment, and other industries, and composed of Local
57 Unions and Members in different sections of the

United States and Canada, doth, upon prop. appli-
cation and under conditions herein provided hereby
grant unto

4
5
6
7 and to their successors, this Charter for the estab-
8 lishment and future maintenance of a Local Union
9 at.....
10
11 to be known as Local Union No.....
12 of.....

13 Now, the conditions of this Charter are such: That
14 said Union forever and under any and all circum-
15 stances shall be subordinate to and comply with all
16 the requirements of the Constitution, Bylaws and
17 General Laws or other laws of the International
18 Union, UNITED AUTOMOBILE, AEROSPACE AND AGRICUL-
19 TURAL IMPLEMENT WORKERS OF AMERICA (UAW),
20 as they may from time to time be altered or
21 amended; That said Union shall for all time be
22 guided and controlled by all acts and decisions of
23 the International Union, UNITED AUTOMOBILE, AERO-
24 SPACE AND AGRICULTURAL IMPLEMENT WORKERS OF
25 AMERICA (UAW), as they may from time to time
26 be enacted; That should the Local Union above
27 chartered take advantage of any powers, privileges
28 or rights conferred under the laws as they may
29 exist at any time, said action shall not prevent the
30 International Union, UNITED AUTOMOBILE, AERO-
31 SPACE AND AGRICULTURAL IMPLEMENT WORKERS OF
32 AMERICA (UAW) from recalling, amending, chang-
33 ing or abolishing any such powers, privileges or
34 rights.

35 So long as the said Union adheres to these con-
36 ditions, this Charter to remain in full force; but
37 upon infraction thereof, the International Union,
38 UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL
39 IMPLEMENT WORKERS OF AMERICA (UAW) may re-
40 voke this Charter, thereby annulling all privileges
41 secured hereunder.

42 In Witness Whereof, We have hereunto set our
43 hands and affixed the Seal of the International Un-
44 ion, UNITED AUTOMOBILE, AEROSPACE AND AGRICUL-
45 TURAL IMPLEMENT WORKERS OF AMERICA (UAW) this

46 day of....., 19.....
47 INTERNATIONAL EXECUTIVE BOARD

48
49 International President.

50
51 International Secretary-Treasurer.

52 Section 7. No Local Union, Women's Auxiliary,
53 or subordinate body shall disband as long as fifteen
54 (15) members or two (2) Local Unions desire to

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

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

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

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

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

52 The membership of such unit shall be given at least seven (7) days' notice of the time, place and purpose of such special meeting. If at this meeting, in a vote by secret ballot, a two-thirds (2/3) majority of the members present vote to petition the International Executive Board, such a petition, containing a detailed statement setting forth the reasons for withdrawal from the Local Union shall be forwarded to the International Executive Board.

61 The International Executive Board upon receipt of such petition shall investigate the circumstances and determine if just cause for withdrawal exists and the effect such withdrawal would have upon the Local Union and the petitioning unit. If, following its investigation, the International Executive Board is satisfied that the petitioning unit has just cause for withdrawal and that such withdrawal

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1 withdrawal will not adversely affect the Local Union or the unit, the International Executive Board will direct a referendum vote of the unit membership.

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

12 In the event that the members present at the special meeting provided for in this Section decide against petitioning the International Executive Board for withdrawal, or if a petition is submitted but the International Executive Board denies it, or in the event the referendum vote fails to obtain the required two-thirds (2/3) majority, the question shall not be acted or voted on again for a period of two (2) years.

21 In case a two-thirds (2/3) majority of the unit membership voting in such referendum vote in favor of withdrawal, the International Executive Board shall issue a separate charter.

25 Section 12. In the event an Amalgamated Local Union desires to discontinue the affiliation of a unit of the Local Union, such desire may be raised in any regularly called meeting of the Local Union membership, or the Joint Council where such body exists. If approved by a majority vote of such meeting a date shall be set for a special meeting to discuss and decide whether a vote shall be taken on the proposed discontinuation of affiliation. The membership, or Joint Council delegates where such body exists, shall be given at least seven (7) days' notice of the time, place, and purpose of such special meeting. If at this meeting a two-thirds (2/3) majority of the members (or Joint Council delegates) present vote in favor of holding an election to decide the issue, the Local Union membership shall be given at least seven (7) days' notice of the time, place, and purpose of such election. Voting in such election shall be by secret ballot in booths conveniently located to allow all members an opportunity to vote.

46 All ballots shall have printed thereon the following words only: "Are you in favor of discontinuing the affiliation of the Unit of Local? Yes No

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

58 Section 13. In case a two-thirds (2/3) majority of the unit membership voting vote in favor of applying for a separate UAW charter as provided for in Section 11 or two-thirds (2/3) of an Amalgamated Local Union membership voting vote in favor of discontinuing the affiliation of a unit as provided in Section 12, the International Executive Board may issue a separate charter.

66 Section 14. All funds and other assets of an Amalgamated Local Union shall be and remain

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1 property of the membership of that Local
2 Union, and any unit withdrawing from an Amalgamated
3 Local Union and obtaining a separate charter
4 shall only be entitled to the balance of such
5 funds or property as may have been allocated to
6 it by the Local Union up to the time of separation
7 where such unit funds are established.

8 **Section 14. Local Unions, District Councils organized**
9 **pursuant to Article 34, Women's Auxiliaries and**
10 **Community Action Program (CAP) Councils**
11 **shall be the only chartered subordinate bodies of**
12 **this International Union. All other subordinate**
13 **bodies of this International Union which may at**
14 **any time exist shall not be chartered and shall**
15 **have no autonomy under this Constitution, but**
16 **shall exist upon the authority of, and be generally**
17 **supervised by and responsible to, the International**
18 **Convention and between International Conventions,**
19 **the International Executive Board.**

ARTICLE 37

Duties and Powers of Subordinate Bodies

20 **Section 1. It shall be mandatory for all Local**
21 **Unions of the International Union to affiliate with**
22 **UAW State Community Action Program (CAP) or**
23 **Provincial Industrial Union Councils, unless this**
24 **requirement is otherwise waived by the Executive**
25 **Board of the International Union.**

26 **Section 2. It shall be mandatory for all Local**
27 **Unions to affiliate with UAW City, County or Area**
28 **Community Action Program (CAP) bodies and**
29 **Councils of the Canadian Labour Congress where-**
30 **ever such bodies are established, unless this**
31 **requirement is otherwise waived by the Executive Board**
32 **of the International Union.**

33 **Section 3. It shall be mandatory for all Local**
34 **Unions to establish bylaws and submit them to the**
35 **International Executive Board for ratification. By-**
36 **laws, although enacted by a subordinate body, are**
37 **not effective until submitted to the International**
38 **Executive Board, except for those enacted pursuant**
39 **to Section 6 of this Article. Bylaws, once submitted,**
40 **remain effective unless repealed by the Interna-**
41 **tional Executive Board, pursuant to Article 12, Sec-**
42 **tion 5 of this Constitution.**

43 **Section 4. (a) Each Local Union, other than an**
44 **Amalgamated Local Union, and each unit of an**
45 **Amalgamated Local Union, shall hold a regular**
46 **general membership meeting at least once a**
47 **month, unless the Local Union, or unit of an Amal-**
48 **gamated Local Union, provides in its bylaws for**
49 **general membership meetings at least once every**
50 **three (3) months. Where a Local Union, or unit of**
51 **an Amalgamated Local Union, holds general mem-**
52 **bership meetings every three (3) months, it shall**
53 **be required to establish a plant or shop council**
54 **which shall meet and serve as the membership**
55 **body in each of the intervening two months. The**
56 **plant or shop council shall be composed of all**
57 **elected officers of the Local Union, or unit, plus**
58 **additional elected, proportional representation, as**
59 **approved by the International Executive Board**
60 **and as provided in the bylaws of the Local Union,**
61 **or unit.**

62 **Upon petition of a Local Union with substantial**
63 **membership, the International Executive Board is**
64 **authorized to establish in such Local Union, a**
65 **representative plant or shop council consisting of all**

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1 elected officers of the Local Union, with a
2 proportional representation, which shall
3 serve as the membership body within the Local
4 Union. Such council shall meet once each month,
5 and a general membership meeting shall be held at
6 least once each year. The procedures and represen-
7 tation for such council must receive the prior ap-
8 proval of the International Executive Board and
9 must be set forth in the bylaws of the Local Union.

10 **(b) An Amalgamated Local Union that has a**
11 **Joint Council, established in accordance with Arti-**
12 **cle 35, Section 2, shall have meetings of such Joint**
13 **Council at least once a month, and shall hold a**
14 **general membership meeting at least once a year.**
15 **Amalgamated Local Unions without a Joint Coun-**
16 **cil shall hold a regular general membership meet-**
17 **ing at least once every three (3) months.**

18 **(c) A Local Union, or unit, may, by appropriate**
19 **action, postpone meetings during the summer**
20 **months.**

21 **Section 5. Local Unions may levy fines for non-**
22 **attendance at membership meetings and for other**
23 **reasons, provided that such fines do not exceed**
24 **one dollar (\$1.00), and further provided that the**
25 **provisions for such fines (1) are properly adopted**
26 **by the Local Union, (2) are approved by the In-**
27 **ternational Executive Board, and (3) are adminis-**
28 **tered on a reasonable and non-excessive basis. In**
29 **cases where the facts involving the application of**
30 **such fines are not in dispute, the Local Union is**
31 **empowered to provide for the forfeiture of the**
32 **membership of the delinquent member for non-**
33 **payment thereof without the necessity of proceed-**
34 **ing by the filing of charges and the conduct of a**
35 **trial. In cases where the facts involving the appli-**
36 **cation of such fines are in substantial dispute, the**
37 **Local Union Executive Board may, upon at least**
38 **five (5) days specific notice to a member, which**
39 **notice should include the absence, or absences, or**
40 **other stated offenses, involved, hold a hearing at**
41 **which time the member may appear and present**
42 **evidence he may have which he believes tends to**
43 **contradict the Local Union records or charges.**
44 **Following such hearing, if the Local Union Exec-**
45 **utive Board finds that the fine was properly levied,**
46 **and was not paid by the member, the member shall**
47 **be automatically suspended without the necessity**
48 **of a Trial Committee proceeding.**

49 **Section 6. All Local Unions shall include in their**
50 **bylaws reasonable provisions for rules governing**
51 **the attendance at meetings by members holding**
52 **any Local Union elective position. The Local Union**
53 **shall establish penalties that may include auto-**
54 **matic removal from such office or position upon**
55 **their failure to attend a stipulated number of**
56 **meetings as required by their bylaws. Local Union**
57 **bylaws on this subject must be submitted to and**
58 **approved by the International Executive Board**
59 **before becoming effective.**

60 **Section 7. Each subordinate body shall strive**
61 **to attain the objectives set forth in this Constitu-**
62 **tion; to maintain free relations with other organi-**
63 **zations; to do all in its power to strengthen and**
64 **promote the labor movement; to cooperate with**
65 **Regional Board Members, the International Rep-**
66 **resentatives and help promote organizational ac-**
67 **tivities.**

68 **Section 8. No Local Union or other subordinate**
69 **body, and no officer, agent, representative or mem-**

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1 thereof shall have the power or authority to
2 represent, act for, commit or bind the Interna-
3 tional Union in any matter except upon express
4 authority having been granted therefor in writing
5 by the International Executive Board or the In-
6 ternational President.

7 **Section 9.** A Local Union may organize a cor-
8 poration, provided it is a membership corporation,
9 if possible under state or provincial law, for the
10 purpose of holding title to real property for the
11 benefit of the Local Union. The membership of,
12 and voting privileges in, any such corporation shall
13 be the same and identical with the membership of,
14 and voting privileges in, the Local Union, and the
15 Board of Directors of any such corporation shall
16 be the duly elected Executive Board Members of
17 the Local Union. All provisions of this Constitution
18 in any way relating to the relationship between
19 the International Union and Local Unions includ-
20 ing, but without limitation thereof, those pro-
21 visions found in Article 12, Sections 2, 3 and 5;
22 Article 36, Sections 9 and 10; Article 37, Section 3;
23 and Article 48 shall apply with equal force and
24 effect to the relationship between the International
25 Union and any such corporation, insofar as such
26 provisions of the International Constitution may
27 be applicable to Local Union building corporations.

28 **Section 10.** A Local Union shall not make its
29 membership list available to anyone except for the
30 performance of official Union business or to satisfy
31 the requirements of law.

ARTICLE 38

Local Union Officers

32 **Section 1.** Each Local Union shall have the fol-
33 lowing Executive Officers: President, Vice-Presi-
34 dent or Vice-Presidents, Recording Secretary, Fi-
35 nancial Secretary, Treasurer, three (3) Trustees,
36 Sergeant-at-Arms and Guide.

37 **Section 2.** The election of Local Union Executive
38 Officers shall take place by secret ballot during
39 May and June and installation shall take place at
40 the regular meeting following the election, except
41 as otherwise authorized by the International Ex-
42 ecutive Board. After the deadline on accepting
43 nominations has expired, no election of so-called
44 "sticker" or "write-in" candidates shall be con-
45 sidered legal. Election of all Local Union Executive
46 Officers shall require a majority of the votes cast
47 for the office. The membership shall be duly noti-
48 fied at least seven (7) days in advance of the time
49 and place of nominations. A notice containing both
50 the time and place of elections, and the time and
51 place of any possible run-off election, shall be given
52 at least fifteen (15) days in advance of the elec-
53 tion. At least seven (7) days shall elapse between
54 the time of nominations and the date the election
55 shall take place.

56 These Executive Officers and all other elected
57 officials of Local Unions and units of Amalgamated
58 Local Unions except Shop Stewards and Commit-
59 teemen shall serve for the period of two (2) years.

60 **Section 3.** No member shall be eligible for elec-
61 tion as an Executive Officer of the Local Union
62 until he has been a member in continuous good
63 standing in the Local Union for one (1) year
64 immediately prior to the nomination, except in
65 the case of a newly organized Local Union.

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1 **Section 4.** Eligibility for election to othe
2 Union offices, committees, etc., shall be determined
3 by the Local Union.

4 **Section 5.** The Executive Board of each Local
5 Union shall consist of all the elected Local Union
6 Executive Officers and such members at large as
7 the Local Union may deem necessary. The election
8 of any such Executive Board Members-at-Large,
9 whether directly elected thereto or holding mem-
10 bership thereon as the result of election to some
11 other office or position, shall be by secret ballot
12 with the same notice procedures as set forth in
13 Section 2 of this Article. Executive Board Mem-
14 bers-at-Large shall be elected by plurality vote, un-
15 less the Local Union membership, by affirmative
16 action, requires a majority vote.

17 **Section 6.** It shall be the duty and obligation of
18 all Local Union officers and Executive Board Mem-
19 bers, and all other official representatives of the
20 Local Union, whether elected or appointed, to
21 support, advance, and carry out all provisions of
22 this Constitution, official policies of the Interna-
23 tional Union, and, to the extent not inconsistent
24 with the foregoing, all official policies of the Local
25 Union.

26 **Section 7.** The Executive Board shall be em-
27 powered to represent the Local Union between
28 meetings of the Local Union when urgent business
29 requires prompt and decisive action. In no case,
30 however, shall the Executive Board transact any
31 business that may affect the vital interests of the
32 Local Union until the approval of the membership
33 is secured, or of the shop organization in the case
34 of an Amalgamated Local Union.

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

42 **Section 9.** At the discretion of the Local Union
43 the offices of Financial Secretary and Treasurer
44 may be combined.

45 **Section 10.** The following rules shall be manda-
46 tory in all Local Union elections for executive offi-
47 cers, and, insofar as these rules are not inconsistent
48 with any provisions of Article 8, for International
49 Convention delegates:

- 50 (a) Every member in good standing shall be
51 entitled to vote at all Local Union elections.
- 52 (b) Such elections shall be held during specified
53 dates and hours at a specified polling place
54 or polling places where each member shall
55 personally cast his vote. The use of absentee
56 ballots is not permitted in Local Union elec-
57 tions.
- 58 (c) All elections shall be held under the super-
59 vision of a democratically elected Election
60 Committee.
- 61 (d) The date or dates for all elections must be
62 established by the membership body of the
63 Local Union.
- 64 (e) No candidate in any election shall be a
65 member of the Election Committee having
66 supervision over such election.

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1 Any eligible candidate in any election shall
2 have the right to submit his commonly
3 known name to the Election Committee in
4 writing as he desires it to appear on the
5 ballot; and it shall so appear.

6 (g) Each candidate shall have the right to have
7 one (1) challenger present when the votes
8 are cast and when they are tabulated, pro-
9 vided that such challenger shall be a mem-
10 ber of the Local Union.

11 Section 11. Following each election, the Election
12 Committee shall report in writing the canvass of
13 the results of the election to the membership's next
14 membership meeting. No protest to an election
15 shall be considered unless raised within seven (7)
16 days of the closing of the polls or at the next
17 membership meeting, whichever is later.

18 Section 12. In the event the membership, either
19 in acting upon a protest or in ratification of an
20 Election Committee recommendation, should order
21 a new election, no such election shall be held until
22 the matter has been submitted to, and an order
23 thereon received from, the International President.
24 In such an event, the Local Union shall submit a
25 complete report of the circumstances which in-
26 fluenced the membership to order a new election,
27 as well as the official minutes of the pertinent
28 membership meeting, to the International Presi-
29 dent. Any member of the Local Union shall have
30 the right to submit a written statement to the
31 International President. The International Presi-
32 dent, acting as expeditiously as possible, may either
33 make his order upon the information available to
34 him or, if he feels the facts sufficiently contradic-
35 tory to warrant the step, submit the matter to an
36 Appeals Committee constituted pursuant to Article
37 33, Section 7, of this Constitution, for investigation.
38 In that event he shall make his order pursuant to
39 the recommendations of said Appeals Committee.
40 During this interim period, the Local Union offices
41 shall be temporarily occupied by those candidates
42 who would have been elected if the election had
43 not been challenged. If the International President
44 approves membership action ordering a new elec-
45 tion, the election shall be held as soon as possible
46 and the officers elected at that second election shall
47 hold office during the pendency of any higher
48 appeal, and until otherwise directed by a superior
49 appellate body.

50 Any appeal from the International President's
51 order shall be taken in the usual way pursuant to
52 Article 33 of this Constitution provided, however,
53 that if the President's order is based upon an
54 Appeal Committee recommendation, the appeal
55 shall omit the step provided for in Article 33,
56 Section 7(a), and the appeal shall commence with
57 review of, and action on, the Appeal Committee
58 recommendations pursuant to Section 7(c) of Article
59 33.

60 Any appeal from a decision of the membership
61 refusing to order a new election shall be taken in
62 the usual manner pursuant to Article 33, and the
63 members elected as the result of the election being
64 appealed from shall hold office during the pendency
65 of the appeal, and until otherwise directed by a
66 superior appellate body.

67 All ballots and other pertinent records in any
68 election shall be preserved for a period of one (1)

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1 year, and may then be destroyed by the Local
2 Union unless an appeal is pending, in which event
3 they must be preserved until the appeal has been
4 decided and the decision is final.

5 Section 13. If, upon investigation by the Interna-
6 tional Union, it should appear by convincing evi-
7 dence that any member has misrepresented re-
8 turns, altered, mutilated or destroyed deposited
9 ballots, or engaged in any other fraudulent acts in
10 connection with the conduct of a Local Union elec-
11 tion, the International Executive Board may re-
12 move such member from any office or appointive
13 position he may hold pending a hearing. The Board
14 shall designate a special committee to conduct a
15 hearing, after due notice in writing of the charges
16 against the member, and make recommendations
17 in a manner similar to that provided for under
18 Article 33 of this Constitution. The special com-
19 mittee shall make recommendations to the Inter-
20 national Executive Board, which recommendations
21 shall be processed by the International Executive
22 Board in the same manner that it processes recom-
23 mendations of said appeals committees. The Inter-
24 national Executive Board, if it finds the member
25 guilty of the offense charged by a two-thirds (2/3)
26 vote, may remove the member from any office or
27 appointive position he may hold and/or suspend
28 his right to seek any office or hold any appointive
29 position in the International Union for a period
30 not to exceed five (5) years, or suspend or expel
31 him from membership. Any member so disciplined
32 shall be notified in writing and shall have the right
33 to appeal pursuant to Article 33, Section 8. The
34 procedure provided for in this Section shall be in
35 addition to and exclusive of any other action which
36 may be taken against such member.

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

49 Section 15. A Local Union may employ service
50 and organizational staff if such employment is
51 authorized by the Local Union's bylaws; and
52 provided that any such staff member who serves
53 the membership of the Local Union and represents
54 the membership in collective bargaining with em-
55 ployers must have been a member of the Interna-
56 tional Union in continuous good standing for a
57 period of one (1) year.

58 Section 16. If a member holding Executive Office,
59 the term of which is not expiring, desires to be-
60 come a candidate for another Executive Office,
61 such member is obligated to notify the Local Union
62 of his resignation from his present office suffi-
63 ciently in advance of the nominating meeting to
64 permit the nomination and election of candidates
65 for both offices during the same election. Such
66 resignation would become effective at the time of
67 installation.

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1 Section 17. Whenever there are unopposed can-
2 didates for Local Union Executive Office, such
3 candidates shall be considered elected without the
4 necessity of an election. Where run-off elections
5 are necessary because a candidate for Local Union
6 Executive Office fails to receive a majority vote,
7 the run-off shall be confined to the two (2) candi-
8 dates receiving the highest number of votes for
9 the office involved.

ARTICLE 39

Installation Ceremony

10 The installation ceremony may be performed
11 by the retiring President, Acting President or any
12 regular commissioned International Representa-
13 tive.

14 The Installing Officer says:

15 "Give attention while I read to you the obliga-
16 tion:

17 "Do you hereby pledge on your honor to perform
18 the duties of your respective offices as required by
19 the Constitution of this Union; to bear true and
20 faithful allegiance to the International Union,
21 UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL
22 IMPLEMENT WORKERS OF AMERICA (UAW); to the
23 best of your ability and with complete good faith
24 to support, advance, and carry out all official poli-
25 cies of the International Union and this Local
26 Union; to deliver all books, papers, and other
27 property of the Union that may be in your posses-
28 sion at the end of your term to your successor in
29 office, and at all times conduct yourself as becomes
30 a member of this Union?"

31 Officers respond, "I do."

32 The Installing Officer then says:

33 "Your duties are defined in the laws of the
34 International Union, UNITED AUTOMOBILE, AERO-
35 SPACE AND AGRICULTURAL IMPLEMENT WORKERS OF
36 AMERICA (UAW) and in your obligation; should
37 any emergency arise not provided for in these,
38 you are expected to act according to the dictates
39 of common sense, guided by an earnest desire to
40 advance the best interest of the International
41 Union and this Local Union. I trust you will all
42 faithfully perform your duties, so that you may
43 gain not only the esteem of your brothers and sis-
44 ters, but what is of even more importance, the ap-
45 proval of your conscience.

46 "You will now assume your respective stations."

ARTICLE 40

Duties of Local Union Officers President

47 Section 1. It shall be the duty of the President
48 to preside at all meetings of the Local Union, sign
49 all orders on the treasury authorized by the Local
50 Union, countersign all checks issued by the Finan-
51 cial Secretary against accounts of the Local Union
52 when ordered by the Union, enforce the provisions
53 of the Constitution and appoint committees not
54 otherwise provided for. He shall be a member ex-
55 officio of all committees.

Vice-President

56 Section 2. The Vice-President or Vice-Presidents
57 shall assist the President in the discharge of his
58 duties, and shall attend all sessions of the Local

Installation Ceremony

and

Initiation Ceremony

1 Union. In case of the absence or incapacity of the
2 President, his duties shall be performed by the
3 Vice-President, provided that where there are two
4 (2) or more Vice-Presidents, the Local Union shall
5 determine which of them shall perform such duties.

Recording Secretary

6 **Section 3.** It shall be the duty of the Recording
7 Secretary to keep a correct record of the proceed-
8 ings of the Local Union, sign all orders on the
9 treasury authorized by the Local Union, read all
10 documents and conduct the general correspondence
11 received by the Local Union which does not pertain
12 directly to the duties of the other officers of the
13 Local Union, and keep same on file for future
14 reference. He shall bring to the attention of the
15 membership of the Local Union any correspondence
16 upon which the membership must take action. He
17 shall comply with the provisions of Article 50,
18 Section 2. He shall furnish to the Research Depart-
19 ment of the UAW and to his Regional Director,
20 every six (6) months (in January and July): (1)
21 Three (3) copies of the existing contract(s); (2)
22 A complete revised list of all classifications and
23 rates for the plant or plants covered by the con-
24 tract(s); (3) Any additional information gained
25 through negotiations with the respective plant
26 management that may be useful to other Local
27 Unions in their collective bargaining.

Financial Secretary

28 **Section 4.** It shall be the duty of the Financial
29 Secretary to receive all dues, initiation fees, re-
30 admission fees, fines and all other income of the
31 Local Union for any fund from any source and to
32 give official receipts for same, as provided in this
33 Constitution. Financial Secretaries of Local Unions
34 having a check-off arrangement shall issue one
35 (1) receipt for the check received from the com-
36 pany, and otherwise use the procedure outlined
37 above for any other income. No receipt shall be
38 issued to individual members unless the company
39 does not show on the check stub or pay envelope
40 the amount of the deduction and the reason
41 therefor.

42 **Section 5.** He shall write all checks drawn on
43 the Local Union funds and report in writing every
44 month at a regular meeting of the Local Union
45 giving the amount of monies received and paid out
46 during the previous calendar month, divided as
47 between the various income and expenditure classi-
48 fications, and the remaining balances in the fund
49 accounts of the Local Union.

50 **Section 6.** He shall deposit all collections either
51 with the Treasurer, taking a receipt therefor, or
52 in such banks as Local Union Trustees may direct,
53 with advice to the Treasurer as to the amount so
54 deposited.

55 **Section 7.** He shall by the 20th of each month,
56 send a report to the International Secretary-Treas-
57 urer on blanks furnished by the International Un-
58 ion, together with the correct amount of money
59 due the International Union for the preceding
60 month which begins on the first and ends with the
61 last day of the month. He shall receive applica-
62 tions for membership and notify the candidates of
63 their election or rejection. He shall assist the In-
64 ternational Union in seeing that all members re-
65 ceive the official publication regularly when eligi-
66 ble, provide each member with an official receipt

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Art. 1 for all monies paid and make available to each
2 member a copy of the International Constitution
3 and Bylaws of the Local Union. Union membership
4 cards and/or dues buttons may be issued at the op-
5 tion of the Local Union.

6 Section 8. He shall furnish the International
7 Secretary-Treasurer with the names and addresses
8 of all the officers of the Local Union. He shall keep
9 a record of all members initiated, suspended, ex-
10 pelled or deceased, transfers in and out and re-
11 instatements, during his term of office and notify
12 the International Secretary-Treasurer of same, and
13 perform such other duties as the bylaws pre-
14 scribe or the Local Union may direct. There shall
15 be maintained by the Financial Secretary a com-
16 plete record of all active members of the Local
17 Union. This record shall have the date of initiation,
18 the date and cause of suspension or expulsion, the
19 date of reinstatement, together with the date of
20 death, home address and such other matters as
21 may be deemed necessary to keep a record of the
22 continuous membership of a member of the Local
23 Union.

24 He shall not make said record of all active mem-
25 bers (membership list) available to anyone except
26 pursuant to the provisions of Article 37, Section 10
27 of this Constitution.

28 Section 9. He shall keep an inventory of all
29 records and property of the Local Union, the same
30 to contain, when possible, date of purchase and
31 amount paid for each article. He shall notify all
32 members in arrears of the amount of their in-
33 debtedness and turn over his books to the Trustees
34 for audit and approval when called to do so. He
35 shall, on the demand of the International Secre-
36 tary-Treasurer, produce his books for examination
37 and audit, and shall comply with the provisions of
38 this Constitution.

39 Section 10. Should it be proven that any Local
40 Union Financial Secretary has wilfully and inten-
41 tionally failed to report monthly the full member-
42 ship of his Local Union to the International Secre-
43 tary-Treasurer or should it be proven that any
44 Local Union President, Treasurer and/or Finan-
45 cial Secretary wilfully and intentionally refuses to
46 sign a check to send in the full amount of per
47 capita tax on the same number of members who
48 have paid dues to the Local Union, the Local Union
49 may be suspended from all privileges and benefits
50 until the deficiency is made good and the officer
51 or officers responsible for such failure shall not be
52 allowed to again hold office in the organization
53 for a period of two (2) years.

Treasurer

54 Section 11. The Treasurer shall give a receipt
55 for all monies received from the Financial Secre-
56 tary. The monies received must be deposited in
57 such bank as the Local Union Trustees may direct
58 for the several funds provided for in this Consti-
59 tution and such other funds as the Local Union
60 may set up in the name and number of the Local
61 Union. He shall sign all checks, which must be
62 countersigned by the President. He shall report
63 in writing every month at a regular meeting of the
64 Local Union the total receipts and total expendi-
65 tures for the Local Union for the previous calendar
66 month and the amount of money still on deposit.
67 He shall deliver to his successor all monies and

other property of the Local Union. He shall, on
demand of the International Union or Trustees of
the Local Union, produce his books for examination
and audit.

Trustees

5 Section 12. The Trustees shall have general
6 supervision over all funds and property of the
7 Local Union. They shall audit or cause to be au-
8 dited by a Certified Public Accountant selected by
9 the Local Union Executive Board, the records of
10 the Financial Officers of the Local Union semi-
11 annually as provided herein, using duplicate forms
12 provided by the International Union, a copy of
13 which shall be forwarded to the International
14 Secretary-Treasurer immediately thereafter. It
15 shall also be their duty to see that the Financial
16 Officers of the Local Union are bonded in conform-
17 ity with the laws of the International Union. The
18 Trustees shall see that all funds shall be deposited
19 in a bank subject to an order signed by the Presi-
20 dent and Treasurer and/or Financial Secretary. In
21 Local Unions where safety deposit boxes are used,
22 the Trustees shall see that the signatures of the
23 President, Treasurer and one (1) of the Trustees
24 are required before admittance to the safety de-
25 posit box is permitted. In the event the books are
26 not received for audit within fifteen (15) days
27 after the end of each six-month period the Chair-
28 man of the Trustees shall make a report to the
29 next meeting of the Local Union for action.

Sergeant-at-Arms

30 Section 13. It shall be the duty of the Sergeant-
31 at-Arms to introduce all new members and visitors
32 and assist the President in preserving order when
33 called upon to do so. He shall also take charge of
34 all property of the Local Union not otherwise
35 provided for, and perform such other duties as
36 may be assigned to him from time to time.

Guide

37 Section 14. It shall be the duty of the Guide to
38 maintain order, inspect the membership receipts,
39 satisfy himself that all present are entitled to re-
40 main in the meeting of the Local Union and per-
41 form such other duties as are usual to the office.

42 Section 15. All Local Union officers, committees,
43 stewards and other members handling funds or
44 other property of the Local Union shall, at the
45 completion of their duties, turn over all papers,
46 documents, funds, and/or other Local Union prop-
47 erty to the properly constituted Local Union
48 officers.

ARTICLE 41

Duties of Local Union Members

49 Section 1. It shall be the duty of each member
50 to conscientiously seek to understand and exem-
51 plify by practice the intent and purpose of his
52 obligation as a member of this International Union.

53 Section 2. It shall be the duty of each member
54 to render aid and assistance to brother or sister
55 members in cases of illness, death or distress, and
56 in every way acquit himself as a loyal and devoted
57 member of the International Union.

58 Section 3. It shall be the duty of each member
59 to participate in all Local, State, Provincial and
60 Federal elections through registration and ballot-
61 ing.

ARTICLE 42

Opening and Closing Ceremonies

1 "I now declare this meeting of Local Union No.
2 of the International Union, UNITED AUTO-
3 MOBILE, AEROSPACE AND AGRICULTURAL IMPLEMENT
4 WORKERS OF AMERICA (UAW) open for the trans-
5 action of such business as may properly come be-
6 fore it."

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

- 10 1. Roll call of officers.
- 11 2. Reading of the minutes of the previous
- 12 meeting.
- 13 3. Applications for membership.
- 14 4. Voting on applications.
- 15 5. Initiation of Candidates.
- 16 6. Report of Financial Secretary and/or
- 17 Treasurer.
- 18 7. Reports of officers, committees and delegates.
- 19 8. Communications and bills.
- 20 9. Unfinished business.
- 21 10. Good and welfare.
- 22 11. Does any one know of a member out of
- 23 work or in distress?
- 24 12. New business.
- 25 13. Closing.

26 (All questions of parliamentary nature shall be
27 decided by Robert's Rules of Order.)

ARTICLE 43

Initiation Ceremony

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

35 "I.....
36 pledge my honor to faithfully observe the Consti-
37 tution and laws of this Union and the Constitution
38 of the United States (or Canada, as the case may
39 be); to comply with all the rules and regulations
40 for the government thereof; not to divulge or
41 make known any private proceedings of this Union;
42 to faithfully perform all the duties assigned to
43 me to the best of my ability and skill; to so con-
44 duct myself at all times as not to bring reproach
45 upon my Union, and at all times to bear true and
46 faithful allegiance to the International Union,
47 UNITED AUTOMOBILE, AEROSPACE AND AGRICULTURAL
48 IMPLEMENT WORKERS OF AMERICA (UAW)."

ARTICLE 44

Local Union Committees

49 The Local Union shall have the following stand-
50 ing committees: Constitution and Bylaws, Union
51 Label, Education, Conservation and Recreation,
52 Community Services, Fair Practices and Anti-Dis-
53 crimination, Citizenship and Legislative, Consumer
54 Affairs, a Local Union Women's Committee where
55 such membership exists, and such other committees
56 as they deem necessary. All committees should be
57 appointed or elected, subject to the discretion of
58 the Local Union or shop organization in the case
59 of an Amalgamated Local Union.

ARTICLE 45

Shop Stewards and Shop Committeemen

1 Section 1. The Bargaining Committee may, but
2 does not necessarily have to consist of the members
3 of the Executive Board of the Local Union.

4 Section 2. All Shop Stewards and/or Committe-
5 men shall be democratically elected for two (2)
6 year terms, provided that a Local Union or unit of
7 an Amalgamated Local Union may establish a one
8 (1) year term or shorter term by affirmative mem-
9 bership action. They shall be required to take the
10 oath of office as provided in Article 39.

11 Section 3. A Shop Steward or Committeeman
12 may be recalled by the members he represents
13 for failure to perform the duties of his office. A
14 valid petition setting forth specific complaints of
15 the Shop Steward's or Committeeman's failure to
16 perform the duties of his office shall be signed by
17 the members he represents. The Shop Steward or
18 Committeeman so complained against shall receive
19 notification of the specific complaints. Upon the
20 filing of such a petition with the Local Union, a
21 special meeting for recall shall be held, of which
22 due notification shall be given. A two-thirds (2/3)
23 vote of the members present at such special meet-
24 ing shall be required to recall. Each Local Union
25 or unit of an Amalgamated Local Union shall
26 establish in its bylaws the number of petitioners
27 required for a recall and the quorum necessary
28 to establish such recall meeting.

29 Section 4. Upon application to and approval of
30 the International Executive Board, Stewards and/
31 or Committeemen may be elected exclusively by
32 and from appropriate groups (as specified in
33 Article 19, Section 3) in keeping with the policy
34 resolution adopted by the Sixteenth (16th) Con-
35 stitutional Convention.

36 Section 5. If a new election for Committeeman
37 or Steward is ordered as the result of a protest
38 and this order is appealed, no such election shall
39 be held until the matter has been submitted to,
40 and an order thereon received from, the Interna-
41 tional President.

ARTICLE 46

Local Union Finances

42 Section 1. The funds of each Local Union shall
43 be used to defray all necessary expenses which
44 must be approved by the Local Union in regular
45 meeting.

46 Section 2. All appeals by Local Unions to other
47 Local Unions for funds must be approved by the
48 respective Regional Directors before they shall be
49 recognized. Such appeals must be promptly ap-
50 proved or disapproved.

ARTICLE 47

Local Union Dues

51 Section 1. A Local Union or unit of an Amalga-
52 mated Local Union may establish membership dues
53 in an amount exceeding the minimum prescribed
54 by Article 16, Section 2, or, if the dues exceed the
55 minimum prescribed by Article 16, Section 2, may
56 decrease membership dues to an amount not less
57 than said minimum. Such action by a Local Union
58 or unit of an Amalgamated Local Union shall re-

Art. 48

1 The ratification by a majority vote of the vote
2 cast by secret ballot at a Local Union or unit meet-
3 ing, due notice of the intended action of which has
4 been given to the membership at least seven (7)
5 days prior to the date of said meeting and shall
6 be subject to the approval of the Regional Director
7 whose approval must be obtained before such
8 dues are changed.

9 Section 2. A Local Union or unit of an Amalga-
10 mated Local Union is empowered to provide for
11 the forfeiture of the membership of a delinquent
12 member for the non-payment of dues without the
13 necessity for proceeding by the filing of charges
14 and the conducting of a trial.

ARTICLE 48

Local Union Audits

15 Section 1. The fiscal year of the Local Union
16 shall be from January 1st through December 31st.

17 Section 2. It shall be the duty of the Trustees
18 of each Local Union, as provided for in Article 40,
19 Section 12, to audit or cause to be audited by a
20 Certified Public Accountant the books and financial
21 affairs of their Local Union semi-annually on the
22 forms supplied by the International Union, and
23 this semi-annual report shall be made to the Local
24 Union and a copy forwarded to the International
25 Secretary-Treasurer of the International Union
26 and to the Local Union's Regional Director.

27 Section 3. Should inaccuracies or discrepancies
28 appear to exist in a Local Union, the International
29 Secretary-Treasurer, upon the approval of the In-
30 ternational President or the International Execu-
31 tive Board, shall have the authority to designate
32 a representative to take charge of and audit all
33 financial books, records and accounts of said Local
34 Union and/or may employ a Certified Public
35 Accountant to audit same.

36 Section 4. The report and findings of the rep-
37 resentative or the Certified Public Accountant shall
38 be filed with the President of the Local Union and
39 the International Secretary-Treasurer of the In-
40 ternational Union.

41 Section 5. If, upon investigation by the Interna-
42 tional Union or as the result of an audit, it should
43 appear by convincing evidence that any member
44 is responsible for a misappropriation of funds, or
45 conspires with another person or other persons to
46 defraud, thereby adversely affecting the Local
47 Union's financial interests, the International Presi-
48 dent, or the International Executive Board, may
49 summarily suspend that member from any office
50 or position he may hold, or the right to seek such
51 office or position. Said suspended member shall be
52 promptly notified and, within thirty (30) days of
53 such notification, may appeal the suspension, in
54 which case his appeal shall be processed in the
55 same manner as appeals to the International
56 Executive Board from decisions of subordinate
57 bodies under Article 33 of this Constitution; pro-
58 vided that the suspension shall automatically be
59 lifted unless the International Executive Board
60 has rendered its decision within one hundred
61 twenty (120) days of the day the appealing mem-
62 ber commences his appeal. If the suspended member
63 fails to appeal from the suspension within the thirty
64 (30) days allowed, or if the International Execu-

Art. 49-50

1 tive Board upon review upholds the sus-
2 pension by a two-thirds (2/3) vote, the member shall be
3 considered removed from any office or position he
4 may have held, as well as from the privilege of
5 seeking election or appointment to any office or
6 position, and he shall not thereafter be eligible to
7 hold any office or position unless and until the re-
8 moval has been lifted by a two-thirds (2/3) vote
9 of the International Executive Board, and then
10 only when the member has made full restitution.
11 Any member so suspended, who has taken an ap-
12 appeal to the International Executive Board without
13 having the suspension lifted, may appeal the sus-
14 pension either to the Public Review Board or the
15 International Convention as provided for in Article
16 33 of this Constitution. The procedure provided in
17 this Section shall be in addition to, and exclusive
18 of, any other action which may be taken against
19 such member. Under no circumstances shall a
20 misappropriation of funds or conspiracy be written
21 off the books of a Local Union or a final settlement
22 of same be made without the approval of the In-
23 ternational Secretary-Treasurer.

24 Section 6. If it is claimed that a member owes
25 non-dues money to his Local Union, the Interna-
26 tional Union or the International Strike Insurance
27 Fund, other than a fine, and that he has failed to
28 meet the obligation, a fair hearing shall be held to
29 determine if he owes the obligation. The member
30 shall receive written notice of the hearing setting
31 forth the Union's claim as to the nature of the ob-
32 ligation and the amount owed. If, as a result of the
33 hearing, a determination is made that the member
34 owes the money, the member shall be so notified in
35 writing and given thirty (30) days to pay the mon-
36 ey owed. If the member fails to meet his obligation
37 to pay the amount owed within the thirty (30)
38 days, the determination and documentation shall
39 then be forwarded to the International President.
40 If the foregoing provisions have been complied
41 with, the International President shall advise the
42 member and his Local Union that the member is
43 not eligible to participate in the affairs of the Un-
44 ion until the obligation is paid. The member shall
45 have the right of appeal under the procedures of
46 Section 5 of this Article.

ARTICLE 49

Fraud in Local Union Elections

47 Any member convicted of misrepresenting re-
48 turns, altering, mutilating, or destroying deposited
49 ballots, voting fraudulently or of intimidating
50 others by threats or otherwise interfering with a
51 member in the exercise of his right to cast his
52 ballot in Local Union elections and strike balloting,
53 shall be punished in accordance with the Trial Pro-
54 cedure outlined in this Constitution. In no case
55 shall the penalty be less than a fine of ten dollars
56 (\$10.00), and the member so convicted shall be dis-
57 qualified for either elective or appointive office
58 within the jurisdiction of the International Union
59 for a period of not less than two (2) years or more
60 than five (5) years.

ARTICLE 50

Strikes

61 Section 1. Whenever any difficulty arises within
62 the jurisdiction of any Local Union within the
63 shop involved, between its members and any em-
64 ployer or employers, growing out of reduction in

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1 ges, lengthening of hours of labor, or other
 2 grievances incident to the conditions of employ-
 3 ment, or whenever any Local Union desires to
 4 secure for its members an increase in wages, a
 5 shorter work day or other changes in the condi-
 6 tions of employment, the Local Union involved
 7 shall call a meeting of all members to decide
 8 whether the proposed changes shall be accepted or
 9 rejected. The majority vote of those present and
 10 voting on the question shall decide. If, as a result
 11 of this decision, a strike vote is decided upon, the
 12 Local Union Executive Board shall notify all mem-
 13 bers, and it shall require a two-thirds (2/3) vote
 14 by secret ballot of those voting to declare a strike.
 15 Only members in good standing shall be entitled
 16 to vote on the question of declaring a strike.
 17 Where a different ratification procedure for a
 18 Local Union or an Intra-Corporation Council has
 19 been properly applied for under terms of Article
 20 19, Section 3, and after the International Executive
 21 Board has approved such ratification procedure,
 22 the method for accepting or rejecting contract
 23 changes and the taking of strike votes shall be
 24 governed by the terms of the procedure approved
 25 by the International Executive Board for that
 26 Local Union or Intra-Corporation Council.

27 **Section 2.** If the Local Union involved is unable
 28 to reach an agreement with the employer without
 29 strike action, the Recording Secretary of the Local
 30 Union shall prepare a full statement of the matters
 31 in controversy and forward the same to the Re-
 32 gional Director and International President. The
 33 Regional Director or his assigned representative in
 34 conjunction with the Local Union Committee shall
 35 attempt to effect a settlement. Upon failure to
 36 effect a settlement he shall send the International
 37 President his recommendation of approval or dis-
 38 approval of a strike. Upon receipt of the statement
 39 of matters in controversy from the Regional Direc-
 40 tor, the International President shall prepare and
 41 forward a copy thereof to each member of the
 42 International Executive Board together with a re-
 43 quest for their vote upon the question of approv-
 44 ing a strike of those involved to enforce their de-
 45 cision in relation thereto. Upon receipt of the vote
 46 of the members of the International Executive
 47 Board, the International President shall forthwith
 48 notify in writing the Regional Director and the
 49 Local Union of the decision of the International
 50 Executive Board.

51 **Section 3.** In case of an emergency where delay
 52 would seriously jeopardize the welfare of those in-
 53 volved, the International President, after consulta-
 54 tion with the other International Officers, may ap-
 55 prove a strike pending the submission to, and
 56 securing the approval of, the International Execu-
 57 tive Board, providing such authorization shall be
 58 in writing.

59 **Section 4.** Neither the International Union nor
 60 any Local Union, nor any subordinate body of the
 61 International Union, nor any officer, member, rep-
 62 resentative or agent of the International Union,
 63 Local Union or subordinate body shall have the
 64 power or authority to instigate, call, lead or en-
 65 gage in any strike or work stoppage, or to induce
 66 or encourage employes of any employer to engage
 67 in a strike or a concerted refusal in the course of
 68 their employment to use, manufacture, process,
 69 transport or otherwise handle or work on any

1 goods, articles, materials, or commodities, or to
 2 perform any services, except as authorized by the
 3 International Executive Board or the International
 4 President in conformity with the provisions of this
 5 Constitution. Such power and authority resides
 6 exclusively in the International Executive Board
 7 and the International President, and may be exer-
 8 cised only by collective action of the International
 9 Executive Board as provided in Section 2 of this
 10 Article or by emergency action of the International
 11 President as provided in Section 3 of this Article.

12 **Section 5.** Before a strike shall be called off, a
 13 special meeting of the Local Union shall be called
 14 for that purpose, and it shall require a majority
 15 vote by secret ballot of all members present to
 16 decide the question either way. Wherever the In-
 17 ternational Executive Board decides that it is un-
 18 wise to longer continue an existing strike, it will
 19 order all members of Local Unions who have
 20 ceased work in connection therewith to resume
 21 work and thereupon and thereafter all assistance
 22 from the International Union shall cease.

23 **Section 6.** Any Local Union engaging in a strike
 24 which is called in violation of this Constitution and
 25 without authorization of the International Presi-
 26 dent and/or the International Executive Board
 27 shall have no claim for financial or organizational
 28 assistance from the International Union or any
 29 affiliated Local Union.

30 **Section 7.** The International President, with the
 31 approval of the International Executive Board,
 32 shall be empowered to revoke the charter of any
 33 Local Union engaging in such unauthorized strike
 34 action, thereby annulling all privileges, powers
 35 and rights of such Local Union under this Consti-
 36 tution.

37 **Section 8.** In cases of great emergency, when
 38 the existence of the International Union is in-
 39 volved, together with the economic and social
 40 standing of our membership, the International
 41 President and the International Executive Board
 42 shall have authority to declare a general strike
 43 within the industry by a two-thirds (2/3) vote of
 44 the International Executive Board whenever in
 45 their good judgment it shall be deemed proper for
 46 the purpose of preserving and perpetuating the
 47 rights and living standards of the general mem-
 48 bership of our International Union, provided, under
 49 no circumstances shall it call such a strike until
 50 approved by a referendum vote of the membership.

51 **Section 9.** In case of a general strike, it shall re-
 52 quire a majority vote of the International Execu-
 53 tive Board before the strike is officially called off.

ARTICLE 51

Board of International Trustees

54 **Section 1.** A three (3) member International
 55 Board of Trustees shall be created, charged with
 56 the duty of safeguarding all funds and property of
 57 the International Union by causing the books and
 58 accounts of the International Secretary-Treasurer
 59 to be audited semi-annually. The Board of Trus-
 60 tees shall designate a Certified Public Accountant
 61 to make such audits, and shall incorporate same
 62 in their report to the International Officers, Board
 63 Members, and all affiliated Local Unions as soon as

Art. 53

1 completed. The Board of Trustees shall report its
2 activities semi-annually to the International Execu-
3 tive Board and to the International Convention. It
4 shall make recommendations to the Board and to the
5 Convention for improving the handling of the
6 finances of the International Union and for safe-
7 guarding its funds and property.

8 **Section 2.** Members of the Board of Trustees,
9 shall devote the time necessary to the performance
10 of their duties, not to exceed a maximum of thirty
11 (30) days in any six (6) months. Members of the
12 Board of Trustees shall be compensated on the
13 basis of maximum International Representative's
14 salary, and expenses.

15 **Section 3.** Nominations and elections of Trustees
16 shall take place in the regular order of business
17 of the International Convention. Candidates shall
18 be nominated and elected in one election. The
19 candidates shall be nominated for a three (3) term
20 trusteeship, for a two (2) term trusteeship, and for
21 a one (1) term trusteeship. The candidate receiv-
22 ing the highest number of votes for each of these
23 three (3) positions, respectively, shall be declared
24 elected. At each Constitutional Convention, a Trust-
25 ee shall be elected for a three (3) term period.

26 **Section 4.** No member shall be nominated or
27 elected as a Trustee who is sixty-five (65) years
28 of age or over as of the date of nomination. A
29 Trustee who becomes sixty-five (65) years of age
30 during his term of office may continue to serve
31 until the next Constitutional Convention, when a
32 new Trustee shall be elected to serve out the re-
33 mainder of the retiring Trustee's term.

34 **Section 5.** A member of the Board of Trustees
35 shall not, while holding such position, be employed
36 by the International Union as an International
37 Representative or in any other capacity whatso-
38 ever. Such member shall become eligible as a
39 candidate for office in, or as an employe of, the
40 International Union only subsequent to an Inter-
41 national Convention which follows his resignation
42 from the Board of Trustees.

ARTICLE 52

Women's Auxiliaries

43 **Section 1.** Where there is a strong desire on the
44 part of the wives, mothers, sisters and daughters
45 of the members of any Local Union of the Interna-
46 tional Union to elevate the conditions, maintain
47 and protect the interests of the UAW, a charter
48 for a Women's Auxiliary shall be granted when
49 application is made upon a blank furnished by the
50 International Secretary-Treasurer of this Interna-
51 tional Union.

52 **Section 2.** The charter fee shall be ten dollars
53 (\$10.00) for charter and initial supplies.

54 **Section 3.** Dues to maintain such Auxiliary shall
55 not be more than fifty cents (.50) per month. No
56 per capita tax shall be charged by this Interna-
57 tional Union from dues so collected.

58 **Section 4.** The Auxiliary shall establish such
59 laws as do not conflict with the bylaws of their
60 Local Union and this Constitution and shall sub-
61 mit same to the International Executive Board for
62 ratification.

Art. 54

1 **Section 5.** So long as the Auxillary adheres to
2 the provisions of this Constitution and the Local
3 Union bylaws and does not adopt a policy con-
4 trary to that of the International or Local Union
5 and adheres to the conditions of its charter, it
6 shall remain in full force, but upon infraction
7 thereof or upon request of the Local Union, the
8 International Executive Board may revoke the
9 charter, thereby annulling all privileges secured
10 thereunder.

11 **Section 6.** Women's Auxiliaries shall be coordi-
12 nated through an International Women's Auxil-
13 iaries Department.

14 **Section 7.** The President of the International
15 Union shall appoint the director to direct, coordi-
16 nate and supervise the activities of the Women's
17 Auxiliaries.

18 **Section 8.** The Director of the Women's Auxil-
19 iaries may call regional conferences of the Auxil-
20 iaries.

21 **Section 9.** It is the duty of the Women's Auxil-
22 iaries to educate the wives, mothers, sisters and
23 daughters of the workers to the principles and
24 ideals of trade unionism; to adhere to the princi-
25 ples and policies of their Local Union and the In-
26 ternational Union; to assist their Local Unions in
27 time of need and during labor disputes; to assist
28 Local Unions in social affairs when called upon by
29 their respective Local Union; to provide educa-
30 tional and cultural activities for the children of the
31 workers. It shall be the duty of the Local Unions
32 to assist in the formation of Local Women's Auxil-
33 iaries; the Regional Director shall assist the Direc-
34 tor of Women's Auxiliaries in their respective re-
35 gions. The Women's Auxiliaries shall not campaign
36 for or against candidates seeking office in Local
37 Unions. The Women's Auxiliaries shall not inter-
38 fere with affairs of the Local Union unless official-
39 ly called upon by their Local Union. Each respec-
40 tive Local Union shall select a Committee of not
41 more than three (3) to assist the National and
42 Regional Directors in supervising and formulating
43 policies for their respective Auxiliaries.

44 **Section 10.** No one shall be eligible for member-
45 ship in the Women's Auxiliaries who holds mem-
46 bership in any Local Union under the jurisdiction
47 of the UAW.

ARTICLE 53

Canadian Local Unions

48 The International Executive Board may, upon
49 application, exempt, in whole or in part, all Local
50 Unions in the Canadian Region from application of
51 any amendments to this Constitution where such
52 amendments were adopted to provide for conform-
53 ity with United States legislation. In such event,
54 the Local Unions in the Canadian Region shall,
55 however, continue to be bound by the provisions of
56 such amended Sections and Articles, if any, as
57 they existed prior to such amendments by the
58 Seventeenth (17th) Constitutional Convention.

ARTICLE 54

Union Label

59 **Section 1.** The International Union shall have a
60 union label and stamp.

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1 Section 2. It shall be the duty of the International Secretary-Treasurer to copyright and protect said union label and stamp.

4 Section 3. It shall be the policy of the International Union and subordinate bodies to insist that all parts, stampings, tools, dies, machinery, fixtures, accessories and supplies used in the manufacture of articles under the jurisdiction of this International Union, bear the union label or union stamp of the International Union, or any other bona fide labor union.

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

18 Section 5. No manufacturer of products produced by workers under the jurisdiction of this International Union shall be permitted to use the union label or union stamp unless the plant is holding a contract approved by the International Executive Board, with the International Union.

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

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

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

36 Section 9. At all conventions of the International Union, a necessary qualification of delegates shall be the possession and wearing of at least three (3) union-made garments.

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

ARTICLE 55

Retirees

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

Section 1. Local Union Retired Worker Chapters

51 (a) A Local Union having twenty-five (25) retired members or more shall establish a Local Union Retired Worker Chapter which shall hold a regular general membership meeting at least once a month.

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

62 (c) The Local Union President or his designee shall serve as a member of the governing

board of the Local Union Retired Worker Chapter with voice and vote.

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

(e) Local Union Retired Worker Chapters shall conform to the policies of the International Union.

Section 2. Area Retired Worker Councils

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

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

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

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

Section 3. Regional Retired Worker Councils

(a) Each Regional Director shall establish a Regional Retired Worker Council in his Region.

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

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

(2) Each Local Union Retired Worker Chapter having more than one thousand (1,000) retired members shall be entitled to one (1) additional retiree delegate for each one thousand (1,000) retired members; provided, however, that, where appropriate, the International Executive Board may approve additional representation.

(3) Each Area Retired Worker Council established by the Regional Director shall be entitled to three (3) retiree delegates, and each additional Area Retired Worker Council established by the International Executive Board shall be entitled to one (1) retiree delegate.

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

Section 4. International Retired Worker Advisory Council

(a) An International Retired Worker Advisory Council shall be established.

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

(1) One (1) retiree delegate from each of the Regional Retired Worker Councils.

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(2) One (1) retiree delegate from each Area Retired Worker Council established by the International Executive Board.

(c) Each delegate to the International Retired Worker Advisory Council shall be elected by the members of his Region or Area Retired Worker Council pursuant to the election procedures established by the bylaws of the Regional or Area Retired Worker Council.

(d) The International Retired Worker Advisory Council shall elect a Chairman, Vice-Chairman and a Secretary from among its delegates.

(e) The International Executive Board shall consult with representatives of the International Retired Worker Advisory Council concerning retired worker programs and policies and such other matters as affect the welfare of retired members.

(f) Each member of the International Retired Worker Advisory Council shall automatically be a delegate to the UAW Constitutional Convention with voice and one (1) vote.

Section 5. Membership and Dues

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

(b) Retirees will not be required to pay membership dues during the period of retirement, in accordance with Article 6, Section 19 of the International Constitution. To assist in financing these activities, a one dollar (\$1.00) per month voluntary retired membership dues is hereby established. All UAW retirees are eligible to participate in the one dollar (\$1.00) voluntary retired membership dues.

(c) Dues shall be allocated as follows:

- (1) International Retired Worker Fund \$.50
- (2) Regional Retired Worker Fund .. .25
- (3) Local Union Retired Worker Chapter25

Distribution of funds from the International Retired Worker Fund and each Regional Retired Worker Council Fund shall be determined by the officers of the International Union and the Regional Director respectively. Each Local Union Retired Worker Chapter Fund shall be held by the Local Union for disbursement upon the request of the Retired Worker Chapter.

Section 6. Retired Worker Council Bylaws

Each Regional and Area Retired Worker Council shall enact bylaws consistent with and subject to the approval of the International Union.

UAW ETHICAL PRACTICES CODES



Approved by the Twenty-Second
Constitutional Convention
April, 1970

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JAW ETHICAL PRACTICES CODES

Democratic Practices

The UAW is proud of its democratic heritage. Its Constitution is carefully designed to insure each member his full democratic right, both as an individual and through his elected representatives, to express himself freely and to participate at all levels in the decisions governing the Union. Moreover, his individual rights as a UAW member are protected against infringement or abuse, for he 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 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 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 house-keeping 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 employe 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, employes, 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 employe 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, employe 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 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 "kick-backs", 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 employe 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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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 Twenty-Third (23rd) 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, Sec. 3, 19

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

Where an employee has his initiation fee and first month's dues checked off by his employer and paid to the Local Union, and he is subsequently laid off within thirty (30) days, he is not entitled to a refund of these payments from the Local. (New York, 3/30/44.) See Article 16, Section 2, Interpretation No. 1; see also Article 16, Section 22, Interpretation No. 1; see also Article 17, Section 2, Interpretation No. 3.

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 Committeeman even though that Steward or Committeeman might, by virtue of his

election, also hold office as a member of a Local Union policy making group such as the Executive Board. (Detroit, 1/21/60.)

(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 Shop Committee. In units where the bylaws do not provide for a substantial complement of officers (i.e., where the Chairman and Recording Secretary of the Shop Committee are also the Chairman and Recording Secretary of the unit) the retired member would not be entitled to vote for such unit Chairman and Secretary since the primary function of these individuals is to serve as officials of the Shop Committee and they are only incidentally charged with the responsibilities of unit officers.

Even though a unit does not have a substantially complete complement of officers, if the members of the Shop Committee are also designated by the unit bylaws to be the Executive Board of the unit with powers equivalent to the Executive Board of a Local Union pursuant to Article 38, Section 8, retired members would be entitled to vote for those members of the Shop Committee who are also members of the Executive Board.

Units shall be entitled to apply this Section in the first instance by membership action subject to review by the International Executive Board if any member objects. However, once the unit determines how this Section shall be applied in its elections, the unit decision cannot be changed unless the bylaws are changed in order to sufficiently modify the structure as to make a different application of this Section proper. (Detroit, 1/21/60.)

(3) Eligibility of Retired Members to Run for Local Union Offices

Under this Section, retired members are eligible to run for any office in the Local Union except for Steward and Committeemen offices which require the presence of the member elected in the plant. A retired member would be ineligible to run for a Steward or Committeeman office even though election to such office would automatically entitle the member elected to a second position in the Local Union such as membership on the Local Union Executive Board. A retired member would also be ineligible to run for a Local Union executive office where election to that executive office also automatically made him a member of a Bargaining Committee or any other such office which required seniority in any particular unit, division or department of the plant. (Detroit, 1/21/60.)

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.)

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.)

(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, Page 48.)

(3) Procedure in Amalgamated When Electing Delegates on Local-Wide Basis

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 unit'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, Page 30.)

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.)

(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.)

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 election as a Convention delegate. (Detroit, 5/9/51, Page 260.)

ARTICLE 12

Duties of the International Executive Board

SECTION 3

(1) Trials During Administratorship

(See Interpretations under Article 31, Sections 1, 2, and 3 dealing with proper Trial Procedure where an Administrator has been appointed to supervise the affairs of the Local Union.)

SECTION 5

(1) Bylaws of Local Union Re-Chartered as An Amalgamated Local

(See Interpretation No. 2 under Section 1 of Article 35.)

SECTION 15

(1) Bond Required for Officers Empowered to Cash Securities

Those officers of the Local who have authority to sign and cash U. S. Government Bonds are required to be bonded. (New York City, 3/5/45, Page 62.)

ARTICLE 14

International Representatives

SECTION 6

(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 he must resign 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.)

(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, 10/22/43, 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, 6/9/47.)

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, Page 53.)

(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 his or her 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

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Art. 1, Secs. 1, 2, 6

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, 8/5/45, Page 86.)

(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 his return is within the jurisdiction of the UAW. Thus, a suspended UAW member who, upon 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 his old UAW Local before 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

A probationary employee who has joined the Local and who has been laid off is not entitled to a refund of money paid for initiation fee and dues. Such a member should, upon request, be issued an honorable withdrawal card. (New York City, 3/5/45, Pages 15-16.)

(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 he is retired, if all of his dues obligations have been met prior to such retirement. Any compensation received following the month of 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)

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 publish-

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ing a monthly newspaper for the benefit of its members. (Washington, 11/7/45, Page 108.)

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.)

(2) Former Member Joining Another Local

Where a member becomes delinquent in his Local Union and, while delinquent, accepts employment under the jurisdiction of another UAW Local, he must restate himself in 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 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 his return to work. (Detroit, 1/12/46, Pages 145, 147, 149.)

(4) Thirty-Day Grace Period for Members on Strike

Members who are in arrears in the payment of dues, etc., at the time of an authorized strike must make the proper payment to the Local Union within thirty (30) days after their recall to work upon termination of the strike. (Detroit, 8/5/46, Pages 103-104.)

SECTION 9

(1) Good Standing Not Subject To Vote in the Local Union

Any member suspended by reason of having become in arrears in 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. 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, Page 173.)

(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.)

(4) Maximum Reinstatement Fee

The maximum reinstatement fee that may be levied under the provisions of this Section is \$20.00. (1/20/54, Page 281.) (Amended 9/12/68.)

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 he intended to transfer, and later enters military service and after his discharge applies to his first Local for reinstatement, he is entitled to such reinstatement without payment of initiation or readmission fees if he otherwise meets the conditions set forth in this Section. (Detroit, 8/5/46, Page 86.)

(2) Applicable to First Employment Only

(See Interpretation No. 6 under Section 1 of this Article.)

(3) Delinquent Members Who Enter Armed Forces

A delinquent member who subsequently enters the Armed Forces and upon discharge applies to his Local Union for reinstatement is entitled to such reinstatement without payment of reinstatement fees if he otherwise fulfills the provisions of this Section. (Detroit, 8/5/46, Pages 88-89.)

SECTION 16

(1) Life-Time Membership

A Local Union may not grant a life-time membership. (Chicago, 6/4/45, Page 78.)

(2) Dues Exoneration

The provision of this Section which grants a Local Union the power to exonerate certain of its members from payment of dues is to be exercised only under extenuating circumstances and cannot be used as a means of granting exoneration to an entire membership simply as a gift or gratuity. (5/7/54, Page 354.)

SECTION 19

(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 he had received compensation for such leave in a previous month. Vacation pay or bonus 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 pur-

pose of dues liability under this Section. (Detroit, 12/6/62.)

(2) Members Required to Pay Regular Dues While On S.U.B. if Forty (40) Hours Are Worked In Month

Where a member receives supplemental unemployment benefits, and during the first part of a month pays five dollars (\$5.00) S.U.B. 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 the regular minimum monthly dues as set forth under Section 2 of this Article.

If the member had previously paid the five dollars (\$5.00) S.U.B. dues, he could be given credit for such payment or the five dollars (\$5.00) may be refunded to him, after receipt of the regular monthly dues. (Detroit, 11/15/71)

(3) Failure to Be Entitled to Out-of-Work Credits

Laid-off members who, through failure to report pursuant to this Section and Section 20 of this Article, have become delinquent, may be exonerated by their Local from the payment of the Local Union's share of reinstatement fees or back dues. However, such delinquency automatically breaks the member's good standing record in the Local. (See Article 38, Section 3.) (Detroit, 1/21/60.)

(4) 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 his lay-off or leave of absence to the Financial Secretary of his Local Union. If such a member does not so report his lay-off or leave of absence within 30 days of the time it commences, 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.)

(5) Member Receiving Forty (40) Hours' Lost Time Not Eligible for Out-of-Work Receipts

Any member who works in the shop or receives lost time pay equivalent to forty (40) hours or more of wages in any one month shall not be entitled to an out-of-work receipt. (Louisville, 3/17/47, Page 94.)

(6) Discharged Member Entitled To Out-of-Work Credit Treatment

A member who has been discharged from his employment is covered by Sections 19 and 20 of Article 16, in the same manner as a member who has been laid off or is on leave of absence. His entitlement to "out-of-work" credits starts from the date of his discharge. (Detroit, 2/29/71)

SECTION 20

(1) 6-Month Period Calculation

In applying this Section the "first six months of such lay-off or leave" means the period from the date of his lay-off 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.)

(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 his Local Union as having been issued an honorable withdrawal transfer card returns to work under the jurisdiction of his Local Union, his withdrawal status automatically ends and he becomes a member in good standing and shall resume paying dues to his Local Union. (Detroit, 7/14/61.)

SECTION 22

(1) Refund of Dues to Members Leaving Union

Members who leave the jurisdiction of the Local Union and the International Union after having paid their dues in advance are, upon request, entitled to a refund of all such dues paid in advance. (Flint, 9/10/45, Pages 109-110.) (As regards such members who transfer to another Local, see Article 17, Section 7.)

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 his request, provided the member's status meets the constitutional requirements set forth in Article 17. (Chicago, 6/4/45, Page 17.)

(2) Failure to Obtain Withdrawal Transfer Card

A discharged member who accepts employment outside the jurisdiction of the International Union but fails to obtain a withdrawal transfer card and is subsequently suspended for non-payment of dues is ineligible for reinstatement since he no longer is under the jurisdiction of the International Union. (Minneapolis, 7/16/45, Page 127.)

(3) Refund of Dues Paid by Probationary Employees

(See Article 16, Section 2, Interpretation No. 1.)

(4) 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 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 his original Local Union, transferred to another UAW Local Union, deposited his withdrawal card in the second UAW Local Union and, within a period of one year from his lay-off, returns to his original Local Union depositing his withdrawal card from the second Local Union where he temporarily worked.

Unless one of these two special conditions is met, any member who is recorded as having a withdrawal card on his Local Union records would not again meet the one year continuous good standing until he had returned to work, redeposited his withdrawal card, and had remained as a continuous good standing member for a period of one year. (Detroit, 1/21/60.)

(5) Members Going to Work in Non-UAW Plant

Any member who is laid off or leaves his plant and obtains employment in a plant engaged in work not covered by the jurisdiction of the International Union is entitled to a withdrawal transfer card. If he obtains employment in a plant engaged in work covered by the jurisdiction of the International Union, he is not entitled to a withdrawal card unless the International Executive Board shall determine that he is entitled thereto under the facts and circumstances of his particular case. (Chicago, 6/9/47.)

(6) Exception to Issuance of Automatic Withdrawal Card

Except as a member who is laid off or on a legitimate leave of absence may fail to give the proper notice or file the proper certification pursuant to Sections 19 and 20 of Article 16, the member would not be issued a withdrawal card automatically. (Detroit, 1/21/60.)

(7) 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 or who are discharged from their employment, 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.)

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(8) 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 in the plant, 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.)

(9) Assistant Foreman

Where a member is made a salaried assistant foreman, given a withdrawal card and his name taken from the check-off list, and later a question arises whether he is actually performing supervisory functions or continuing, for example, to do tool and die work, it is for the Local Union to decide whether or not the work he performs falls within the jurisdiction of the Local Union. If it does, then his withdrawal card should be revoked and he must return to union membership. (Detroit, 8/5/46, Page 96.)

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 he actually has a job in the plant over which the original Local has jurisdiction. (Detroit, 1/12/46, Pages 29-30.)

In a multiple plant corporation, however, which has a single collective bargaining agreement and an area-wide seniority arrangement under which a member laid off from one plant is automatically returned to his original plant with job rights in the original plant but not enough seniority to be reinstated on his job, the member under these circumstances may be considered as being on lay-off status in his original Local Union in accordance with the provisions of Article 16, Sections 19 and 20 of this Constitution. (Detroit, 4/14/60, Page 260.)

(3) Temporary Employment While Home Local on Strike

Where a member's plant is on strike and he finds employment in another plant with the permission of his home Local, he is not required to transfer to the second Local. He must continue to pay his dues to his home Local and the Local having jurisdiction over the

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plant in which he is working shall waive the payment of dues by said member or permit him to work under a "work permit." (Detroit, 1/12/46, Pages 28-29.)

Policy Statement

Every member of the Union has a strong moral obligation to support a lawful strike. Equally, each Local Union member is obligated to make the same sacrifice during a strike to achieve the goals and objectives of the strike as established by the Local Union and the International Union. This means that no member should even consider abandoning the strike and seeking other employment, if he is needed to man the picket lines or assist the Union in any way or for any other reason not approved by the Local Union and/or the International Union.

However, it is the position of the International Executive Board that those members who desire to seek full employment elsewhere and secure same should do so under the following conditions:

- (a) 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.
- (b) Members in good standing of a striking Local Union who obtain full time employment within the jurisdiction of the UAW shall, as required by Article 17, Section 3, unless they obtain permission from their Local Union, immediately be issued honorable withdrawal transfer cards which shall be deposited at once with the Local Union under whose jurisdiction they are employed. Such 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.
- (c) Local Unions on strike may grant permission to their members to engage in full time employment during a strike only when the manpower needs of the Local Union are sufficient and when the employed members agree to submit fifty per cent (50%) of their net pay received during the strike, from such employment, to the Strike Fund. (Net pay under this provision shall be 50% of such net income received by the member in such employment over and above the \$50.00 authorized under the provisions of this Constitution.)

(4) Financial Secretary-Treasurer Not Required to Transfer

The office of Financial Secretary-Treasurer of a Local is a constitutional office. If the holder of this office is laid off for lack of work and takes a job under the jurisdiction of another Local, he is not required to transfer his membership during his term of office to the second Local since he left the jurisdiction of his home Local involuntarily. (Detroit, 8/5/46, Pages 94-95.)

(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 his return accepted employment in supervision, he is not entitled to a withdrawal card since he was not a "member in good standing" of a UAW Local at the time 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 interplant seniority in order to retain their classification or who voluntarily leave the jurisdiction of the Local Union, are required to transfer if the plant 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 he is then working and the Financial Secretary of the Local shall notify the original Local Union of such transaction. (Chicago, 3/1/48.)

SECTION 6

(1) Who Is Entitled to Strike Ballot

Employees who have been laid off and have taken withdrawal transfer cards are not members in good standing in the Local and hence are not entitled to participate in a strike vote conducted by the Local. Employees who are laid off and have taken out-of-work receipts or been given out-of-work credits remain members in good standing and are entitled to participate in a strike vote conducted by the Local. (Detroit, 8/5/46, Pages 82-83.)

(2) 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 his lay-off may not subsequently and during the lay-off period deposit 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 his plant. (Cleveland, 8/4/46, Page 99.)

(3) Transfers by Members of Defunct Locals

Where a Local has become defunct and a member wishes to obtain a transfer to another Local, it becomes the responsibility of the Regional Director in whose region the defunct Local is located to issue the proper transfer. (Detroit, 1/12/46, Pages 149-150.)

(4) Withdrawals and Maintenance of Membership

A laid-off member who has been issued an honorable withdrawal transfer card does not thereby forfeit his right to reemployment in the plant and his right to again acquire good standing in his Local Union. When he returns to work under the jurisdiction of the International Union he shall deposit his withdrawal transfer card and resume the payment of dues. Hence, where the Local Union has a maintenance of membership provision in its contract and a member on being laid off for lack of work takes a withdrawal transfer card, he does not forfeit his right to be recalled to work later. (Detroit, 8/5/46, Page 85.)

SECTION 7

(1) When Second Local May Not Levy Fine

If a member becomes delinquent in his original Local Union, the second Local Union under whose jurisdiction he goes to work is without authority to impose a fine based on his delinquency in the first Local Union. Such a member must pay back dues, reinstatement fee and fine to his original Local before transferring to the second Local Union. (Detroit, 8/5/46, Page 89.)

(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 his defense. (Grand Rapids, 9/7/44.)

(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."

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- (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.
- (e) The member involved should be afforded full opportunity to present 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.)

(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 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.)

(4) Termination of Foreman's Withdrawal Card

In the case of the termination of a foreman's withdrawal card, the foreman must immediately leave his position as foreman and resume membership in the Local Union. If the foreman does not immediately leave his position as foreman when his withdrawal is terminated, he automatically loses his membership in the Union. (Chicago, 6/4/45.)

(5) Prosecution After Termination of Withdrawal Transfer Card

One whose withdrawal transfer card has been properly terminated may be prosecuted under the Trial Procedure for any act committed by him while a holder of the card, provided, not more than sixty (60) days have elapsed from the date the withdrawal transfer card was terminated. (Chicago, 6/4/45, Page 21.)

(6) Supervisors

Where a member obtained a withdrawal card when he accepted a position as supervisor in the plant and while in such supervisory capacity has been guilty of acts detrimental to the Union, the Local Union may terminate his withdrawal card in accordance with the procedure outlined by the International Executive Board. See Interpretation No. 2 under this Section. (Detroit, 8/5/46, Pages 93-94.)

**Art. 17, Sec. 12; Art. 19, Sec. 3; Art. 20, Sec. 1;
Art. 26, Sec. 4; Art. 31, Sec. 1**

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 tradesmen may vote in such contract ratification meetings for skilled trades. (Black Lake, 6/10/71)

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.)

(2) Strikes—Corporation Councils

(See Interpretation No. 2, Article 50, Section 1.)

ARTICLE 26

Fair Practices and Anti-Discrimination Department

SECTION 4

(1) Procedure in Discrimination Cases

The procedure to be followed shall be as outlined in the handbook issued by the Fair Practices and Anti-Discrimination 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 re-

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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.)

(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.

(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.)

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 accordance with the limitations as set forth under (a), (b), (c) and (d) of this Section. However, where charges are brought against one or more members of the Executive Board, those members so charged should withdraw from participating in the 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

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be re-examined if, under certain circumstances, its implementation does not serve the democratic purposes intended by this interpretation.) (Toronto, 6/16/67.)

(2) Charges Filed During Administratorship

Where charges are filed or pending during a period of administratorship, it is the duty of the Administrator to determine whether a trial should be held. If under this Article and Section charges have been determined by the Administrator as being proper, he shall call a meeting of the Local Union for the purpose of selecting a trial committee and the trial will proceed during the administratorship as a result of his determination. (Chicago, 6/8/45.) (Revised 9/12/68.)

(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.)

(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 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 Committeeman, Steward, Shop Committee, 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 his grievance has been improperly handled without the exercise of proper judgment, discretion and wisdom, his remedy lies in the regular procedures established for such review under Article 33 of the Constitution. (Detroit, 1/27/61.)

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 him. (9/9/53, Page 233.)

SECTION 7

(1) President Not Ex-Officio Member of Trial Committee

(See Interpretation No. 3 under Section 1 of Article 40.)

SECTION 10

(1) Fines for Production

Local Unions may not provide in its bylaws for automatic fines for excessive production. Except for the \$1.00 fines provided in Article 37, Section 5 of this Constitution, no fines may be imposed until the Trial Procedure set forth in this Article has been followed; and then the amount of the penalty is to be fixed in the first instance by the Trial Committee itself. (New Orleans, 1/22/45, Page 142.)

(2) 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.)

(3) Suspension from Local Is Suspension from International

When a member is duly suspended or expelled by his Local Union, 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.

(4) 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 he, of course, has the right to participate in the deliberations of the membership meeting, at which time he may advance any reasons for arguments he pleases in the effort to influence the meeting to approve or disapprove the verdict and judgment of the Trial Committee. He does this, however, as a member of the Local Union and not as a member of the Trial Committee. (New York, 12/9/46.) See also Interpretation No. 1 under Section 11 of this Article.

(5) 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 246.)

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. 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 either (a) 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, or

(b) By moving to amend the report dealing with the penalty by incorporating a modification of the penalty, and then voting first on the amendment or amendments and then on the report either as amended or without amendments, as the case may be, in the customary fashion. It is suggested that this latter method, that is, proceeding by way of motion and amendments (if any) is the preferable method to be employed. (New York, 12/9/46.) See also Interpretation No. 4 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 3

(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 7

(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 with the provisions of Article 33, Section 6, of the International Constitution, and does not appear at the hearing established in accordance with the requirements of Article 33, Section 7, 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 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 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 25; 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, Page 327.)

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 22, of the Constitution, to request the establishment of such District Council. (Detroit, 5/11/51, Page 377.)

SECTION 5

(1) District Councils May Not Increase Per Capita Tax

A District Council does not have authority to increase the per capita tax to be paid to it beyond that which is required by the provisions of the above Section. Local Unions, however, may contribute an additional amount in excess of the required per capita tax should they decide to do so. (Minneapolis, 5/1/44.)

SECTION 7

(1) District Councils May Not Restrict Membership

District Councils do not have the authority to diminish the representation of a Local Union or to remove a Local from the District Council because of the failure of the Local to pay any additional amount beyond that which is required by the provisions of the Constitution. (Minneapolis, 1/5/44.)

ARTICLE 35

Amalgamated Local Unions

SECTION 1

(1) Amalgamated Local May Not Restrict Withdrawal Rights of Units

A provision in the bylaws of an Amalgamated Local stating that: "Any unit entering Local cannot withdraw until they are one year in the Local," is invalid. (Minneapolis, 7/16/45, Page 30.)

(2) Bylaws of New Amalgamated Local

Where a Local is rechartered as an Amalgamated Local and adopts new bylaws, the new bylaws are controlling with respect to all matters pertaining to the Amalgamated Local as a whole. But each unit of the new Amalgamated Local may continue to operate and be guided by the old unit bylaws with respect to all matters pertaining to the unit. (Chicago, 4/16/46, Pages 166-167.)

SECTION 2

(1) Authority of Joint Councils

A bylaw that provides that the regular general membership meeting can overrule the action of the Joint

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Art. 37, Secs. 2, 3, 3(c); Art. 36, Sec. 8; Art. 37, Sec. 1

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, Page 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 (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 he comes. (Detroit, 8/5/46, Page 97.)

ARTICLE 36

SECTION 8

(1) Amalgamated Local Unions

In Amalgamated Local Unions where there are only two units and one of the plants 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 plant Local Union that goes out of business. (Detroit, 5/25/59.)

ARTICLE 37

Duties and Powers of Subordinate Bodies

SECTION 1

(1) Delegates to Conventions Other than UAW

(See Interpretation No. 1 under Section 5 of Article 8.) For Delegates to UAW District Councils, see Article 34, Section 4.

Art. 37, Secs. 4, 5

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.

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.)

SECTION 5

(1) Fines Generally

Fines levied in accordance with this Section have been approved in the following instances:

(a) Failure to report for picket duty in connection with a properly authorized strike. (New Orleans, 1/22/45, Page 138; Detroit, 1/12/46, Pages 26-28.)

(b) Failure to vote in the election of Local Union officers;

(c) Failure to vote when a strike vote is taken; and

(d) Failure to participate in Labor Day parades. (Chicago, 6/4/45, Page 58.)

(2) Automatic Fines

No automatic fines will be valid, other than those levied in accordance with the limitations of this Section. Other fines fixed by the Local Union's bylaws, or for amounts in excess of one dollar (\$1.00), can be imposed only by first going through the Trial Procedure and in amounts fixed by the Trial Committee. (New Orleans, 1/22/45, Page 140.)

(3) Levying of Fines on Unit Membership

Under this Section, members of a unit of an Amalgamated Local may vote to impose a one dollar (\$1.00) fine on members who absent themselves from any two (2) consecutive regular monthly meetings of the unit. The unit also has the right to levy a fine for failure to attend a Local Union meeting. (Milwaukee, 4/16/45; and Buffalo, 9/8/47.)

(4) Fines for Failure to Picket

Fines imposed under this Section for failure to appear for picket duty are limited to one dollar (\$1.00) and may be imposed only for the day on which picket duty was missed. Thus, where a Local Union schedules picket duty once every fourth (4th) day, a member who misses his day of picket duty may be fined only for that one (1) day and not for that day plus the added three (3) days which necessarily intervene before he was next

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required to report for picket duty. During these three (3) intervening days there is no obligation on him to perform picket duty. (Chicago, 4/16/46, Page 184.)

(5) Accumulation of Fines

The one dollar (\$1.00) limitation on fines for non-attendance at membership meetings is intended to represent the maximum amount which may be imposed per meeting; it does not prohibit the collection of the total sum which may have accumulated as a result of repeated failure to attend meetings, even though this accumulated sum is in excess of one dollar (\$1.00). (Cleveland, 8/4/46, Page 97.)

(6) Failure to Pay Fines Within Specified Time

Where a Local Union desires to provide for forfeiture of membership for failure to pay fines validly imposed pursuant to this Section of the Constitution, it must first fix the period of time within which such fines are to be paid. It is advisable to notify all members of this action. (Louisville, 3/17/47, Pages 148-149.)

(7) Meeting Fines

Local Unions cannot impose a fine of more than one dollar (\$1.00) for failure to attend a membership meeting. Example: A bylaw which provides for one dollar (\$1.00) fine per meeting for missing two (2) consecutive meetings (thus making the actual fine two dollars (\$2.00) for missing the second (2nd) meeting) is invalid. The Local Union may, however, provide that a fine of one dollar (\$1.00) be imposed for failure to attend each membership meeting and provide further that attendance at the second (2nd) meeting will result in reimbursement of the fine imposed for failure to attend the first (1st) meeting.

SECTION 6

(1) Attendance Rules Cannot Be Made Eligibility Requirement

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, Page 72.)

(2) Removal from Office Does Not Affect Eligibility for UAW Convention Delegate

Where a member holding an elective position is removed from office for 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 he was removed, it does not affect his eligibility to be a candidate for delegate to a UAW Constitutional Convention. (1/20/54, Page 277.)

SECTION 7

(1) Local Union—New Departments

Where office workers are accepted into a Local they have the right to participate in all meetings of the

Local and may also have their own departmental meetings, separate and apart from production workers, for the purpose of discussing their departmental problems. (Chicago, 4/16/46, Page 84.)

ARTICLE 38

Local Union Officers

SECTION 1

(NOTE: Only the offices listed in this Section of Article 38 are Executive Officers; all others referred to in this Article, such as Stewards, Committeemen, Members-at-Large of Executive Board, etc., are non-executive offices.)

(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 he cannot run for Trustee and Board Member-at-Large at the same time. (New York City, 3/5/45.)

(NOTE: See Section 4 of this Article on the right of Local Unions to fix eligibility qualifications for other than the Executive Offices listed in Section 1 of this Article.)

(2) Executive Officer and District Committeeman

There is nothing in the International Constitution which bars an individual from holding both an Executive Office in his Local and a position such as District Committeeman 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 Committeeman or Steward, etc. (Detroit, 8/5/46, Pages 105-106.)

(3) Right of Committeemen to Run for Executive Office

The Local Union cannot bar a Committeeman from running for an Executive Office, however, it can make rules 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.) See also Section 10 (c) of this Article on subject of Election Committees.

(2) Acceptance After Declining Nomination

So long as the nominee's acceptance was made within the period of time allowed all nominees to either accept or reject, the Election Committee must recognize the member's notice of acceptance, notwithstanding his

previous declination. (New York City, 3/5/45, Page 28.)

(3) "Sticker" or "Write-In" Rule Applicable to Unit Elections

The prohibition in Section 2 of this Article against "sticker" or "write-in" candidates after deadline on nominations applies also to unit elections in Amalgamated Local Unions. (New York City, 3/5/45, Page 17.)

(4) Election at Plant Gates

It is permissible to vote at the plant gate, provided the bylaws of the Local Union do not specify that the voting shall take place at the Local's hall or some other designated place. (Chicago, 2/27/44.)

(5) 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.)

(6) 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 Shop Committee all votes received by all candidates will be totaled.) This total 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.)

(7) Majority Vote for Trustees

Where Local Unions are electing three trustees for two-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 50 per cent 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 candidate receives a majority, the run-off is confined to the candidates who finished in second, third, fourth, and fifth positions.

(7) Where there are seven (7) or more candidates and only two candidates receive a majority, the run-off is confined to the candidates who finished in third and fourth positions. (Detroit, 1/21/60.)

(8) 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 biennial 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)

(9) Limiting Terms of Office

A Local's bylaws may not provide that "no member holding an elective office shall be eligible to hold said office for more than two (2) years." Such a bylaw is invalid since it applies to Executive Offices and places a restriction not provided in the Constitution on eligibility to run for Executive Office. (Los Angeles, 2/7/44, Page 5.)

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

(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 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 Committeeman, 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, 3/30/44.)

(4) Eligibility for Committeeman

(See Interpretation No. 1 under Article 45, Section 1.)

(5) Restricting Candidates for Executive Offices

(See Interpretation No. 12 under Section 3 of this Article.)

(6) Possession of Withdrawal Card Interrupts Good Standing

(See Interpretation No. 4 under Section 2 of Article 17.)

(7) Chairman of Unit Committees

(See Interpretation No. 2 under Section 5 of this Article.)

SECTION 5

(1) Eligibility for Election as Board Member-at-Large

The Local Union may fix the requirements which are to determine the eligibility of candidates for election to the non-Executive Office of Member-at-Large of its Executive Board. (New York City, 3/5/45, Page 18.)

(2) Chairmen of Unit Committees

An Amalgamated Local Union may provide in its bylaws that the chairman of the unit shop committee shall automatically be and act as Executive Board Members-at-Large. (Detroit, 8/5/46, Page 100.)

SECTION 7

(1) Fact-Finding Subcommittee

A member who has been listed as delinquent by the Local's Financial Secretary may appeal such ruling to the Executive Board of his Local. In such cases it is permissible for the Local Executive Board to set up a subcommittee of Board Members to hear such appeal and make recommendations to the Executive Board for determination of such appeal. This is not a trial within the meaning of Article 31 of the Constitution; it is

merely an administrative device for the purpose of gathering the facts upon which the Board can properly make a ruling. (Detroit, 8/5/46, Pages 93-94.)

(2) 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 him a hearing. (Detroit, 8/5/46, Page 105.)

(3) 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.)

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, 7/31/44.)

(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. It makes for unnatural and artificial divisions within Local Unions, and encourages factionalism among the membership. Every voter in a Local Union election is entitled to vote for his individual choice for any office,

and he is improperly influenced against doing this when he is presented with a slate of candidates which appears to be in the nature of a party ticket. And this practice is subject to the same objection whether the "party ticket" appears on a voting machine or on a printed ballot.

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.

The particular row in which the name of a candidate appears, and the order of its appearance in that row should be determined without favor or discrimination. This should be done by alphabetical presentation, or by the drawing of lots, or by some similar non-discriminatory means.

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. (New York, 2/11/45.)

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 his dues has caused him to appear delinquent on Local Union records, he, nevertheless, is in good standing and eligible to vote. (New York City, 3/5/45, Page 68.) See Article 16, Section 27 of the Constitution.

(2) Research and Drafting Employees Right to Vote

Research and drafting employees having their own officers and separate meetings but paying dues to the Local are members in good standing of the Local and are eligible to vote in the Local Union's elections, notwithstanding the fact that they are not covered by the Local's contract. (New York City, 3/5/45, Page 20.)

(3) 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, 7/31/44.)

(4) All Members Must Have Opportunity to Vote

A Local Union may conduct an election for Bargaining Committeemen by any method which suits the needs of the Local, so long as such method insures 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 his Local Union during the entire period of an election of executive officers or Convention delegates on a work assignment for his employer or on Local Union business may apply for an absentee ballot by filing with his Local Union, by mail (registered or certified) or in person, a signed statement that he will be away from his Local Union for the entire period of the election on a work assignment by 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 his marked ballot in the unmarked envelope and enclose it in the return-addressed envelope.

The ballot as indicated may then be presented to the Local Union in person or as contained in the return-addressed envelope returned by mail (registered or certified). However, under either circumstance, the ballot must be received by the Local Union before the start of the election. (Detroit, 4/4/67, Pages 185-186.)

SECTION 10 (c)

(1) President Not Ex-Officio Member of Election Committee

(See Interpretation No. 3 under Section 1 of Article 40.)

(2) Powers of Election Committee

A democratically elected Election Committee conducting an election for Committeeman can refuse to place the name of a nominee on the primary ballot on the basis of the report of the Financial Secretary that said member was not in good standing. And, notwithstanding that subsequent to the primary election but before the final election the Local Union Executive

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Art. 38, (a), 10(c), 10(d), 10(e), 10(f)

Board may vote to place the member in question in good standing, the Election Committee can refuse to place his name on the final ballot inasmuch as his name did not appear on primary ballot. (Louisville, 3/17/47, Page 100.)

(3) 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.)

(4) 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 he is a member, must resign from the election committee for the duration of the term if he becomes a candidate. (Detroit, 8/11/60.)

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)

SECTION 10 (e)

(1) 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 his office is responsible. And this is unobjectionable even though the Financial Secretary is a candidate for reelection. (New York City, 3/5/45.)

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 his name to distinguish him from another candidate of the same name seeking the same office. (Los Angeles, 2/7/44.)

Art. 38, Secs. 10, 12, 14

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.)

(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, Page 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 36.)

(2) Servicemen's Eligibility for Office

No member can be disqualified as a candidate for Executive Office in a Local Union by reason of his absence in military service. (Chicago, 6/4/45, Page 60.)

(3) Executive Officers Entering Armed Services

An Executive Officer of a Local entering the military service continues to hold his office for the tenure of the term for which he was elected. When an Executive Officer of the Local enters the military service, the selection of a substitute to perform the duties of his office during his absence and until his return shall be by the same election procedure applicable in cases of vacancies in Local Union offices. (Chicago, 6/4/44, Page 60.)

(4) Offices Other Than President

Where the post of Financial Secretary becomes vacant the Local Union's Executive Board may appoint an acting Financial Secretary pending the holding of an election to fill such vacancy. It is permissible to appoint the Local Union's Treasurer to act in this capacity temporarily. (Detroit, 8/5/46, Page 94.)

(5) Vacancies Arising Between Election and Installation

Where between the time of his election and his installation a Board Member-at-Large leaves the jurisdiction of his Local Union, the Local Union may pro-

Art. 38, Sec. 14; Art. 40, Sec. 1

vide 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 shop 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.)

(6) 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.)

(7) Vice-Chairman of a Unit Does Not Automatically Succeed the Chairman

The provisions of this Section of the Constitution do not automatically apply to Vice-Chairmen of units in Amalgamated Local Unions. It is only applicable where units have a specific provision in their bylaws providing for the Vice-Chairman to fill the office of Chairman in case of vacancy. (Detroit, 1/24/50, Page 116.)

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 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 he is not an officer of his unit. (Detroit, 8/5/46, Page 97.)

(3) President Not Ex-Officio Member of Election or Trial Committees

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

Art. 40, Sec. 1; Art. 42; Art. 44, Sec. 1; Art. 46, Sec. 1, 2
the general administration of the Local Union. (Detroit, 8/5/46, Page 102.)

ARTICLE 42

(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, Page 122.)

ARTICLE 44

Local Union Committees

SECTION 1

(1) Fair Practices and Anti-Discrimination Committee

(See Article 26, Section 5 of the International Constitution making it mandatory that each Local Union have a standing Fair Practices and Anti-Discrimination Committee.)

ARTICLE 45

Shop Stewards and Shop Committeemen

SECTION 1

(1) Eligibility for Committeeman

It is undemocratic and bad union practice for a Local Union to provide that "No member shall be nominated for Plant Chairman unless he has had at least one year's experience as a Committeeman." (Chicago, 6/4/46, Page 62.)

(2) Chairmen of Unit Committees as Board Members-at-Large

(See Interpretation No. 2 under Article 38, Section 5.)

(3) Retired Member May Not Serve on Bargaining Committee

Where the Local Union Bargaining Committee consists of the members of the Executive Board, pursuant to this Article and Section, the retired member elected to the Executive Board may not serve as a member of the Bargaining Committee. (Detroit, 4/6/67, Pages 164-165.)

SECTION 2

(1) Bargaining Committeemen Cannot Be Appointed

Bargaining Committeemen 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

Art. 45, Sec. 2, 3

a unit or 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 Chairman to appoint a Bargaining Committee from the elected Committeemen or Stewards of the unit, subject to membership approval, even though the unit has voted him such authority. (Detroit, 8/5/46, Page 98.)

(2) All Members Must Have Opportunity to Vote

(See Interpretation No. 4 under Section 10 (a) of Article 38.)

(3) Executive Officer and District Committeeman

(See Interpretation No. 2 under Section 1 of Article 38.)

(4) Restriction on Candidates for Steward

A Local Union may provide in its bylaws that "No person who has the authority to assign or instruct other persons on jobs shall be eligible to fill the position of Department Steward." (Detroit, 8/5/46, Page 85.)

SECTION 3

(1) Recall of Stewards and/or Committeemen Elected on Plant-Wide Basis

Where a Local Union or a unit of an Amalgamated Local Union elects Stewards and/or Committeemen under Section 2 of this Article on a plant-wide basis and such Stewards and/or Committeemen 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 Committeemen and/or Stewards since they were elected plant-wide. If such Stewards and/or Committeemen 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.)

(2) Recall of Committeeman Who as Such Is Member of Executive Board

A Committeeman 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 provisions in Article 45, Section 2. (Louisville, 3/17/47, Page 98.)

(3) Recall of Steward or Committeeman

In the recall vote of any Steward or Committeeman, any member of the Union may vote who works in the geographical district which the Steward or Committeeman represents (whether this district be the plant as a whole or a department of the plant). Such voting to

Art. 45, Secs. 3, 4; Art. 46, Sec. 1; Art. 47, Sec. 6; Art. 48, Sec. 1

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.)

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 committeemen from appropriate groups (as specified in Article 19, Section 3), the right to vote for, or run for the position of steward and/or committeeman 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)

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.)

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)

ARTICLE 50

Strikes

SECTION 1

(1) Holders of Withdrawal Cards Not Entitled to Strike Ballot

(See Interpretation No. 1 under Section 6 of Article 17.)

Art. 50, Sec. 1, 5; Art. 55, Secs. 1(b), 5(a)(b)

(2) 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.)

SECTION 5

(1) Good Standing for Thirty (30) Days After Recall to Plant

(See Interpretation No. 5 under Section 8 of Article 16.)

ARTICLE 55

Retirees

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 Worker 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 Worker Chapters

A member who becomes a supervisor and retires as such may become a member of a Local Union Retired Worker Chapter provided (1) he holds an honorable withdrawal transfer card, (2) he makes application for membership and is voted to membership by affirmative action of the Chapter, and (3) pays to the Chapter the one dollar (\$1.00) per month dues requirement which, under these circumstances, would be mandatory. (Detroit, 4/6/67, Pages 166-167.)

Calendar for 1972

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Calendar for 1973

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Calendar for 1974

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Frank Stephen Toth
703 Northgate
Toledo, Ohio 43612

7704000743



PROCLAIM LIBERTY THROUGHOUT THE UNITED STATES
USA 13c

Carol Darr
Federal Elections Commission
1325 K Street N.W.
Washington, D.C. 20463

CERTIFIED

No. 942004

MAIL

01:01

NOI

Carl

JAN 18 1977

Mr. Leonard Woodcock
President
UAW
8000 East Jefferson Ave.
Detroit, Michigan 48214

Re: MUR 338 (76)

Dear Mr. Woodcock:

I am forwarding the enclosed complaint pursuant to §437g(a)(2) of the Federal Election Campaign Act for your information. As shown by the attached copy of my letter to complainant, the Commission believes that on the basis of the information in the complaint there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission does not intend to investigate the matter any further.

Sincerely yours,

William C. Oldaker
General Counsel

Enclosure

CDarr:pjg:1/13/77
cc: Chron file
M R file
CD

77040030741

COMMISSION
OFFICE OF GENERAL COUNSEL
COPY

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Frank Stephen Toth
703 Northgate
Toledo, Ohio 43612

Re: MUR 338 (76)

JAN 17 1977

Dear Mr. Toth:

This is to notify you that the Commission has reviewed your complaint of November 15, 1976, alleging violations of the Federal Election Campaign Act of 1971, as amended, by the UAW. Upon my recommendation, the Commission has concluded that on the basis of your complaint there is no reason to believe that the statute has been violated.

According to §441b(b)(2)(C) the costs of creating and maintaining a separate segregated fund, such as UAW-V-CAP, is not considered a contribution or expenditure in connection with a federal election. Thus, it is not illegal for the UAW to use union dues monies to establish or administer the UAW-V-CAP fund, nor to spend monies on partisan communications to union members.

Should additional information come to your attention which you believe established an apparent violation of the Act, please contact me. The attorney assigned to this case was Carol Darr (telephone number 202/382-4041). The file reference number was MUR 338.

Sincerely yours,

William C. Oldaker
General Counsel

CDarr:pjg:1/13/77
cc: Chron file
MUR file
CD

RECEIVED
OFFICE OF GENERAL COUNSEL

77040030745

77040060743

78 Form 3811, Rev. 1976

● **SENDER:** Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

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Show to whom and date delivered..... 15¢

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RESTRICTED DELIVERY.
Show to whom and date delivered..... 65¢

RESTRICTED DELIVERY.
Show to whom, date, and address of delivery 85¢

2. ARTICLE ADDRESSED TO:

Mr. Frank Hegben 78th

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>438198</i>	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE Addressee Authorized Agent

Polly J...

4. DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

TOLEDO, OHIO
MAY 28 1977
WEST TOLEDO MAIL

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

Chief of ...

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
United Auto Workers Union)

MUR 338 (76)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on December 20, 1976, the Commission adopted the recommendation of the General Counsel that it finds no reason to believe that a violation of the Federal Election Campaign Act, as amended, had been committed in the above-captioned matter.

Accordingly, the file in this case has been closed.

Marjorie W. Emmons

Marjorie W. Emmons
Secretary to the Commission

77040001747

DATE AND TIME OF TRANSMITTAL: 12-17-76
11:30

NO. MUR 338
REC'D: 11-15-76

FEDERAL ELECTION COMMISSION
Washington, D. C.

Complainant's Name: Frank Stephen Toth

Respondent's Name: United Auto Workers Union

Relevant Statute: 441 b(a) & (b)

Internal Reports Checked: none

Federal Agencies Checked: none

SUMMARY OF ALLEGATION

Complainant charges that that the UAW is using union dues monies to create U A W -V- C A P, a segregated fund, and to finance partisan communications to union members, without the consent of union members.

PRELIMINARY LEGAL ANALYSIS

According to 441(b) (2) (C), the costs of creating and maintaining a separate segregated fund, such as U A W -V- C A P, is not considered a contribution or expenditure in connection with a federal election. Neither is it illegal, according to 441b (b) (2) (A), to use union dues monies for partisan communications to union members.

RECOMMENDATION

No reason to believe, send attached letters.

Date of Next Commission Review:



FEDERAL ELECTION COMMISSION

125 K STREET, N.W.
WASHINGTON, D.C. 20543

Mr. Leonard Woodcock
President
UAW
8000 East Jefferson Ave.
Detroit, Michigan 48214

Re: 338 (76)

Dear Mr. Woodcock:

I am forwarding the enclosed complaint pursuant to Section 437g(a)(2) of the Federal Election Campaign Act for your information. As shown by the attached copy of my letter to complainant, the Commission believes that on the basis of the information in the complaint there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission does not intend to investigate the matter any further.

Sincerely,

John G. Murphy, Jr.
General Counsel

Enclosure

77040030740

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL



FEDERAL ELECTION COMMISSION

125 E. STREET, N.W.
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Frank Stephen Toth
703 Northgate
Toledo, Ohio 43612

RE: MUR 338

Dear Mr. Toth:

This is to notify you that the Commission has reviewed your complaint of November 15, 1976, alleging violations of the Federal Election Campaign Act of 1971, as amended, by the UAW. Upon my recommendation, the Commission has concluded that on the basis of your complaint there is no reason to believe that the statute has been violated.

According to §441b(b)(2)(C) the costs of creating and maintaining a separate segregated fund, such as UAW-V-CAP, is not considered a contribution or expenditure in connection with a federal election. Thus, it is not illegal for the UAW to use union dues monies to establish or administer the UAW-V-CAP fund, nor to spend monies on partisan communications to union members.

Should additional information come to your attention which you believe establishes an apparent violation of the Act, please contact me. The attorney assigned to this case was Carol Barr (telephone number is 202/382-4041). The file reference number was MUR 338.

Sincerely,

John G. Murphy, Jr.
General Counsel

FEDERAL ELECTION COMMISSION
OFFICIAL FILE COPY
OFFICE OF GENERAL COUNSEL

77040030750

CC # 1004
MUR 338

RECEIVED
FEDERAL ELECTION
COMMISSION

Nov. 11, 1976
Federal Election Commission
1325 K. Street N.W.
Washington, D.C. 20463
Per. Carol Darr

Complaint

'76 NOV 15 AM 11:00

763662

M Darr,

I make this complaint in behalf of myself and the 1.4 million members of the UAW, United Automobile, Aerospace and Agricultural Implement Workers of America.

I charge that the UAW had violated the Federal election Campaign Act of 1971, 2 U.S.C., 441B(b)(3)A, of the Act, *as amended.*

(A) For such a fund to make a contribution or expenditure by utilizing money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of force, job discrimination, or financial reprisal; or by dues, fees, or other monies required as a condition of membership in a labor organization or as a condition of employment, or by monies obtained in any commercial transaction.

We charge that the UAW and its local unions are using union dues monies illegally by using the UAW constitution as a method to create a fund and created a UAW-V-Cap to expend funds to political candidates at the Federal and State levels, thus contributed funds illegally to the Federal Candidates which is unlawful under the Federal Campaign Act of 1971. These expenditures were made unlawfully because the monies used were not voluntarily given and were taken and used, as a condition of employment, *and a condition of membership.*

Attached are two statements, one by Leonard Woodcock, Pres. of the UAW and a Sam Fishman, head of UAW's Community Action Program.

Sam Fishman states that 3% of our union dues are being contributed to the UAW-V-Cap.

Leonard Woodcock statement to a "Meet The Press" panel that it is a theory that the union members elected to contribute to the UAW-V-Cap. This statement made by Leonard Woodcock was made to Meet the Press on Sunday Jan. 26, 1975. I wish to point out the fact that these statements were made of their own free will. It is made to the public for public information. You will find 770 pages of expenditures, plus, in your files, which I had obtained at my expense for my personal investigation in order to make this complaint. These statements are true as to the fact that the UAW has made such expenditures. This complaint is refilled as prescribed by law.

Mr. Frank Stephen Toth

Frank Stephen Toth

703 Northgate
Toledo, Ohio 43612

In behalf of the members and myself, members in good standing.

Phone no. 1-419-476-5804

MICHAEL J. REPAIRICK
Notary Public, Lucas County, Ohio
My Commission Expires April 10, 1977

Attached also is a copy of the letter I recieved in an attempt to recover the monies misspent by the UAW-V-Cap, it states that that no monies are being spent which makes Leonard Woodcocks statements partially false, in regards to the refunds of monies being spent and the members had the right to recover same.

MIR. WOODCOCK: No, our position in this regard is unrelated to the economic crisis. In a way I wish it could be separated entirely from that. We have come a long way. The '75 cars have reduced hydrocarbon emissions by ninety per cent and carbon monoxide by 83 per cent, the oxides of nitrogen, which is a very controversial area, by only, I think, 48 per cent. But now we also have to move strongly forward to fuel economy, and our position is that the tradeoff for the five-year pause—two things: that there be mandated fuel economy using the same certification procedures that we use for emission standards, with a base line not of the 18.7 miles per gallon that the administration has bought

MIR. SPIVAK: We have less than three minutes. Mr. Woodcock, you joined the automobile companies in asking the President for a freeze against higher pollution or safety standards. Have you done this because you think standards are too high, or simply because you think that would sell more automobiles?

MIR. WOODCOCK: We have less than three minutes against Mr. Nixon.

MIR. WOODCOCK: Not as an organization, no, and it is obvious that lots of our people in May of 1972 voted for Mr. Wallace in the Democratic primary. But even in 1972, the analyses show that a majority of union members voted for Mr. McGovern as

MIR. HAYDEN: Then your political organization decides which candidate should get the money. For instance, in Michigan last year it was generally reported that the votes of a lot of auto workers gave George Wallace the win in the presidential preference primary, but the UAW didn't contribute anything to George Wallace.

MIR. WOODCOCK: This is not just simply our calculation but the public review board, which is an outside organization which reviews our activities. It determines the accuracy of our calculation.

MIR. HAYDEN: Well, yes, but then—

MIR. WOODCOCK: We have a provision in our constitution that an individual who objects to the portion of his dues going to political purposes or for donations—let's say they object to us giving money to the NAACP, as some of our members do—but under prescribed procedure they can make that objection, and then that amount, the dues we determine go to these causes, is rebated to that individual.

MIR. HAYDEN: But you still, do you not—for instance, you contributed \$75,000, it was reported, to the unsuccessful Democratic candidate for Governor of Michigan in the last election. Aren't you following still the theory that these are your individual members who have elected to make these contributions?

STATE OF MICHIGAN COUNSEL

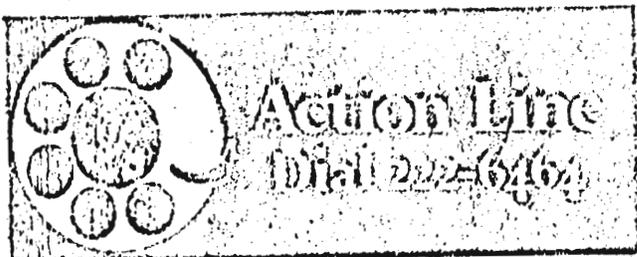
SUNNY

Warm

High 85-90 Low 55-60

Map and Details on Page 15-F

June 10, 1976



Action Line solves problems, gets answers, cuts red tape, stands up for your rights. Write Action Line, Box 881, Detroit, Mich. 48231. Or dial 222-6464 between 8:30 a.m. and 4:30 p.m. Monday through Friday.

Just before the May 18 presidential primary, I received a letter from my union, the United Auto Workers, asking me to support Jimmy Carter. It made me mad because I'm not a Carter backer and I don't appreciate the fact that union funds were used to pay for the mailing. Just for the record, how much did it cost the rank and file to peddle this propaganda? — R.G., Detroit.

Little over \$20,000 so far. Sam Fishman, head of UAW's Community Action Program, told Action Line that letter wasn't aimed so much at getting out Carter vote, but rather to let union members know how leadership felt about candidacy. Cost Solidarity House \$9,859.31 for assorted addressing and mailing tasks. Stuffing piece of Carter literature in each envelope ran \$4,785.51. Postage pushed tab past \$20,000 figure. Still to come is \$5,000-\$10,000 printing bill. All of money used to pay for mailing comes out of UAW-CAP fund, to which union members contribute three percent of their dues. Fishman said UAW also contributed "few odd thousand dollars" to Carter campaign effort in Michigan.



INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA-UAW

LEONARD WOODCOCK, PRESIDENT

EMIL MAZEY, SECRETARY-TREASURER

VICE-PRESIDENTS

PAT GREATHOUSE • KEN BANNON • DOUGLAS A. FRASER • DENNIS McDERMOTT • IRVING BLUESTONE • ODESSA KOMER • MARC STEPP

September 9, 1976

Mr. Frank Toth, Member
Local Union 723, UAW
703 Northgate
Toledo, Ohio 43612

Dear Brother Toth:

This is in reply to your letter of August 16th, to President Woodcock in which you refer to two specific problems. I understand that President Woodcock's office has responded to the first question regarding Ron Halstead.

In connection with the second question regarding a refund of political expenditures, I would like to advise you that the V-CAP organization only deals with voluntary refunds and does not contribute dues money. It is against the law to use dues money for contributions to candidates for a federal office.

The monies that are used by V-CAP are voluntary contributions that are received by the UAW through their annual "CAP Drives". Perhaps you have made no contribution to our voluntary solicitations and, therefore, you are not knowledgeable about the fact that these solicitations are made.

When you stated that you read in the Detroit paper that 3% of union dues were contributed to federal and state elections, I would like to advise you that this is incorrect.

I hope this satisfactorily answers your question.

Sincerely,

Gess Ferrazza

Gess Ferrazza,
Administrative Assistant
to Secretary-Treasurer Emil Maze y

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opeiu42

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UNITED STATES DEPARTMENT OF JUSTICE

WASHINGTON, D.C. 20530

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Address Reply to the
Division Indicated
and Refer to Initials and Number
THH:LMB:bjm
186-58-0

763833

Mr. John G. Murphy, Jr.
General Counsel
Federal Election Commission
1325 K Street, N. W.
Washington, D. C. 20463

Re: United Auto Workers Union

Dear Mr. Murphy:

The Election Unit of the Public Integrity Section has recently received two letters from a Frank Toth, in which he alleges that the United Auto Workers has improperly used union funds for political contributions. Since this matter is within the Commission's jurisdiction, we are forwarding the letters to you for whatever action you deem appropriate. Should your investigation reveal knowing and willful violations of the federal election laws, exceeding the \$1,000 jurisdictional requirement for criminal sanctions, we would appreciate being advised of the action the Commission decides to take.

We have informed Mr. Toth that this matter has been referred to the Commission. If we can be of any further assistance, please do not hesitate to contact us.

Sincerely,

THOMAS H. HENDERSON, JR.
Chief, Public Integrity Section
Criminal Division

By: *Leonie M. Brinkema*
LEONIE M. BRINKEMA

Enclosures

7740030751



Sept. 15, 1976
Dept. Of Justice
Fraud Division
Mr. Richard L. Thornburgh

RECEIVED

SEP 17 3 40 PM '76

THORN
Richard
CRIMINAL DIVISION
SEP 17 3 40 PM '76

Dear Sir; As promised, I send you a copy of a letter ^{9/16/76} from Mr. Emil Mazeys office, signed in his behalf by Adminstrative Assistant Jess Ferrazza. All it states that we agree that it is a violation of Federal law to use the general assets of the union for political contributions for the so called V-Cap drives, I in turn asked my fellow workers if such a drive was held. This reponse was given me, as to the best of there recollection no drive was held. I must point out the fact that some of these fellow workers have twenty years, more and less with the U.A.W. and the Ford Motor Co. In my seven years there has been no so called drives, however they plan a drive this year, according to the U.A.W. Solidarity. A copy of the statement from the Detroit paper, action line, concerning contributions of 3%, was made by Sam Fishman, head of U.A.W.s Community Action Program. This also contains an objection from R.G. of Detroit, most likely a U.A.W. member.

Attached is a copy, cut out of the Solidarity, two more members are involved in a lawsuit against the U.A.W. to recover such so called contributions. Titled "Baseless Lawsuit brings penalties".

I wish to bring to your attention to page 32 of the United Automobile Aerospace and Agricultural Implement Workers of America, U.A.W.s constitution article 16, initiation fees and dues, section 6, the local union shall set aside (.05) of each months dues payment as a citizenship and legislative fund to be used for the purpose of strengthening democracy by encouraging members, and citizens generally, to register and vote in community, state, and national elections and to carry on organizational and educational programs directed toward the achievement of an even higher understanding of citizenship responsibility and the need for active participation in the affairs of free and democratic society. Local unions are obligated to carry out such programs in conjunction with city, state, county (CAP) councils. Section 7, tells what must be done in case of an objection. Section 14, of article 16, paragraph 5, is almost verbatim, in reference to expenditures for the International union. The methods are mandatory and it places the member under obligation to stop such contributions. Section 7 shows to the fact it is not voluntarily given and can only be construed as mandatory and shows an abuse of power. It violates the Federal Campaign Law as amended. It shows also that the International Union wishes to amend the laws to suit themselves and to override Congress. We, the members are being taxed without representation. I believe Title V-Safe guards for Labor Organizations, (29 United States Code 501) 501 C prevents a labor organization from unlawful expenditures. This act is provided for under the LMRDA of 1959, as Amended. As long as these expenditures are mandatory and not given voluntarily or personally and is a condition of employment, then I have to presume it violates the law. I bring to your attention the reply I recieved, I had asked if the Republican party had been given any contributions or Gerald Ford, President of the United States, since these contributions are supposed to be Non Partisan, and I know that all Ford Motor Co. employees are Not Democrats, then contributions should have been made in there behalf. No reply was made that such contributions were made.

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CERTIFIED 251109
SEP 17 1976
REGISTERED _____

186-58-0
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29 SEP 28 1976
CRIMINAL DIVISION
PUBLIC INTEGRITY CASE

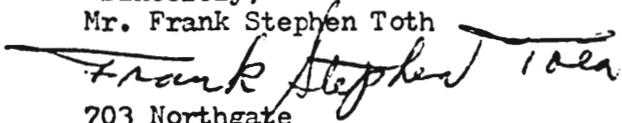
Sept. 15, 1976

These mandatory contributions are contained, again in the International Unions constitution adopted in Atlantic City, N.J., April, 1972. Copies attached.

I also wish to bring out the fact that Mr. Leonard Woodcock may be involved in a conflict of Interest. After the endorsement of Jimmy Carter, Mr. Frazer of the U.A.W. asked that the CAP, go all out in there expenditures for Jimmy Carter. Mr. Woodcock may also be up for a place on the cabinet, Secretary of Labor. This was also mentioned before contributions were made in his behalf.

These are facts as I presented to you, this is the truth as I know it. Copies attached will bear what I have said is true.

Sincerely,
Mr. Frank Stephen Toth



703 Northgate
Toledo, Ohio 43612
Member local 723, U.A.W. in good standing

7704103175

- NAMES

Attached are 3 female employees, who knows I am acting in there behalf regarding applications for apprenticeship within the Ford Motor Co., Monroe, Mich.

Charlotte Deal (DeeL)
Judy Sliger last four Social Security no. 5289
Connie Nevel3426

REGARDING LOCAL UNION MAY BE DISCRIMINATING, REGARDS
TO CIVIL RIGHTS, SEX.

Art. 16

1 shall be a special fund to be known as the International Strike Insurance Fund, to be drawn upon exclusively for the purposes of (1) aiding Local Unions engaged in authorized strikes and in cases of lockouts, and (2) assisting by donations or loans other International Unions and non-affiliated Local Unions similarly engaged, and (3) meeting financial obligations or expenditures which this International Union or its affiliated Local Unions incur as a result of authorized strikes or in cases of lockouts, and then only by a two-thirds (2/3) vote of the International Executive Board. Following the Eighteenth (18th) Constitutional Convention the International Executive Board shall be authorized to establish a special fund to be known as the UAW Free World Labor Defense Fund and to place in said fund all interest and/or dividends accruing from the investment of the monies in the International Strike Insurance Fund, effective January 1, 1962. From the remainder of each member's monthly per capita tax, the International Union shall set aside:

1. Five cents (.05) which shall be expended only for publication of "Solidarity," the official publication of the International Union or of any successor official publication.
2. One cent (.01) to the Fair Practices and Anti-Discrimination Fund to be expended only for the support and promotion of the programs and activities of the International Union in support of fair employment practices and in opposition to all discriminatory practices in employment.
3. Three cents (.03) as the International Union Education Fund to be expended only for the programs and activities of the International Union Education Department.
4. One cent (.01) as the International Union Recreation Fund which fund shall be apportioned to each region on a per capita basis.
5. Five cents (.05) as the Special Citizenship Fund to be used for the purpose of strengthening democracy by encouraging members and citizens generally to register and vote in community, state and national elections and to carry on organizational and educational programs directed toward the achievement of an ever higher understanding of citizenship responsibility and the need for active participation in the affairs of a free and democratic society.
6. One cent (.01) as the International Union Retired Members Fund, which shall be used only to promote and support programs benefiting retired members, including such programs of the International Union relating to retired members as may be adopted from time to time, and to finance the operation of the International Union Retired Members Department.

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

Section 16. Where Local Unions deem it necessary they may exonerate certain members from the payment of dues to the Local Union. However, such members, with the exception of those holding

Art. 16

1 gratuitous membership, shall be considered as dues-paying members and per capita tax shall be paid on such members.

Section 17. All per capita taxes, and all other monies collected for the International Union shall be transmitted to the International Secretary-Treasurer by the twentieth of each month following collection. All such per capita taxes and other monies are strictly the property of the International Union and in no case shall any part thereof be used by Local Unions, except upon permission of the International Executive Board.

Section 18. The International Secretary-Treasurer will issue the official receipt of the office of Secretary-Treasurer for all monies collected.

Section 19. Any member who has not worked forty (40) hours by reason of not having been scheduled to work forty (40) hours, or received benefits in lieu of work equivalent to forty (40) hours' pay, within any calendar month shall be entitled to exemption of payment of regular monthly dues.

Benefits in lieu of work shall include the following: Supplemental Unemployment Benefits (or any equivalent type layoff benefit), vacation pay, holiday pay, jury duty pay, bereavement pay, and paid absence allowance, but shall not include the following: pension benefits, sick and accident benefits, and Workmen's Compensation. However, dues paid on the basis of Supplemental Unemployment Benefits (or any equivalent type layoff benefit) shall be five dollars (\$5.00) per month or a sum equivalent to two (2) hours straight time pay per month, whichever is less.

A member who has been laid off or is on leave of absence from his regular employment who is covered by check-off provisions under which management notifies the Local Union of members who are on leave of absence, laid off or rehired, shall automatically be considered as entitled to "out-of-work" credits, unless he has received benefits in lieu of work equivalent to forty (40) hours' pay, as provided in the second paragraph of this Section. Any other member in order to be entitled to "out-of-work" credits shall report his lay-off or leave of absence, in person or otherwise, to the Financial Secretary of his Local Union within one month of the date such lay-off became effective.

Any member who is covered by check-off as set forth above shall report immediately to the Financial Secretary of his Local Union any other employment he may obtain during the period of his lay-off or leave of absence. Any member not covered by check-off shall report to the Financial Secretary of his Local Union the termination of his lay-off or leave of absence, or any other employment he may obtain during the period of his lay-off or leave of absence.

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

Section 20. Any member who is entitled to "out-of-work" credits under Section 19 of this Article and who does not secure an honorable withdrawal transfer card, shall be presumed to continue to be entitled to "out-of-work" credits and thus remains in continuous good standing without the necessity of paying dues for the first six (6) months of such

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1 tional Executive Board, use an annual membership
2 button, membership card or other suitable identifica-
3 tion of membership in _____ of monthly dues
4 buttons.

5 Section 5. Upon acceptance of the application,
6 membership shall date from the first day of the
7 month for which dues are paid.

8 Section 6. The Local Union shall set aside five
9 cents (.05) of each month's dues payment as a Cit-
10 izenship and Legislative Fund to be used for the
11 purpose of strengthening democracy by encourag-
12 ing members, and citizens generally, to register
13 and vote in community, state, and national elec-
14 tions and to carry on organizational and educa-
15 tional programs directed toward the achievement
16 of an even higher understanding of citizenship re-
17 sponsibility and the need for active participation
18 in the affairs of a free and democratic society. Lo-
19 cal Unions are obligated to carry out such pro-
20 grams in conjunction with city, county and state
21 (CAP) councils. Three cents (.03) of each month's
22 dues payment must be laid aside by the Local Union
23 as a special fund to be used only for education-
24 al or recreation-leisure time activities as outlined
25 in Article 27 of this Constitution, provided that two
26 cents (.02) shall be apportioned to education and
27 one cent (.01) apportioned to recreation-leisure
28 time activities. One cent (.01) of each month's dues
29 payment must be set aside by the Local Union as a
30 Retired Members Fund to be used only to promote
31 and support programs benefiting retired members.
32 Local Unions are obligated to carry out this policy
33 in conjunction with community groups where com-
34 munity groups exist for the purpose of promoting
35 and supporting programs benefiting retired mem-
36 bers and other retired workers.

37 Section 7. (a) Any member shall have the right
38 to object to the expenditure of a portion of his
39 dues money for activities or causes primarily polit-
40 ical in nature. The approximate proportion of dues
41 spent for such political purposes shall be deter-
42 mined by a committee of the International Execu-
43 tive Board, which shall be appointed by the Presi-
44 dent, subject to the approval of said Board. The
45 member may perfect his objection by individually
46 notifying the International Secretary-Treasurer of
47 his objection by registered or certified mail; pro-
48 vided, however, that such objection shall be timely
49 only during the first fourteen (14) days of Union
50 membership and during the fourteen (14) days fol-
51 lowing each anniversary of Union membership. An
52 objection may be continued from year-to-year by
53 individual notifications given during each annual
54 fourteen (14) day period.

55 (b) If an objecting member is dissatisfied with
56 the approximate proportional allocation made by
57 the committee of the International Executive
58 Board, or the disposition of his objection by the
59 International Secretary-Treasurer, he may appeal
60 directly to the full International Executive Board
61 and the decision of the International Executive
62 Board shall be appealable to the Public Review
63 Board or the Convention Appeals Committee at the
64 option of said member.

65 Section 8. Any member who has not paid his
66 dues during the calendar month in which they are
67 due shall automatically become delinquent except
68 as otherwise provided in this Article. In order to
69 regain his good standing membership, he must ful-

1 ly reinstate himself in accordance with Section 9 of
2 this Article.

3 Section 9. The reinstatement fee established by a
4 Local Union shall be not less than the regular
5 initiation fee charged by the Local Union, plus the
6 dues for each month of delinquency in dues up to
7 either the date of his automatic suspension or the
8 date of his reinstatement, as the Local Union in its
9 discretion may determine, plus the current month's
10 dues. Such reinstatement fee shall be uniformly
11 applied to all delinquent members of the Local
12 Union. Individuals suspended as a result of their
13 failure to pay dues while employed in a shop under
14 the jurisdiction of another Local Union shall be
15 dealt with in conformity with Article 17, Section 3.

16 Section 10. Local Unions may notify members of
17 their delinquency. However, failure of the Local
18 Union to notify the member of delinquency shall
19 not exonerate such member from automatic sus-
20 pension except as provided in Section 27 of this
21 Article.

22 Section 11(a). From each member's dues, each
23 Local Union must remit a monthly per capita tax
24 of thirty (30) percent, an additional three (3) per-
25 cent to the International Union's Family Education
26 Center Fund and the Local Union shall retain
27 thirty-seven (37) percent. In each month, each Lo-
28 cal Union must remit the additional thirty (30)
29 percent allocation of dues as Union Strike Insur-
30 ance Fund dues to the International Union which
31 shall place said money in the International Union's
32 Strike Insurance Fund.

33 The member's monthly per capita tax, Family
34 Education Center Fund amount, and Strike Insur-
35 ance Fund dues shall be forwarded to the Interna-
36 tional Secretary-Treasurer.

37 One dollar (\$1.00) of each reinstatement fee
38 shall be forwarded to the International Secretary-
39 Treasurer.

40 (b) If the Local Union does not charge back
41 dues for the period following the date of automatic
42 suspension to the date of reinstatement, but impos-
43 es a fine based upon the length of such period, the
44 Local Union must forward to the International Union
45 one-half (1/2) of the fine so collected.

46 Section 12. When a member has been suspended
47 for non-payment of dues and the Financial Secre-
48 tary or other officers of the Local Union accept
49 such payment thereafter, acceptance of his dues
50 shall not operate to exonerate or reinstate the
51 member, or to waive the provisions of the Consti-
52 tution relative to forfeiture and reinstatement of
53 members.

54 Section 13. The provisions of Section 8 of this
55 Article shall not apply to a member who has en-
56 tered the military service of the United States of
57 America or Canada, who shall be entitled to an
58 honorable military service membership and whose
59 membership in continuous good standing in the Lo-
60 cal Union shall not be broken by such service, pro-
61 vided he reports to his Local Union at the time of
62 entering such service or thereafter furnishes the
63 necessary proof of military service. He shall be-
64 come subject to the provisions of this Section at
65 the end of such military service.

66 Section 14. The International Union shall set
67 aside all sums remitted by Local Unions as Union
68 Strike Insurance Fund dues and the funds resulting

1 come subject to the provisions of this Section at
2 the end of such military service.

3 Section 14. The International Union shall set
4 aside all sums remitted by Local Unions as Union
5 Strike Insurance Fund dues and the funds result-
6 ing shall be a special fund to be known as the
7 International Strike Insurance Fund, to be drawn
8 upon exclusively for the purposes of (1) aiding
9 Local Unions engaged in authorized strikes and in
10 cases of lockouts, and (2) assisting by donations or
11 loans other International Unions and non-affiliated
12 Local Unions similarly engaged, and (3) meeting
13 financial obligations or expenditures which this
14 International Union or its affiliated Local Unions
15 incur as a result of authorized strikes or in cases
16 of lockouts, and then only by a two-thirds (2/3)
17 vote of the International Executive Board.

18 From the remainder of each member's monthly
19 per capita tax, the International Union shall set
20 aside:

- 21 1. Five cents (.05) which shall be expended only
22 for publication of "Solidarity," the official
23 publication of the International Union or of
24 any successor official publication.
- 25 2. One cent (.01) to the Fair Practices and
26 Anti-Discrimination Fund to be expended only
27 for the support and promotion of the pro-
28 grams and activities of the International Un-
29 ion in support of fair employment practices
30 and in opposition to all discriminatory prac-
31 tices in employment.
- 32 3. Three cents (.03) as the International Union
33 Education Fund to be expended only for the
34 programs and activities of the International
35 Union Education Department.
- 36 4. One cent (.01) as the International Union Rec-
37 reation Fund which fund shall be appor-
38 tioned to each region on a per capita basis.
- 39 5. Five cents (.05) as the Special Citizenship
40 Fund to be used for the purpose of strength-
41 ening democracy by encouraging members
42 and citizens generally to register and vote in
43 community, state and national elections and
44 to carry on organizational and educational
45 programs directed toward the achievement of
46 an ever higher understanding of citizenship
47 responsibility and the need for active partici-
48 pation in the affairs of a free and democratic
49 society.
- 50 6. One cent (.01) as the International Union Re-
51 tired Members Fund, which shall be used only
52 to promote and support programs benefiting
53 retired members, including such programs of
54 the International Union relating to retired
55 members as may be adopted from time to
56 time, and to finance the operation of the In-
57 ternational Union Retired Members Depart-
58 ment.

59 Section 15. At least once each month, the Inter-
60 national Secretary-Treasurer shall advise all Local
61 Unions of the exact Strike Fund balance.

62 Section 16. Where Local Unions deem it neces-
63 sary they may exonerate certain members from
64 the payment of dues to the Local Union. However,
65 such members, with the exception of those holding
66 gratuitous life membership, shall be considered as
67 dues-paying members and per capita tax shall be
68 paid on such members.

1 Section 17. All per capita taxes, and all other
2 monies collected for the International Union shall
3 be transmitted to the International Secretary-
4 Treasurer by the twentieth of each month follow-
5 ing collection. All such per capita taxes and other
6 monies are strictly the property of the Interna-
7 tional Union and in no case shall any part thereof
8 be used by Local Unions, except upon permission
9 of the International Executive Board.

10 Section 18. The International Secretary-Treas-
11 urer will issue the official receipt of the office of
12 Secretary-Treasurer for all monies collected.

13 Section 19. Any member who has not worked forty
14 (40) hours by reason of not having been scheduled
15 to work forty (40) hours, or received benefits in
16 lieu of work equivalent to forty (40) hours' pay,
17 within any calendar month shall be entitled to ex-
18 emption of payment of regular monthly dues.

19 Benefits in lieu of work shall include the follow-
20 ing: Supplemental Unemployment Benefits (or any
21 equivalent type layoff benefit), vacation pay, holi-
22 day pay, jury duty pay, bereavement pay, and paid
23 absence allowance, but shall not include the follow-
24 ing: pension benefits, sick and accident benefits,
25 and Workmen's Compensation. However, dues paid
26 on the basis of Supplemental Unemployment Bene-
27 fits (or any equivalent type layoff benefit) shall be
28 five dollars (\$5.00) per month or a sum equivalent
29 to two (2) hours straight time pay per month,
30 whichever is less.

31 A member who has been laid off, is on leave of
32 absence, or is discharged from his regular employ-
33 ment who is covered by check-off provisions under
34 which management notifies the Local Union of
35 members who are on leave of absence, laid off,
36 rehired, or discharged, shall automatically be con-
37 sidered as entitled to "out-of-work" credits, unless
38 he has received benefits in lieu of work equivalent
39 to forty (40) hours' pay as provided in the second
40 paragraph of this Section. Any member in order to
41 be entitled to "out-of-work" credits shall report his
42 lay-off, leave of absence, or discharge, in person or
43 otherwise, to the Financial Secretary of his Local
44 Union within one month of the date such action
45 became effective.

46 Any discharged member or any member who is
47 covered by check-off as set forth above shall report
48 immediately to the Financial Secretary of his
49 Local Union any other employment he may obtain
50 during the period of his lay-off, leave of absence,
51 or discharge. Any member not covered by check-off
52 shall report to the Financial Secretary of his Local
53 Union the termination of his lay-off, leave of
54 absence, discharge, or any other employment he
55 may obtain during the period of his lay-off, leave
56 of absence, or discharge.

57 Any member who is entitled to "out-of-work"
58 credits pursuant to this Section and Section 2 of
59 Article 17 shall be exempted from dues payment for
60 the period of his entitlement.

61 Section 20. Any member who is entitled to "out-
62 of-work" credits under Section 19 of this Article
63 and who does not secure an honorable withdrawal
64 transfer card, shall be presumed to continue to be
65 entitled to "out-of-work" credits and thus remains
66 in continuous good standing without the necessity
67 of paying dues for the first six (6) months of such

Art. 16

national Union, which shall be supplied by the International Secretary-Treasurer to the Financial Secretaries of the Local Unions upon request. Local Unions covered by Union Shop or check-off agreements may, upon approval of the International Executive Board, use an annual membership button, membership card or other suitable identification of membership in lieu of monthly dues buttons.

Section 5. Upon acceptance of the application, membership shall date from the first day of the month for which dues are paid.

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

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

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

Section 8. Any member who has not paid his dues during a calendar month in which they are due shall automatically become delinquent except as otherwise provided in this Article. In order to regain his good standing membership, he must fully reinstate himself in accordance with Section 9 of this Article.

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

Section 10. Local Unions may notify members of their delinquency. However, failure of the Local Union to notify the member of delinquency shall not exonerate such member from automatic suspension except as provided in Section 27 of this Article.

Section 11 (a) Effective July 1, 1974, from each member's dues, each Local Union must remit a monthly per capita tax of thirty (30) percent, an additional two (2) percent to the International Union's Family Education Center Fund and the Local Union shall retain thirty-eight (38) percent. In each month, each Local Union must remit the additional thirty (30) percent allocation of dues as Union Strike Insurance Fund dues to the International Union which shall place said money in the International Union's Strike Insurance Fund.

The member's monthly per capita tax, Family Education Center Fund amount, and Strike Insurance Fund dues shall be forwarded to the International Secretary-Treasurer.

One dollar (\$1.00) of each reinstatement fee shall be forwarded to the International Secretary-Treasurer.

(b) If the Local Union does not charge back dues for the period following the date of automatic suspension to the date of reinstatement, but imposes a fine based upon the length of such period, the Local Union must forward to the International Union one-half (1/2) of the fine so collected.

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

Section 13. The provisions of Section 8 of this Article shall not apply to a member who has entered the military service of the United States of America or Canada, who shall be entitled to an honorable military service membership and whose membership in continuous good standing in the Local Union shall not be broken by such service, provided he reports to his Local Union at the time of entering such service or thereafter furnishes the necessary proof of military service. He shall be

770400175

UAW Funds Authorized For Carter

The UAW's political organization in Michigan Thursday authorized the expenditure of thousands of dollars for mailings encouraging members to vote for Jimmy Carter in the May 18 Democratic presidential primary.

The union's Community Action Program (CAP), the UAW's political arm, did not formally endorse Carter. But it authorized paying for mailings by six regional directors and two international UAW vice-presidents to explain to members why the UAW leaders have given individual endorsements to Carter.

The UAW also authorized spending to help get out the vote for Carter on primary day, according to Sam Fishman, executive director of Michigan CAP.

Fishman said he did not know how much money the UAW plans to spend in Carter's behalf, but said it would amount to several thousand dollars.



—Associated Press Wirephoto

ENDORSEMENT ANNOUNCED
Mr. Woodcock, left, and Mr. Carter

Carter Endorsed By Woodcock

Georgian Is Compared To President Kennedy

DETROIT (AP) — United Auto Workers President Leonard Woodcock endorsed Jimmy Carter for the Democratic presidential nomination Friday, comparing the former Georgia governor to President John F. Kennedy.

Mr. Carter said he believes that the endorsement "will have a great effect on the Michigan primary" May 18.

The labor chief said he had decided to support Mr. Carter after they met in the first week in February.

Mr. Woodcock described it as a "gut reaction when we had our first face-to-face meeting. I was very impressed. It

reminded me of when I met Jack Kennedy in October of 1959. I was also tremendously impressed with him.

Another Question Involved

"But I'm not just one individual, I'm also president of a very big labor organization. It was a question of gathering a consensus of the union's sentiment."

Asked if he planned to make Mr. Woodcock his secretary of labor, Mr. Carter replied that he could make no public statement before the election without violating federal law. But, he added with a smile, "I have made a decision in my own mind about it."

Mr. Woodcock, 65, is retiring this year as head of the 1.4 million-member UAW. The union's political arm has refrained from endorsing a presidential contender, but all six regional directors in Michigan and two international vice presidents previously announced support for Mr. Carter.

The former governor appeared at a news conference at Detroit Metropolitan Airport with Detroit Mayor Coleman Young and Mr. Woodcock.

In his remarks in support of Mr. Carter, Mr. Woodcock declared jobs the crucial issue of the campaign and said the nation needs a president who will work to get America back to work.

Backs Carter For Nomination, Ford Motor Chief Announces

Henry Ford II said Friday that he is supporting Mr. Carter for the Democratic presidential nomination.

The Ford Motor Co. ...

ST. LOUIS, Mo.—Two men have learned the hard way that there's a price they must personally pay—a claimed total of \$11,503 in court costs—for bringing groundless suits.

In U.S. District Court here, these costs were claimed against Ernest Gabauer and Claude Huskey, members of UAW Local 25, as the curtain fell on a four-year legal drama involving charges of financial and election irregularities against the two, and their counter-charges.

The cases involving the two began in early 1970, when other members of Local 25 protested irregularities in an election in the Chevrolet unit of Local 25. The International Executive Board eventually put the unit under an administrator until the election redistricting was carried out properly.

Meanwhile, an audit had uncovered evidence of financial irregularities by the two, as well as a few other committeemen. After a hearing, UAW Pres. Leonard Woodcock removed them from office.

Gabauer and Huskey responded by filing suits in

1972 against Woodcock and UAW Sec.-Treas. Emil Mazey personally. The UAW and Local 25 stepped in to defend the case. The two Local 25 members charged they were libeled and their rights curtailed by the union's actions against them.

In the ensuing years the cases have gone through U.S. District Court and the Eighth Circuit Court of Appeals, which finally ruled that the suits were baseless and without merit. The U.S. Supreme Court refused to hear the cases, and the lengthy proceedings finally came to an end.

As the last step, a claim for \$8,497 was filed against Huskey for his share of the cost of filing fees, transcripts, certain printing costs and witness fees. The claim against Gabauer was \$3,006.

The two are also among the plaintiffs in a pending suit here, challenging UAW's right to make expenditures for political and social causes. The Right-to-Work Legal Defense and Education Foundation, Inc., has announced that lawsuit is among a number of similar suits it is financing.

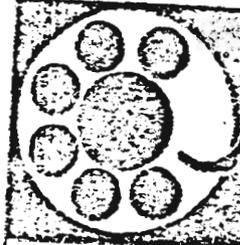
SUNNY

Warm

High 85-90 Low 55-60

Map and Details on Page 13-F

X
June 10, 1976



Action Line
Dial 222-6464

Action Line solves problems, gets answers, cuts red tape, stands up for your rights. Write Action Line, Box 881, Detroit, Mich. 48231. Or dial 222-6464 between 8:30 a.m. and 4:30 p.m. Monday through Friday.

Just before the May 18 presidential primary, I received a letter from my union, the United Auto Workers, asking me to support Jimmy Carter. It made me mad because I'm not a Carter backer and I don't appreciate the fact that union funds were used to pay for the mailing. Just for the record, how much did it cost the rank and file to peddle this propaganda?
— R.G., Detroit.

Little over \$20,000 so far. Sam Fishman, head of UAW's Community Action Program, told Action Line that letter wasn't aimed so much at getting out Carter vote, but rather to let union members know how leadership felt about candidacy. Cost Solidarity House \$9,859.31 for assorted addressing and mailing tasks. Stuffing piece of Carter literature in each envelope ran \$4,788.81. Postage pushed tab past \$20,000 figure. Still to come is \$5,000-\$10,000 printing bill. All of money used to pay for mailing comes out of UAW-CAP fund, to which union members contribute three percent of their dues. Fishman said UAW also contributed "few odd thousand dollars" to Carter campaign effort in Michigan.



INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA-UAW

LEONARD WOODCOCK, PRESIDENT

EMIL MAZEY, SECRETARY-TREASURER

VICE-PRESIDENTS

PAT GREATHOUSE • KEN BANNON • DOUGLAS A. FRASER • DENNIS McDERMOTT • IRVING BLUESTONE • ODESSA KOMER • MARC STEPP

September 9, 1976

Mr. Frank Toth, Member
Local Union 723, UAW
703 Northgate
Toledo, Ohio 43612

Dear Brother Toth:

This is in reply to your letter of August 16th, to President Woodcock, in which you refer to two specific problems. I understand that President Woodcock's office has responded to the first question regarding Ron Halstead.

In connection with the second question regarding a refund of political expenditures, I would like to advise you that the V-CAP organization only deals with voluntary refunds and does not contribute dues money. It is against the law to use dues money for contributions to candidates for a federal office.

The monies that are used by V-CAP are voluntary contributions that are received by the UAW through their annual "CAP Drives". Perhaps you have made no contribution to our voluntary solicitations and, therefore, you are not knowledgeable about the fact that these solicitations are made.

When you stated that you read in the Detroit paper that 3% of union dues were contributed to federal and state elections, I would like to advise you that this is incorrect.

I hope this satisfactorily answers your question.

Sincerely,

Jess Ferrazza

Jess Ferrazza,
Administrative Assistant
to Secretary-Treasurer Emil Maze y

JF:shk
opeiu42

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Sept. 29, 1976
U.S. Dept. of Justice
Mr. Mark M. Richard
Chief, Fraud Division

RECEIVED

T.H. Wickey ph

OCT 6 1976

Dear Mr. Richard;

I am in reply, for the letter of Sept. 24, 1976 did not give any specifics as to whether an investigation took place and found that the U.A.W. had done no wrong doing or that there was no investigation because in your opinion there was no cause to investigate? I may be a little naive, that is why I would like you to be a little more positive in your answers. However I appreciate a copy of the Campaign Act Amendments, of 1976. I didn't know how to read between the lines. I would like to know specifically: if it is within the law of the Federal Elections Campaign Act Amendments of 1971 and 1976, in your opinion, that a union, specifically, U.A.W., can first tell the membership that, me a member in good standing and other members, that you are going to donate a certain amount of your union dues to support the U.A.W.-V-Cap and say that it is voluntarily given and then turn around and put the burden on the member, then it is up to the member to say, if you don't want to volunteer this money and the moneys will be returned. It is badly put but I'm sure you understand. This also contradicts what the office of Mr. Wazy had stated to me in a letter you have a copy of.

A copy of an interview, which I just recieved from "MEET THE PRESS" of Sunday, January 26, 1975, page 7&8 that Mr. Leonard Woodcock was the man interviewed. He affirms my arguement that places the burden on the member to recover his moneys thru the constitution of the U.A.W. Pardon me for doubting the fact, that this moneys is not voluntarily given by the membership and to the fact, that as I read the law (a layman) that the officers of the union are manipulating the law to benefit the Candidates who run for office as Federal CandiDates so long as they believe as the U.A.W., believes. Copy of pages 7&8 attached. Also attached, is a copy of an opinion, that stresses the U.A.W., if these contributions were legal, that the union is not using these moneys for Non partisan purposes but for partisan purposes. It does not state who has this strong evidence. Public information in regards to who made the court challenge is on record, that the U.A.W. was behind the court action.

I also will send a copy of the Solidarity, a section, which they ask for donations and express themselves that they are collecting moneys for the purposes of supporting Democrats, Republicans and Independents. If they are not supporting Republicans or maybe Independents, then would this not violate the mails?

I've tried to present my arguments as best as possible and in no way is this letter to be offensive, its just that I like frank answers. It is the only way that I know how to correct wrong doings without having to fight thru the courts, however I am just a peon and do not have the knowledge or did not pursue or could not pursue because of lack of funds, a degree in law. I believe that what the union is wrong and am trying to pursue this legally to correct a wrong for the benefit of the members.

Sincerely,

Frank Stephen Toth

Frank Stephen Toth
703 Nothgate
Toledo, Ohio 43612

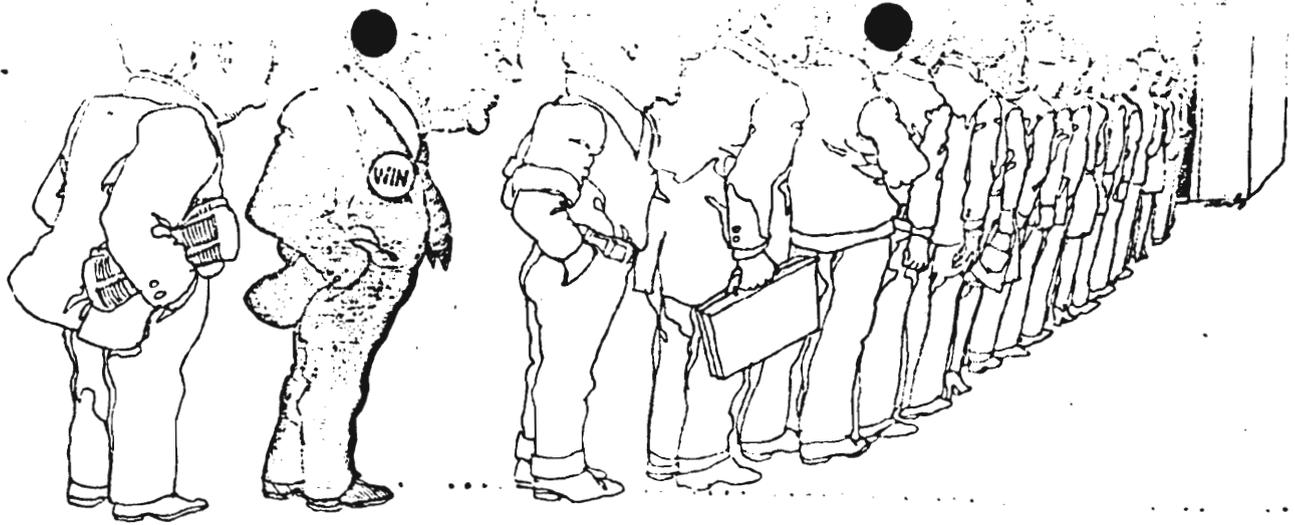
CRIMINAL DIVISION

OCT 04 1976

Received Fraud Section

Note; So far the F.B.I. has been very nice to me in our meeting, and I hold respect for the Dept. of Justice and I know that the Dept. of Justice cannot help me in respect to instructions on what to do but everybody has an opinion.

7704176



Help Gerald Ford Learn About It First-Hand In November.

Soon after Richard Nixon handpicked Gerald Ford to be our President, unemployment skyrocketed to the highest levels since the Great Depression.

No single group of American workers bore more of the brunt of the Nixon-Ford recession than UAW members. At one point last year, we had more than 300,000 men and women out of work.

Ford seemed to be getting his economic advice from his ski instructors at Vail: it was all downhill. For everybody, that is, except the big corporations, which turned their highest profits in 1974-75 in history.

After Ford "put Watergate behind us" by pardoning Mr. Nixon, he proceeded to try to slash the only social programs the country has to help soften the devastation caused by his economic policies.

We saw veto after veto.

For the first time in history, we had an unelected president who saw his role as thwarting the laws passed by the duly elected Congress. Suddenly, it took two-thirds majority to pass legislation opposed by our unelected president.

There were some victories. The emergency

tax cut passed over Ford's objections has finally got the economy moving some again. Many of us are back to work, but there are still almost 10 million Americans out of work.

Come November, we're finally going to have a chance to go to the polls and vote on the performance of our leaders, starting with President Ford.

Through the democratic procedures of the UAW's Community Action Program, the union will be supporting candidates—Democrats, Republicans and Independents—who commit themselves to putting America back to work.

But working peoples' candidates aren't going to have money from the big corporations to finance their efforts to get out and take their campaign to the public. The Lockheed's, the ITT's, the Exxon's—they'll see to it that Gerald Ford has the money he needs.

It's up to us to see that the UAW can donate to candidates who care about the problems of workers.

How?

By giving to the UAW V-CAP Dollar Drive in your Region.

Soon your UAW V-CAP solicitors—local union officials, committeepersons or involved citizens—will be asking for your voluntary dollar.

It can make a difference in November.

Give To the UAW V-CAP Dollar Drive

UAW V-CAP is an independent political committee created by the UAW. This committee does not ask for or accept authorization for any candidate and no candidate is responsible for its activities. A copy of our report is filed with the Federal Election Commission and is available from the Federal Election Commission, Washington, D.C.

Solidarity Illustration by John Healy

MR. HAYDEN: But you still, do you not—for instance, you contributed \$75,000, it was reported, to the unsuccessful Democratic candidate for Governor of Michigan in the last election. Aren't you following still the theory that these are your individual members who have elected to make these contributions?

MR. WOODCOCK: We have a provision in our constitution that an individual who objects to the portion of his dues going to political purposes or for donations—let's say they object to us giving money to the NAACP, as some of our members do—but under prescribed procedure they can make that objection, and then that amount, the dues we determine go to these causes, is rebated to that individual.

MR. HAYDEN: Well, yes, but then—

MR. WOODCOCK: This is not just simply our calculation but the public review board, which is an outside organization which reviews our activities. It determines the accuracy of our calculation.

MR. HAYDEN: Then your political organization decides which candidate should get the money. For instance, in Michigan last year it was generally reported that the votes of a lot of auto workers gave George Wallace the win in the presidential preference primary, but the UAW didn't contribute anything to George Wallace.

MR. WOODCOCK: Not as an organization, no, and it is obvious that lots of our people in May of 1972 voted for Mr. Wallace in the Democratic primary. But even in 1972, the analyses show that a majority of union members voted for Mr. McGovern as against Mr. Nixon.

MR. SPIVAK: We have less than three minutes.

Mr. Woodcock, you joined the automobile companies in asking the President for a freeze against higher pollution or safety standards. Have you done this because you think standards are too high, or simply because you think that would sell more automobiles?

MR. WOODCOCK: No, our position in this regard is unrelated to the economic crisis. In a way I wish it could be separated entirely from that. We have come a long way. The '75 cars have reduced hydrocarbon emissions by ninety per cent and carbon monoxide by 83 per cent, the oxides of nitrogen, which is a very controversial area, by only, I think, 48 per cent. But now we also have to move strongly forward to fuel economy, and our position is that the tradeoff for the five-year pause—two things: that there be mandated fuel economy using the same certification procedures that we use for emission standards, with a base line not of the 18.7 miles per gallon that the administration has bought

from the industry, but at least 20 miles on a weighted average and, secondly, that there be ongoing research with regard to emissions, not only done by the companies, but also by government, so that the pause does not become a standstill.

MR. SPIVAK: We have about a minute.

MR. LEVINE: Mr. Woodcock, you made an intriguing statement a while ago saying we may be going the wrong route by cutting down on foreign oil and that we should be cutting down on the use of domestic oil and using all the foreign oil we can. Could you expand on that briefly?

MR. WOODCOCK: Looking backwards I think it was a shameful policy of our government that up until April 1973 we restricted foreign imports.

MR. LEVINE: But now?

MR. WOODCOCK: Here is a diminishing resource. Let's say we have—I don't know how many years we have of domestic reserves, known domestic reserves, but let's say ten or 12. Why should we be deliberately reducing that in a world which is dependent upon that commodity? You could make an excellent case for saying let's get all that we can from the other part of the world and protect our own resources.

MR. SPIVAK: Regardless of what the price is?

I guess we won't have time to answer that question: I just got a cut sign. Thank you, Mr. Woodcock, for being with us today. on MEET THE PRESS.

OFFICE OF COMMUNICATIONS

MR. WOODCOCK: Oh, I think so. I would anticipate—I don't want to make any precise prediction on this, but I would anticipate that within the near term that we will be back to 9, 9.5-year cars even if these other developments are going forward because they take—the long time developments to build a mass transit system—

MR. LEVINE: "Near term" being what?

MR. WOODCOCK: I'd say three or four years.

MR. SHABECOFF: Mr. Woodcock, I understand that you and other members of the President's Labor/Management Advisory Committee voted recently to recommend an increase in the investment tax credit from seven to twelve per cent, in other words, giving a bigger tax break to business, corporations, in order to stimulate industry.

Does this mean that you and other labor leaders now subscribe to the trickle-down theory of prosperity for workers?

MR. WOODCOCK: Very frankly, that was the product of the negotiating session. In order to get a unanimous opinion, including the eight members from business and industry, we agreed to support the investment tax credit in return for their agreeing to support a personal tax cut which was geared to the middle and low income groups. And again originally, it was on the basis of a one-year proposition, although in the form in which we sent to the President it was without regard as to time, as to term.

MR. SHABECOFF: In other words, you don't really believe that business needs this additional investment tax credit, do you?

MR. WOODCOCK: I think over the short term some do certainly. I think the utilities do, and that is preferable, much preferable in my opinion—if we are going to do something for business, and that seems to be the sentiment, certainly the sentiment of the administration and also on Capitol Hill, then the investment tax credit is a better way to go than reducing the corporate tax rate.

MR. SHABECOFF: Do you feel that corporate profits now are too low?

MR. WOODCOCK: The corporate profits that have been reported out are seemingly high, but they do reflect a high degree of inventory inflation, not in all industries certainly, certainly not the petroleum industry and energy industries. But in industries across the board I think in the fourth quarter there is going to be a sharp turndown in profits, yes.

MR. GANNON: Mr. Woodcock, I believe your union has some link like 200,000 auto workers unemployed at the present time. These men are drawing special unemployment benefits from

these company funds. Is there a danger that these funds will run dry and these benefits will run out soon?

MR. WOODCOCK: Let me say I wish it were only 200,000. The numbers are much worse than that. Next week, for example, in the four automobile companies, not counting the suppliers and all the other related activities, there will be 240,000 men and women on the street. 178,000 of those are on indefinite layoff. These supplemental funds that we have are limited to the amounts in the funds, and they are under great strain. The output is far greater than the input. The General Motors fund, in particular, is already reducing its benefit levels as far as the time is concerned, depending upon the seniority of the individual, and unless there is a sharp turnaround so that people are called back to work, then it is predictable that by May/June, that fund will be at the point where it no longer pays any benefits.

MR. GANNON: Is there any way to offset that loss of income for the auto workers, or is that just an inevitable loss for them?

MR. WOODCOCK: The contract specifies the input. It is up to 12 cents per compensated hour. By compensated hour, I mean all the hours worked, plus holidays and vacations. The hospital, surgical, medical premiums, which used to be paid out of the funds are now paid directly by the corporate treasury, and this is just a limit specified by contract as to the input.

MR. GANNON: You are talking about the unemployment funds going broke. In your opinion, is this severe slump in the auto industry bad enough to raise any danger that any of the auto companies themselves might go under?

MR. WOODCOCK: The one that is under the greatest pressure obviously is the Chrysler Corporation, and the management of that corporation insists that they are in relatively better shape—financially I am now talking about—than they were in 1970. They have recently negotiated a \$200 million line of credit which they say will carry them through the crisis, and obviously they are in a much better position to know those facts than I am.

MR. HAYDEN: Mr. Woodcock, over recent months there have been a number of indictments of corporations and corporation heads for illegal campaign contributions to both parties. As this appears to be being cleared up legally, it raises a question, shouldn't big labor be similarly limited in what they can give to political contributions?

MR. WOODCOCK: Oh, we are, we are. Under the campaign reform law, which was passed by the last Congress, and which we vigorously supported, those limitations apply equally to us, and they should.

THE BLADE'S
Pages of Opinion

PAGE 16

TOLEDO, OHIO, TUESDAY, SEPTEMBER 28, 1976

The Judge And The Union Caper

THE sudden shift of the dispute over union-run voter registration from the Lucas County board of elections to the U.S. District Court raises intriguing questions. The least of them, however, is what the outcome will be—since that appears to have been already decided, for this election at least, by federal Judge Don J. Young.

Is it not curious, to cite one question that comes to mind, how the use of union halls and factories for signing up prospective voters became an instant constitutional-rights issue? As long as local labor leaders were getting the green light from the elections board, they were perfectly content to leave the matter in the hands of those officials duly designated by law to handle electoral affairs. It was only after the propriety of the operation was challenged on strong evidence that it was being run for purely partisan purposes—and the tables turned against the labor people and their Democratic allies on the board that one union took off for federal court purporting to see a violation of the Constitution.

And was it purely coincidental that, after quickly ordering that the unions be allowed to proceed with their sign-up, Judge Young chose Oct. 4 for a hearing on the lawsuit? Is it possible he was not even aware that that just happens to be the statutory deadline for registering for the Nov. 2 election? Of

course, the hearing date might have been set according to some routine practice of the court. But it is not unusual for jurists—including even the justices of the august U.S. Supreme Court—to expedite the handling of cases in which time is of the essence. And is that not obviously so in this instance since, as things now stand, the union-run registration for the Nov. 2 election will be all over by the time Judge Young gets around to his scheduled hearing on it?

Is it any wonder, in light of such situations as this, that the public grows ever more skeptical about a judicial system that is supposed to be free of any taint of manipulation or partisanship? Perhaps nothing at all is amiss in the filing of this case or its handling so far by Judge Young. Maybe it is all just happenstance that the net effect is to allow the union leaders and their Democratic friends on the elections board to use the court to make an end run around the Ohio secretary of state and accomplish what they want before they have to answer for it. But we daresay there is many an ordinary citizen who would be difficult to persuade of that.

And, for a final question, might this be the sort of thing that led former U.S. Sen. Stephen Young to say last year in reference to Judge Young that "I am sorry to say this, but my nephew's appointment (to the federal bench) is the worst appointment I ever made"?

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DEPARTMENT OF JUSTICE

WASHINGTON, D. C. 20530

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DEPARTMENT OF JUSTICE

JUS-431



Mr. John G. Murphy, Jr.
General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D. C. 20463



CC # 1001
MUR 338

RECEIVED
FEDERAL ELECTION
COMMISSION

Nov. 11, 1976
Federal Election Commission
1325 K. Street N.W.
Washington, D.C. 20463
Per. Carol Darr

Complaint

'76 NOV 15 AM 11:00

763882

M Darr,

I make this complaint in behalf of myself and the 1.4 million members of the UAW, United Automobile, Aerospace and Agricultural Implement Workers of America.

I charge that the UAW had violated the Federal election Campaign Act of 1971, 2 U.S.C., 44IB(b)(3)A, of the Act, *as amended.*

(A) For such a fund to make a contribution or expenditure by utilizing money or anything of value secured by physical force, job discrimination, financial reprisals, or the threat of force, job discrimination, or financial reprisal; or by dues, fees, or other monies required as a condition of membership in a labor organization or as a condition of employment, or by monies obtained in any commercial transaction.

We charge that the UAW and its local unions are using union dues monies illegally by using the UAW constitution as a method to create a fund and created a UAW-V-Cap to expend funds to political candidates at the Federal and State levels, thus contributed funds illegally ~~to~~ the Federal Candidates which is unlawful under the Federal Campaign Act of 1971. These expenditures were made unlawfully because the monies used were not voluntarily given and were taken and used, as a condition of employment, *AND A CONDITION OF MEMBERSHIP.*

Attached are two statements, one by Leonard Woodcock, Pres. of the UAW and a Sam Fishman, head of UAWs Community Action Program.

Sam Fishman states that 35% of our union dues are being contributed to the UAW-V-Cap.

Leonard Woodcock statement to a "Meet The Press" panel that it is a theory that the union members elected to contribute to the UAW-V-Cap. This statement made by Leonard Woodcock was made to Meet the Press on Sunday Jan. 26, 1975. I wish to point out the fact that these statements were made of their own free will. It is made to the public for public information. You will find 770 pages of expenditures, plus, in your files, which I had obtained at my expense for my personal investigation in order to make this complaint. These statements are true as to the fact that the UAW has made such expenditures. This complaint is refilled as prescribed by law.

77040067771

Mr. Frank Stephen Toth

Frank Stephen Toth

703 Northgate
Toledo, Ohio 43612

In behalf of the members and myself, members in good standing.

Phone no. 1-419-476-5804

MICHAEL J. PATRICK
Notary Public, Lucas County, Ohio
My Commission Expires April 10, 1977

Attached also is a copy of the letter I received in an attempt to recover the monies misspent by the UAW-V-Cap, it states that that no monies are being spent which makes Leonard Woodcocks statements partially false, in regards to the refunds of monies being spent and the members had the right to recover same.

Little over \$20,000 so far. Sam Fishman, head of UAW's Community Action Program, told Action Line that letter wasn't aimed so much at getting out Carter vote, but rather to let union members know how leadership felt about candi- day. Cost Solidarity House \$9,859.31 for assorted addressing and mailing tasks. Stuffing piece of Carter literature in each envelope ran \$4,788.81. Postage pushed tab past \$20,000 figure. Still to come is \$5,000-\$10,000 printing bill. All of money used to pay for mailing comes out of UAW-CAP fund, to which union members contribute three percent of their dues. Fish- man said UAW also contributed "few odd thousand dollars" to Carter campaign effort in Michigan.

— R.G., Detroit.

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Map and Details on Page 15-F

High 85-90 Low 55-60

Warm

SUNNY

10/10/78

978

MR. HAYDEN: But you still, do you not—for instance, you contributed \$75,000, it was reported, to the unsuccessful Democratic candidate for Governor of Michigan in the last election. Aren't you following still the theory that these are your individual members who have elected to make these contributions?

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MR. SPIVAK: We have less than three minutes.

Mr. Woodcock, you joined the automobile companies in asking the President for a freeze against higher pollution or safety standards. Have you done this because you think standards are too high, or simply because you think that would sell more automobiles?

MR. WOODCOCK: No, our position in this regard is unrelated to the economic crisis. In a way I wish it could be separated entirely from that. We have come a long way. The '75 cars have reduced hydrocarbon emissions by ninety per cent and carbon monoxide by 83 per cent, the oxides of nitrogen, which is a very controversial area, by only, I think, 48 per cent. But now we also have to move strongly forward to fuel economy, and our position is that the tradeoff for the five-year pause—two things: that there be mandated fuel economy using the same certification procedures that we use for emission standards, with a base line not of the 18.7 miles per gallon that the administration has bought



INTERNATIONAL UNION, UNITED AUTOMOBILE, AEROSPACE & AGRICULTURAL IMPLEMENT WORKERS OF AMERICA-UAW

LEONARD WOODCOCK, PRESIDENT

EMIL MAZEY, SECRETARY-TREASURER

VICE-PRESIDENTS

PAT GREATHOUSE • KEN BANNON • DOUGLAS A. FRASER • DENNIS McDERMOTT • IRVING BLUESTONE • ODESSA KOMER • MARC STEPP

September 9, 1976

Mr. Frank Toth, Member
Local Union 723, UAW
703 Northgate
Toledo, Ohio 43612

Dear Brother Toth:

This is in reply to your letter of August 16th, to President Woodcock in which you refer to two specific problems. I understand that President Woodcock's office has responded to the first question regarding Ron Halstead.

In connection with the second question regarding a refund of political expenditures, I would like to advise you that the V-CAP organization only deals with voluntary refunds and does not contribute dues money. It is against the law to use dues money for contributions to candidates for a federal office.

The monies that are used by V-CAP are voluntary contributions that are received by the UAW through their annual "CAP Drives". Perhaps you have made no contribution to our voluntary solicitations and, therefore, you are not knowledgeable about the fact that these solicitations are made.

When you stated that you read in the Detroit paper that 3% of union dues were contributed to federal and state elections, I would like to advise you that this is incorrect.

I hope this satisfactorily answers your question.

Sincerely,

Jess Ferrazza
Jess Ferrazza,

Administrative Assistant
to Secretary-Treasurer Emil Maze y

JF:shk
opeiu42

7704006077

Frank Stephen
703 Northgate
Cincinnati, Ohio 43012

CERTIFIED

No. 54487

MAIL

SECTION
17

Carol Darr
7c Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

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FEDERAL ELECTION COMMISSION

1. Memo to Adaker from Emons - 12/20/76

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

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Signed

Kurt Burkhardt

date

9/28/77

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FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

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REMARKS:

MUR 339, involving Lilian McGowan was withdrawn from the December 2, 1976 Agenda because of voluntary compliance. This MUR number was then assigned to the non-filer case involving William Hathcock.

77-119-0000
FEDERAL ELECTION COMMISSION
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