

## **AFFILIATION AGREEMENT**

This agreement is entered into this 6th day of July 2005, by and between the Transportation Communications International Union, AFL-CIO ("TCU") and the International Association of Machinists and Aerospace Workers, AFL-CIO ("IAM").

TCU and the IAM represent employees in a variety of industries and occupations in locations throughout the United States of America and Canada. Both organizations share a common set of goals, including, but not limited to: organizing the unorganized; guaranteeing fair wages, hours, and working conditions for all workers; and promoting greater political and legislative influence on behalf of working people. To these ends, TCU and the IAM have concluded that the interests of their members can best be served by the full affiliation of TCU and the IAM. Recognizing the complexities involved in concluding such a full affiliation, however, the parties agree to a transition period, as more fully described below.

1. Beginning on July 6, 2005 (hereinafter "the Affiliation Date"), subject to TCU Executive Council approval, and concluding on or before January 1, 2012, TCU agrees to enter into a full merger with the IAM. On or before January 1, 2012 (hereinafter "the Merger Date") and in accordance with the terms of the TCU and IAM Constitutions, TCU will complete a full merger with the IAM.
2. Effective on the Merger Date, all current dues paying members of TCU will be entitled to all rights and privileges of IAM membership and will have their years of good standing membership in TCU recognized and credited by the IAM, in accordance with the terms of the IAM Constitution. Among the rights, privileges, and benefits of IAM membership, which will become available to members of TCU as a result of this merger, are:

- **Opportunities to attend a full range of courses, training, and classes in leadership training, collective bargaining, grievance and arbitration, new technology, and others at the IAM's William W. Winpisinger Technology and Educational Center and, where appropriate, receive college credit for certain courses;**
  - **The full range of IAM Headquarters resources, including the professional services and staff of the IAM's Strategic Resources, Organizing, Legal, Legislative and Political Action, Safety and Health, Collective Bargaining, High Performance Work Organization, Human Rights, Women's, and other Headquarters Departments;**
  - **The opportunity to negotiate superior pension and welfare benefits for members through the IAM National Pension Fund and the National IAM Benefit Trust; and**
  - **Strike benefits paid from the IAM's Defense Fund.**
- 3. Effective on the Affiliation Date or as soon thereafter as feasible, the TCU Staff Retirement Plan shall be merged with the IAM Grand Lodge Pension Plan.**
- 4. Effective on the Affiliation Date, and continuing during the transition period to full merger on or before January 1, 2012, an Integration Team, appointed by the International Presidents of TCU and IAM, will work towards the full integration of resources of the two organizations and will handle any and all matters relating to the affiliation of TCU and IAM. The Integration Team's work will include,**

among other things, the following activities: access to IAM budget and planning tools; full review of accounting methods and reporting requirements; full review of future staffing requirements; opportunities for joint bargaining, organizing, communications, research and legislative activities; and other related issues. Immediate benefits of integration, such as joint legislative efforts, use of the IAM's education facility, contract database and research, publications and use of the IAM's video studio, will be provided from the Affiliation Date.

5. Effective on the Affiliation Date, the IAM will charter a new affiliate referred to for purposes of this Agreement as TCU/IAM. TCU/IAM shall be governed by the TCU Constitution. TCU/IAM shall continue to have jurisdiction over those locals, system boards, system divisions, joint protective boards and other subordinate bodies currently under the TCU structure. All funds, assets, and properties under the control of TCU shall remain the property of TCU/IAM. The IAM will also create a new Rail Division to better represent the growing and similar interests of TCU and IAM rail members, of which IAM District 19 and TCU/IAM will be charter members.
  
6. Effective on the Merger Date, the TCU Constitution will become the bylaws of TCU/IAM. These bylaws will retain the following provisions from the existing TCU Constitution: the Officer structure (President, Secretary-Treasurer, Vice Presidents, Board of Trustees), the procedures governing election of officers, the provisions governing subordinate units (Carmen Division, ARASA Division, system boards, system divisions, joint protective boards, and locals and districts), the provisions regarding dues increases and per capita split among the TCU/IAM components, and the internal appeal process, subject to amendment by the process prescribed by the TCU/IAM's bylaws. In all other areas, TCU/IAM will come

into full compliance with the terms of the IAM Constitution, its policies and procedures.

7. TCU/IAM shall employ such full-time staff and servicing representatives as are necessary and financially supportable to conduct its affairs and will retain the right to employ outside consultants and legal counsel. On the Merger Date, and in accordance with the terms of the IAM Constitution, the IAM shall contribute to TCU/IAM one-half of the funds necessary to support the equivalent of one business agency for each 2,000 TCU dues paying members, plus one. In addition, on the Merger Date, the IAM shall contribute to TCU/IAM the equivalent of the salary and benefit support equal to that of an IAM Grand Lodge Representative for one staff person for each 5,000 TCU dues paying members.
8. The Secretary-Treasurer of newly chartered TCU/IAM shall be provided training and assistance to enable him to meet his reporting responsibilities under the IAM Constitution and federal law, including, but not limited to, membership records and reports, and the Centralized Accounting System (CAS). During the transition period from Affiliation to Merger, TCU/IAM and its subordinate bodies will be afforded the opportunity to implement the CAS system, but there is no requirement to do so until the Merger Date.
9. It is expressly understood and agreed that the current TCU President, Robert A. Scardelletti, will serve as an advisor to the IAM International President and Executive Council on the formation of the IAM Rail Division and other matters. As such, Mr. Scardelletti will become a non-voting, unpaid member of the IAM Executive Council. It is anticipated that the IAM Rail Division will grow with the addition of future affiliations and organizing.

10. In order to assist the IAM with the provision of services, and to minimize the impact of the transition into the IAM on TCU, TCU/IAM will remit monthly per capita tax on each of their members to the IAM in the amounts set forth below, and on January 1 each year, the annual Grand Lodge increases will be applied.

August 1, 2005	\$ 7.00
January 1, 2006	\$ 7.00 + annual GL increase
January 1, 2007	Previous year + annual GL increase
January 1, 2008	Previous year + annual GL increase
January 1, 2009	Previous year + annual GL increase
January 1, 2010	Previous year + annual GL increase
January 1, 2011	Previous year + annual GL increase
January 1, 2012	Full GL per capita.

Notwithstanding the above schedule, if TCU/IAM finds it advantageous to complete the full Merger prior to January 1, 2012, they may do so after consultation with the IAM's International President. During the Affiliation period, TCU/IAM will be responsible for maintaining per capita payments to labor organizations with which they currently are affiliated. On the Merger Date, affiliation fees will be paid from the full IAM per capita consistent with the IAM Constitution. For those TCU members who are currently paying a greatly reduced per capita to TCU (\$14 or less per month in 2005 and adjusted each year thereafter), a prorated amount of per capita to the IAM equal to 30% of the TCU per capita will be calculated and paid to the IAM.

11. Effective on the Merger Date, any other matter not specifically set forth in this Affiliation Agreement or the TCU/IAM bylaws will be governed by the IAM Constitution.
12. Both during the affiliation period and subsequent to the Merger, the rights and obligations of all leases, contracts and property, both real and personal, of TCU shall be retained by TCU/IAM. TCU/IAM shall continue as the contracting party with the U.S. Department of Labor for TCU's Manpower Training Program and with the AFL-CIO for the Union Privilege Program and shall be responsible for receipt of all monies and expenditure of all funds under these programs.
13. Subsequent to the Merger Date TCU/IAM and its subordinate bodies shall elect delegates to the IAM Grand Lodge Convention with voting strength according to the IAM Constitution. TCU/IAM will continue to use its methods of electing local and district chairmen as delegates, unless TCU/IAM modifies its bylaws.
14. TCU/IAM shall hold its Convention in the summer of 2009. Delegates to the TCU/IAM Convention shall be elected pursuant to TCU's Constitution. The delegates to the 2009 TCU/IAM Convention shall elect officers to a 5 year term of office, and said officers shall stand for re-election every 4 years thereafter at a TCU/IAM Convention.
15. TCU shall retain its current internal structure and officer positions subject to revision at TCU's option in accordance with the terms of the TCU Constitution during the Affiliation period and consistent with Bylaws adopted by TCU/IAM after the Merger.

16. The Merger Agreements between the TCU and those unions previously merged into the TCU will be honored.
17. TCU/IAM shall not be dissolved or be merged with any other IAM entity, nor shall its authority, jurisdiction, functions or bylaws be altered or impeded without TCU/IAM consent.
18. Upon the effective date of this Agreement, all TCU System Boards, System Divisions, Joint Protective Boards, Locals and other subordinate bodies shall become TCU/IAM System Boards, System Divisions, Joint Protective Boards, Locals and Districts and shall remain affiliated with the TCU/IAM, and such subordinate bodies shall not be merged or consolidated with other IAM subordinate bodies unless upon mutual agreement of the TCU/IAM President and the IAM International President.
19. TCU/IAM will have jurisdiction over all employees and classes and crafts of employees it currently represents and those it organizes in the future.
20. TCU/IAM shall retain the bargaining rights for all employee groups for which it is recognized or certified, including responsibility for the negotiation for all collective bargaining agreements covering such employees. Collective bargaining agreements shall be subject to ratification as set forth in the current TCU Constitution during the Affiliation period and in accordance with TCU/IAM Bylaws and the IAM Constitution after the Merger Date. TCU/IAM shall retain all responsibilities for the administration of its collective bargaining agreements, including the processing of grievances and arbitrations.

21. TCU/IAM will continue to be separately represented at the TTD, MTD, and ITF during the Affiliation period. After the Merger, any separate representation on such bodies will require the approval of the TCU/IAM President and the IAM International President.

  
Robert A. Scardelletti  
TCU International President

  
R. Thomas Buffenbarger  
IAM International President

  
Howard W. Randolph, Jr.  
TCU International Secretary-Treasurer

  
Warren L. Mart  
IAM General Secretary-Treasurer

Dated: 7/6/05

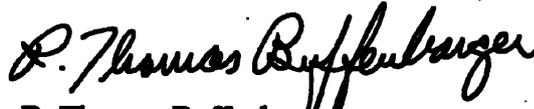
**SIDE LETTER NO. 1**

Dear President Scardelletti:

This will confirm our agreement on staffing issues:

1. The International President of the IAM and the President of TCU/IAM shall establish a transition team to seek the consolidation of the various operating departments of TCU/IAM and the IAM.
2. The IAM shall notify TCU/IAM of any position openings, and it shall give preferential hiring opportunities to employees from TCU/IAM.
3. Effective at the earliest possible date, TCU's magazine shall be consolidated with the IAM magazine, which shall be sent to all TCU/IAM members. At least two pages of the IAM magazine shall be dedicated to TCU/IAM news. The IAM Communications Department shall also work with TCU/IAM to produce an on-line newsletter devoted to IAM Rail Division issues, which will be regularly updated with Division and rail news.
4. In conjunction with (3) above, effective on the Affiliation date, IAM will pay half the salary of TCU's current Executive Director of Publications to work with the IAM Communications Department in developing a strategic communications plan.
5. Effective on the Affiliation date, IAM will hire TCU's current Assistant National Legislative Director to work in the IAM Legislative Department on rail labor legislative issues at their current salary and subject to appropriate wage increases afforded IAM staff.

Sincerely and fraternally,

  
R. Thomas Buffenbarger

I Concur:

  
Robert A. Scardelletti

**Side Letter 2**

**Dear International President Scardelletti:**

**This letter sets forth the terms of our agreement regarding the merger of the TCU Staff Retirement Plan with that of the IAM Grand Lodge Pension Plan:**

- 1. On the effective date of this Agreement or as soon thereafter as feasible, the TCU Staff Retirement Plan shall be merged into the IAM Grand Lodge Pension Plan, and all assets in the TCU Plan will be transferred to the IAM Grand Lodge Pension Plan. After the assets are transferred, the IAM Grand Lodge Pension Plan shall be responsible for the payment of all annuities and benefits accrued under the TCU Plan. TCU Grand Lodge officers and staff and those of TCU's subordinate bodies, as well as all annuitants, currently covered by the TCU Staff Retirement Plan will become participants in the IAM Grand Lodge Pension Plan. Special provisions for Manpower employees will be described in paragraph 5. All future Grand Lodge and participating Board officers and employees shall become participants in the IAM Grand Lodge Pension Plan. The TCU/IAM and its subordinate bodies shall be required to contribute to the IAM Grand Lodge Pension Plan only to the same extent as all other IAM entities covered by said Plan.**
- 2. TCU Staff Plan participants shall accrue service credits for purposes of determining the benefit under its Plan from January 1, 2004, through December 31, 2005, consistent with their actual service, and they shall begin accruing service credits under the IAM Grand Lodge Pension Plan effective January 1, 2006.**
- 3. TCU active participants in the current TCU Staff Retirement Plan would be subject to the twenty-five year cap for purposes of computing the amount of the benefit under the IAM Grand Lodge Pension Plan, as follows: If a TCU participant had twenty years of creditable service years under the TCU Staff Plan as of December 31, 2005, he or she will only be eligible to accumulate five additional years of pension credit under the IAM Grand Lodge Pension Plan. If a TCU participant had twenty-five years or more of creditable service years under the TCU Staff Plan as of December 31, 2005, he or she will accumulate no further pension credits under the IAM Grand Lodge Pension Plan; however, their pension credit years under the TCU Plan will not be reduced.**
- 4. The IAM Grand Lodge Pension Plan's provisions for determining normal retirement pension eligibility shall be applicable to all active TCU Staff participants retiring after the Plan's merger. A TCU active participant's pension amount would be determined based on their TCU Staff Plan service credit at December 31, 2005 (including accruals for the 2004 and**

2005 Plan Years) and their IAM Grand Lodge Pension Plan service credit commencing January 1, 2006, subject to the cap noted above. The benefit payable would be determined as two percent times the sum of (a) final monthly straight time earnings (as defined by the SPD of the IAM Plan) prior to retirement times IAM service credit (if any), and (b) the "final average compensation" (as defined by the SPD of the TCU Plan) prior to retirement times TCU service credit. Any early retirement reduction for the combined benefit shall be made consistent with the terms of the IAM Grand Lodge Pension Plan.

5. TCU employees working under Manpower training grants will be eligible only for 2004 and 2005 service credits described in paragraph 2. However, their benefit will be frozen as of December 31, 2005, and will be payable from the IAM Grand Lodge Plan with such benefit based upon the TCU Plan benefit and eligibility provisions. They will neither accumulate service credits nor accrue benefits under the IAM Grand Lodge Plan unless they are hired into covered employment in a different capacity.
6. The IAM Grand Lodge Pension Plan shall be responsible for the administration of the merged plan.
7. If the TCU Staff Plan final Schedule B to IRS/DOL Form 5500 reports a deficiency in the Funding Standard Account, TCU will be responsible for any government imposed excise taxes or other penalties that may be triggered by this deficiency.

Sincerely and fraternally,

  
R. Thomas Buffenberger

Concur:

  
Robert A. Scardelletti

**DRAFT Side Letter No. 3**

\_\_\_\_\_, 2006

**Robert A. Scardelletti, President  
Transportation Communications International Union/IAM  
3 Research Place  
Rockville, MD 20850**

**Dear President Scardelletti:**

**This letter sets forth the terms of our agreement regarding the administration of the Machinists Non-Partisan Political League ("MNPL") and the Responsible Citizens Political League, a Project of the Transportation Communications International Union ("RCPL") (together, "the Committees"). Effective upon the earliest possible date:**

- 1. IAM shall pay all costs associated with the use of IAM staff for the administration of all operations and functions of RCPL, including but not limited to record-keeping, preparation and filing of registrations and reports with governmental agencies, compliance with other legal requirements, solicitation and receipt of contributions, handling of other receipts, processing of payroll deduction authorizations, and making of contributions and other disbursements.**
- 2. IAM shall perform these functions in full consultation with the Treasurer of RCPL and the TCU/IAM President. In addition, TCU/IAM staff may provide services to RCPL involving the solicitation and receipt of contributions from TCU/IAM members. The Treasurer of RCPL shall exercise all authority over these functions as is necessary to discharge his or her duties under the Federal Election Campaign Act and other applicable laws.**
- 3. In recognition of historical membership loyalties and self-identifications, IAM and MNPL shall continue to solicit contributions, including, as appropriate, by payroll deduction, to MNPL from IAM members, executive and administrative staff, and their families ("the IAM Group"), and TCU/IAM and RCPL shall continue to solicit contributions, including, as appropriate, by payroll deduction, from TCU/IAM members, executive and administrative staff, and their families ("the TCU/IAM Group"). The IAM International President and the TCU/IAM President shall consult prior to any solicitation by IAM or MNPL to the TCU/IAM Group, or by TCU/IAM or RCPL to the IAM Group. IAM and TCU/IAM acknowledge that some solicitations that are directed at either the IAM Group or the TCU/IAM Group, such as through the *IAM Journal*, may also be received and acted upon by individuals within the other group.**

4. IAM shall continue to pay for and use IAM staff for the administration of MNPL in the same manner as IAM did prior to the execution of this side letter, subject to the provisions of this side letter and subject to any other changes in administration as the MNPL Treasurer, the IAM President or the IAM Executive Council shall direct in accordance with the IAM Constitution.

5. IAM and TCU/IAM shall coordinate all activities of the Committees so that they comply with all applicable contribution limits and other legal requirements as affiliated entities. At no time shall MNPL and RCPL contribute to, or engage in independent expenditures in support of or in opposition to, opposing candidates. Additionally, before any contribution or independent expenditure by either MNPL or RCPL is made, the IAM President and the TCU/IAM President, or their designees, shall consult in order to ensure that the prospective contribution or independent expenditure serves the interests of IAM, TCU/IAM and their memberships, including that the contribution or independent expenditure is more appropriately made by MNPL, RCPL or (subject to any applicable limits) both.

6. In recognition of historical membership loyalties and self-identifications, IAM and MNPL, and TCU/IAM and RCPL, shall undertake partisan electoral communications with the IAM Group and the TCU/IAM Group in the same manner as set forth in paragraph 5 above with respect to the solicitation of contributions. IAM and TCU/IAM, as the case may be, shall comply with any related governmental reporting requirements.

7. MNPL and RCPL shall retain their respective registrations with the Federal Election Commission and other governmental bodies until and unless the IAM Executive Council and the TCU/IAM Executive Council jointly agree that the Committees shall merge or otherwise restructure.

Sincerely and fraternally,

R. Thomas Buffenbarger  
International President

**I concur:**

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Robert A. Scardelletti  
President, TCU/IAM

Dated: \_\_\_\_\_

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LAURENCE E. GOLD  
OF COUNSEL

March 2, 2006

Lawrence H. Norton  
General Counsel  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

Attn: Brad Deutsch

Re: Advisory Opinion Request

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
2006 MAR -2 P 3 20

Dear Mr. Norton:

In response to a request from your office, we are enclosing copies of the Constitution of the International Association of Machinists and Aerospace Workers, and the Constitution of the Transportation Communications International Union/IAM. Please note that each document provides that it is subject to amendment only at a convention of the organization, so neither reflects the affiliation that is the subject of this advisory opinion request. Each document should be read in connection with the Affiliation Agreement that we provided your office with our request.

Thank you for your consideration.

Yours truly,



Laurence E. Gold  
Michael B. Trister

cc: R. Thomas Buffenbarger, International President, IAM  
Robert A. Scardelletti, President, TCU/IAM

**Constitution  
of the Grand Lodge,  
Statutes for the Government of  
Lodges and Districts,  
and Protective Laws**



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As revised and amended by the 32<sup>nd</sup> Regular and  
1<sup>st</sup> Quinquennial Convention—Effective September 1, 2004

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## **PREAMBLE**

Unity, guided by intelligence, is a bulwark of strength that can withstand all attacks. Without intelligent organization we cannot acquire the discipline which enables us to act together, concentrate our strength and direct our efforts toward a common purpose.

Therefore, for the purpose of promoting such unity of action, for our mutual protection and to advance the general welfare of our crafts, the organization known as the Transportation Communications International Union (TCU) has been established.

The Grand Lodge, possessing original and exclusive jurisdiction, is the source of all true and lawful authority and is the legislative and judicial head of the Union; is vested with full power and authority to enforce upon its membership a strict adherence to the laws and regulations as stipulated herein, and which are hereby declared to be the Constitution of the Grand Lodge, Statues for the Government of Lodges, Statutes for the Government of Districts and Protective Laws of the Transportation Communications International Union (TCU).



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## **CONSTITUTION OF THE GRAND LODGE**

**Transportation • Communications International Union**

### **ARTICLE 1—NAME**

**Section 1.** This International Organization shall be known by the name of the Transportation • Communications International Union.

### **Location of Headquarters**

**Section 2.** The principal office and headquarters shall be at Rockville, Maryland, or as specified by the Executive Council in consultation with the Finance Committee.

### **ARTICLE 2—GRAND LODGE**

**Section 1.** The sovereign body of the Union shall be called the Grand Lodge and will have absolute and exclusive jurisdiction over all matters pertaining to the Union; it is the true and legitimate source of all authority, the final resort of appeal, and there is no power vested in any officer, committee or body of members, except in convention assembled, to repeal, alter or change its law and decisions except as hereinafter provided.

### **Personnel**

**Section 2.** The Grand Lodge shall consist of an International President, International Secretary-Treasurer, seven (7) International Vice Presidents, who shall constitute the Executive Council, a Board of Trustees consisting of seven (7) members, and delegates, as hereinafter provided, all of whom shall be entitled to a voice and vote on all matters coming before the sovereign body except as otherwise provided by applicable law.\*

**\*NOTE:** For convention purposes the Carmen Division's Assistant General President and General Vice Presidents shall have the same rights and privileges as an International Officer.

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### ARTICLE 3—OFFICIAL SEAL

Section 1. The Official Seal of the Grand Lodge will be circular in form and shall bear the inscription Transportation • Communications International Union (Grand Lodge).

Section 2. The seal shall be affixed to all official documents, circulars and papers emanating from the Grand Lodge and its Executive Officers, and will be recognized as legal when printed thereon.

### ARTICLE 4—EMBLEM

Section 1. The emblem of the Union shall be: On a blue circular background, in large white block letters, "TCU", encircled by three large overlapping gold arrows, outlined in red, moving in a counter-clockwise direction; across the top of the emblem, in white, shall be "TRANSPORTATION • COMMUNICATIONS UNION" and at the bottom of the emblem, in white, shall be "AFL-CIO, CLC."

### ARTICLE 5—CONSTITUTION

Section 1. There shall be one form of Constitution of the Grand Lodge, Statutes for the Government of Lodges, Statutes for the Government of Districts and Protective Laws, which shall be the law by which each member and all subordinate units shall be governed and a copy thereof will be furnished each member.

Section 2. (a) It is the obligation and responsibility of every officer, subordinate unit and member to comply with the Constitution, Statutes for the Government of Lodges, Statutes for the Government of Districts and Protective Laws of this Union and the orders of its proper officers when in conformity therewith; and they shall refrain from any conduct that tends or is designed to interfere with the performance of the legal or contractual obligation of the Union or any subordinate unit, to defeat or subvert the lawfully declared and established policies and objectives of the Union, or to

Article 5, Section 4

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defame the Union, or any officer, subordinate unit, or member thereof. The sanctity of the obligation shall at all times be strictly adhered to and preserved. Not only shall the Constitution, Statutes for the Government of Lodges, Statutes for the Government of Districts and Protective Laws be binding on the officer, member or subordinate unit but shall likewise apply to any other officer of the Union, subordinate unit, or member, who by their own acts have made themselves accessories before or after the fact.

(b) Any member who advocates, encourages or affiliates with any organization with a purpose dual to that of the Union shall be deemed to be guilty of conduct unbecoming a member of the Union and shall be subject to discipline including, but not limited to, expulsion.

(c) No officer, member or subordinate unit of this Union may resort to any Court of Law or Equity or other civil authority either as parties' plaintiff or for the purpose of securing an opinion or decision in connection with any alleged grievance or wrong concerning any case in controversy arising within the organization or under its law, until such officer, member or subordinate unit first shall have exhausted all remedies by appeal or otherwise provided herein, not inconsistent with applicable law, for the settlement and disposition of such alleged rights, grievances or wrongs.

Section 3. The influence or sympathy of the Union as a body shall never be enlisted or used in favor of any religious organization. No member is permitted to discuss in meetings of this Union religious matters unrelated to Federal, State or Provincial Law, grievances, rules or working conditions or criticize the religious belief of any member nor can the influence or sympathy of the Union as a body be used in favor of partisan politics, or any political party and any lodge or district permitting the same to be done shall have its charter suspended, and all members participating in such discussion shall be subject to discipline including, but not limited to, expulsion.

Section 4. (a) The Grand Lodge, System Board, System Divi-

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**Article 6, Section 1**

sion, Joint Protective Board, Local Lodge, District and any other body of this Union shall not use its funds, facilities, equipment, supplies or personnel to promote the candidacy of any member seeking election to union office. The union's official logo shall not be used on the campaign literature of any candidate.

This prohibition applies only to the use of union funds and facilities to promote the candidacy of members running for union office. It does not include expenditures of union funds for notices, factual statements and other expenses necessary for the holding of the election.

(b) Candidates for Grand Lodge, System Board, System Division, Joint Protective Board, Local Lodge, District or other union office desiring to have campaign literature mailed at their own expense may file a written request with the International Secretary-Treasurer.

Upon receipt of such a request, the International Secretary-Treasurer shall arrange for the mailing and bill the candidate for all costs which shall include postage, supplies, labor and copying.

(c) No funds or facilities of an employer may be contributed or applied to promote the candidacy of any person.

**ARTICLE 6—  
REPRESENTATION TO GRAND LODGE CONVENTION**

**Delegates' and Alternates' Qualifications  
and Procedures of Election**

Section 1. Lodges and Districts are, for the purpose of electing delegates to the Grand Lodge Convention, classified into two (2) groups, namely lodges or districts of one hundred (100) or more members and lodges or districts of less than one hundred (100) members. The size of the lodge or district is determined by taking the number of members, as defined in Article 26, Section 2(a), in good standing as of September 30, last preceding the Grand Lodge Convention.

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**Lodges or Districts of One Hundred or More Members**

Section 2. (a) Lodges or Districts of one hundred (100) or more members, except as provided in Section 2 (c) of this Article, shall be entitled to elect one (1) delegate and one (1) alternate. The delegate to have the voting power of the Lodge or District electing him based on one (1) vote for the first one hundred (100) members and one (1) additional vote for each additional one hundred (100) members or major fraction thereof.

**How Elected**

(b) The Chairman of the Local Protective Committee of Lodges or the District Chairman of Districts with one hundred (100) or more members under the jurisdiction of one Board or System Division shall be the delegate to the Grand Lodge Convention. The Chairman of the Local Protective Committee-Delegate shall be nominated and elected in accordance with the Statutes for the Government of Lodges. The District Chairman-Delegate shall be nominated and elected in accordance with the Statutes for the Government of Districts. Such Lodges or Districts shall also elect an alternate delegate to the Convention in the same manner and at the same time the Chairman of the Protective Committee-Delegate or District Chairman-Delegate is elected. The alternate delegate shall only become the delegate to the Grand Lodge Convention if a duly elected Chairman of the Protective Committee-Delegate or District Chairman-Delegate including those elected to interim vacancies, cannot for any reason attend the Grand Lodge Convention or is a delegate to the Convention by virtue of holding any other office in the Union.

(c) Joint lodges or districts with one hundred (100) or more members under the jurisdiction of more than one Board, and having more than one Chairman of the Protective Committee shall have a secret ballot run-off election between the Chairmen of the Protective Committees for the position of Chairman of the Protective Committee-Delegate to represent the lodge or district at the Convention. This run-off election shall be held in the month of January preceding the

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**Article 6, Section 3**

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Convention. The candidate receiving the highest vote shall be declared elected Delegate and the candidate receiving the second highest vote shall be declared elected alternate.

(d) The General Secretary-Treasurer shall furnish the names and addresses of the Chairman of the Local Protective Committee-Delegate or District Chairman-Delegate and alternate delegate to the International President and International Secretary-Treasurer on a form to be furnished by the International Secretary-Treasurer and in accordance with his instructions.

**Lodges or Districts of Less Than One Hundred Members**

Section 3. (a) Except as provided in Article 6, Section 4(b) of this Constitution, members of Lodges or Districts of less than one hundred (100) members shall be entitled to participate in the election of delegates- (and alternates) at-large representing the combined membership of all such Lodges or Districts under the jurisdiction of their Board or System Division. One (1) delegate for the first one hundred (100) or less members. One (1) additional delegate for each additional one hundred (100) members, or major fraction thereof. Each such delegate-at-large shall be entitled to one (1) vote. The election shall be held in the manner hereinafter provided.

**How Many and How Elected**

(b) Upon receipt of the third quarter per capita tax, in the year immediately preceding the Convention, the International Secretary-Treasurer shall compile a list of names and addresses of all members of Lodges and Districts of less than one hundred (100) members under the jurisdiction of each Board or System Division and furnish same to the General Secretary-Treasurer, also certify to each General Secretary-Treasurer the number of delegates-at-large to which such Board or System Division is entitled. A copy of such certificate to be furnished to each such Lodge or District.

(c) The General Secretary-Treasurer shall notify the Local Chairman-Delegate or District Chairman-Delegate, by mail with a copy to

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the President of the involved Local or District, not later than January 25 immediately preceding the Convention, that his name will appear on the Delegate-at-Large ballot. If the Local or District Chairman-Delegate does not desire to be elected as a Delegate-at-Large, he shall so notify the General Secretary-Treasurer, in writing, within ten (10) days of receipt of the letter. If there has been a change in the individual holding the position of Local or District Chairman-Delegate, the President of the Local or District must notify the General Secretary-Treasurer within ten (10) days from receipt of copy of the letter.

(d) All delegates-at-large and alternates shall be elected by secret ballot on an official form furnished by the Grand Lodge, with voting instructions appearing thereon.

(e) The names of qualified candidates, their Lodge or District and location and the number to be voted for shall be printed or otherwise indicated on the ballot by the General Secretary-Treasurer of the Board or System Division. He shall not place any other information on the ballot. Names of candidates to be listed on the ballot in the order of continuous membership, the member with the longest membership to be listed first.

(f) The General Secretary-Treasurer shall utilize the list prepared by the International Secretary-Treasurer, as specified in Section 3(b), as a voter eligibility list. The General Secretary Treasurer shall, by first-class mail, furnish one (1) blank ballot to each member qualified to vote, which shall be mailed not later than February 25 preceding the Convention. A member notifying, in writing, the General Secretary-Treasurer that a ballot has not been received may be furnished a replacement ballot. When checking return ballot against eligibility list, if two (2) ballots are returned by a member, both shall be declared void and neither tabulated. In the event of a special convention being called between regular conventions, such elections shall be held and completed by sixty (60) days following date of call. There shall be allowed not less than fifteen (15) days between mail-

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Article 6, Section 3

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ing and return of ballots.

(g) Members on receipt of said ballot shall vote for the full number of candidates allotted to their Board or System Division. The official ballot only must be used for voting.

(h) The ballot when voted shall be returned to the General Secretary-Treasurer of the Board or System Division on or before March 15 immediately preceding the Convention.

(i) The General Chairman prior to February 25 immediately preceding the Convention shall appoint a Committee of Tellers of three (3) or five (5) members who are in good standing and not candidates, a majority of whom must be present, and in the presence of any other members of the Union who desire to attend, must open and tabulate the ballots in accordance with instructions. The tabulation to be made not later than March 25 immediately preceding the Convention. The General Chairman shall notify each candidate of time and place of counting ballots.

(j) The candidate or candidates receiving the highest number of legal votes cast shall be declared elected as delegates-at-large, and those receiving the next highest number of legal votes shall be declared elected as alternates in the order of number of votes received. In case of tie, the candidate having the longest continuous membership in the Union shall be declared elected. Those so elected shall be considered as representing not only the Lodge or District in which the delegate holds membership, but members and Lodges and Districts participating in the at-large election.

(k) The Committee of Tellers shall then and there fill out a return of said election, listing the names of all candidates voted for and the number of votes cast for each. The votes cast by members of each Lodge or District shall be counted and reported separately. The return shall be signed by a majority of the Committee of Tellers and forwarded to the General Secretary-Treasurer, who shall immediately forward same properly signed and sealed to the International Secre-

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tary Treasurer with copy to each candidate. All Lodges and Districts participating in the election shall be advised of the results by circular letter by the General Secretary-Treasurer of the Board or System Division. Ballots and all other records pertaining to the election shall be retained by him for not less than one (1) year unless called for by the International Secretary-Treasurer.

**Protests**

(1) A candidate or member of a Lodge or District participating in such an election may protest in writing the election or election procedures as follows:

(i) Within ten (10) days from the date of the incident, or the circular letter issued by the General Secretary-Treasurer of the Board or System Division, to the General Chairman of the Board or System Division, setting forth in writing the reasons for the protest.

(ii) The General Chairman shall investigate the matter and within fifteen (15) days issue a ruling.

(iii) The ruling of the General Chairman, or in the event no ruling is made within fifteen (15) days, to the International President whose decision may be appealed in writing within fifteen (15) days to the Convention.

(iv) A protest involving the election of such Delegates-at-large or Alternate Delegates-at-large that has been timely appealed to the Convention shall be referred to the Committee on Credentials for its review and report to the Convention.

**At Large System Representation**

Section 4. (a) Members under the jurisdiction of each Board or System Division having one hundred (100) or more members in good standing as of September 30 preceding the Convention, shall be entitled to one (1) additional delegate-at-large and alternate, with one (1) vote; except such delegate or alternate shall not vote for election

**Article 6, Section 4**

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**of International Officers. The General Chairman of each Board or each System Division shall be the delegate to the Grand Lodge Convention. This officer to be nominated for and elected to the office of General Chairman-Delegate in accordance with the Protective Laws. Such Board or System Division shall also elect an alternate delegate to the Convention in the same manner and at the same time the General Chairman-Delegate is elected. The alternate delegate shall only become the delegate to the Convention if a duly elected General Chairman-Delegate, including those elected to interim vacancies, cannot for any reason attend the Grand Lodge Convention, or is a delegate to the Convention by virtue of holding any other office in the Union.**

**(b) Separate and distinct Boards and System Divisions operating as such having less than one hundred (100) members in one (1) or more Lodges or Districts shall for the purpose of representation be pooled and shall be entitled to participate in the election of delegates (and alternates) representing the combined membership of all such units, one (1) delegate for the first one hundred (100) members and one (1) additional delegate for each additional one hundred (100) members or major fraction thereof. Nomination and election of delegates will be handled as is provided for in the election of delegates-at-large. The International Secretary-Treasurer shall conduct the elections. Such delegates shall be entitled to one (1) vote each.**

**Unopposed Nominees**

**Section 5. (a) No vote shall be valid or recorded except for candidates who have been properly nominated. "Write-in" votes are not permissible.**

**(b) Notwithstanding any of the requirements of this Article 6, Sections 2, 3, or 4, a secret ballot need not be conducted where nominees are unopposed. Unopposed nominees shall be declared elected and the International Secretary-Treasurer notified accordingly.**

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**Qualifications of All Delegates and Alternates**

Section 6. (a) No member shall be eligible for nomination and election as delegate or alternate unless he has been a member of the Union in good standing continuously for one (1) year immediately preceding the date of his nomination. In addition, he must have met his full dues obligation for the preceding year and must continue to do so for his term of office. He must actually be employed forty (40) hours or more in each calendar month, in railroad, steamship, airline, express or other service, on a position that is fully covered by the working Rules Agreement, or exclusively employed by the Grand Lodge or any subordinate unit of the Union, and must have been so employed continuously for at least ninety (90) days immediately prior to the date of his nomination. No member may be nominated for delegate or alternate who is indebted to the Lodge or District for more than current month's dues or assessments. Qualifications specified herein must be retained for term of office. (Employed continuously shall be construed as: (i) the receiving of any compensation or payment in lieu thereof from an employer subject to TCU agreements, the Grand Lodge or any subordinate unit of the Union, (ii) receiving benefits based on such service, (iii) a person who has a discharge grievance pending, (iv) temporary sickness or layoff not exceeding thirty (30) days for which compensation or benefits are not paid, (v) not working because of a bona fide labor dispute, (vi) not working because of navigation conditions or seasonal operations.)

The International President may make exceptions for members who are unable to meet these qualifications.

(b) The one (1) year clause, referred to in the preceding paragraph, shall not apply to newly organized Lodges, Districts, Boards and System Divisions during the first year of their existence; however, no member hereunder shall be eligible for nomination and election as delegate or alternate until sixty (60) days after admission into the Union.

(c) Delegates elected under this Article must produce certifi-

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**Article 6, Section 7**

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cate of election bearing the seal of their Lodge, Board or System Division if elected under Section 2 hereof; if elected delegate-at-large under Sections 3 and 4, the seal of their Board or System Division must be affixed to their certificates of election. They must have membership cards and all dues and assessments must be paid up to and including the month in which the Convention is held and at that time have all qualifications required when nominated and elected, before being seated.

**Protests**

**Section 7. Members may protest the election of Convention Delegates and Alternates as follows:**

(i) General Chairman-Delegate or Alternate as set forth in Article 1 of the Protective Laws.

(ii) Chairman Local Protective Committee-Delegate or Alternate as set forth in Article 4 of the Statutes for the Government of Lodges.

(iii) District Chairman-Delegate or Alternate as provided for in Article 4 of the Statutes for the Government of Districts.

(iv) Delegates-at-large and Alternates pooled pursuant to Article 6, Section 3 as set forth in Article 6, Section 3(l) of the Constitution.

(v) Delegates-at-large and Alternates for Boards and System Divisions pooled pursuant to Article 6, Section 4(b) may be taken in writing within thirty (30) days to the International President and then in writing within thirty (30) days to the Convention.

**Compensation for Delegates**

**Section 8. (a) The mileage, compensation and expense allowance of each delegate going to and returning from the meeting place of the Grand Lodge Convention and while attending each regular session of the Convention, shall be determined currently by said**

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Convention; provided, however, that such mileage shall in each case be computed via the most direct ticketing route from the delegate's place of residence to the Convention city and return.

(b) Such mileage, expenses and per diem allowance shall be paid out of the Convention Fund Account.

**ARTICLE 7—SESSION OF GRAND LODGE**

**Regular**

Section 1. Regular Convention of the Grand Lodge shall be held once every five (5) years in the month of June, July or August at such place and commencing at 10:00 A.M. on such date as may be designated by the Executive Council, giving first consideration to three cities recommended by the previous Convention.

**Special**

Section 2. (a) Upon the request of at least a majority of Local Lodges and/or Districts which also constitute a majority of the membership of the Union, the International Secretary-Treasurer shall submit a ballot to the membership for vote upon the question of holding a special convention for consideration of questions which may arise.

(b) The International Secretary-Treasurer shall have prepared and transmit such ballot to the members of record as reported on the preceding quarter's per capita tax reports with instructions thereon as will enable all members to cast an intelligent vote.

(c) The ballots shall be returned by the members to the International Secretary-Treasurer in an envelope provided for that purpose.

(d) The International Secretary-Treasurer shall hold all such ballots (or votes) intact and sealed ready for counting and tabulation by the Board of Trustees or tellers named by them. Such ballots (or votes) shall be tabulated by the tellers and certified by the Chairman, Board of Trustees. Such ballots and all other records pertaining to the election shall then be turned over to the International Secretary-Treasurer to be held in trust for not less than one (1) year.

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**Article 7, Section 3**

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(e) If a majority of those eligible vote in favor of a convention, it shall be called within one hundred twenty (120) days from the date the tabulation is certified by the Chairman of Board of Trustees. The Executive Council shall fix the time, date and place of such convention. Such convention shall have all the powers and authority of a regular convention.

(f) If the vote is against the proposition submitted to referendum the Board of Trustees shall announce the result thereof by mailing report of its findings to the President and Secretary of each Lodge, District, Board, System Division, Federation and other local or subordinate body.

(g) Delegates and alternates entitled to a seat at such special convention shall be Grand Lodge Officers and those set forth in Article 6 determined as of the date of the Special Convention Call. The entitlement to and voting strength of delegates to be determined on the same basis as used for regular conventions with the size of the Lodge or District determined by taking the number of members in good standing as of the end of the quarter last preceding the Convention Call.

**Quorum**

Section 3. (a) One hundred twenty-five (125) delegates shall constitute a quorum for the transaction of business.

(b) After three (3) days from the time fixed for convening a regular or special session, should no quorum appear, the session shall be adjourned sine die.

**Grand Lodge Convention Appointments**

Section 4. The following officers shall be appointed by the International President with the consent of the Convention: Grand Chaplain, Grand Sergeant-at-Arms and Assistants, Grand Inner and Outer Guards, and Tellers. Each of these, except Outer Guards, must

be delegates. Outer Guards will be limited to no more than 15% of the total number of official delegates to the Convention.

Section 5. The following Committees shall be appointed by the International President subject to ratification by the Convention:

(a) Committee on Grand Lodge Constitution and Laws, consisting of only five (5) delegates.

(b) Committee on Credentials, consisting of five (5) but not more than ten (10) delegates.

(c) Committee on Rules, Order of Business and Ritual, consisting of only five (5) delegates.

(d) Committee on Finance, Salaries, Mileage and Per Diem, consisting of five (5) but not more than twenty (20) delegates.

(e) Committee on Retirement, Unemployment Insurance and Health and Welfare, consisting of five (5) but not more than twenty (20) delegates.

(f) Committee on Appeals, consisting of five (5) but not more than ten (10) delegates.

(g) Committee on Petitions and Resolutions, consisting of five (5) but not more than ten (10) delegates.

(h) Committee on State, Provincial and Federal Legislation, consisting of five (5) but not more than ten (10) delegates.

(i) Committee on Official Publication, Printing and Press, consisting of only five (5) delegates.

No delegate shall be eligible to serve on more than one committee during the entire session of the Convention.

#### **Duties of Grand Lodge Convention Officers**

Section 6. The Grand Chaplain shall open and close all sessions of the Grand Lodge Convention in accordance with the duties of his office.

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**Article 7, Section 7**

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**Section 7. The Grand Sergeant-at-Arms and Assistants shall maintain order while the Convention is in session and perform such other duties as may be required by the International President.**

**Section 8. The Grand Inner Guard shall attend to the inner door of the Convention during its sessions, and permit no one to enter or retire except in accordance with the usages of the Union.**

**Section 9. The Grand Outer Guard shall securely guard the outer door and permit no one to enter without examination and receiving the required evidence of good standing.**

**Duties-Committee on Credentials**

**Section 10. It shall be the duty of the Committee on Credentials to examine into the standing of all lodges and districts, the regularity of the credentials of delegates and the right and title of said delegates to representation in the Grand Lodge Convention, and to hear all appeals as to seating of delegates. This Committee shall meet in the Convention city at least one day before the convening of the Convention and proceed to business, reporting its findings and recommendations to the Convention.**

**Section 11. Delegates or alternates elect, as reported by the Credentials Committee, shall be seated by action of the Convention and shall be a body competent to transact business.**

**Section 12. Should protest be filed against the seating of any delegates, or alternates, the Grand Lodge Convention, as temporarily organized, shall immediately dispose of all such cases.**

**Order of Business**

**Section 13.**

- 1. Call to order by the International President.**
  - 2. Appointment of Temporary Officers.**
  - 3. Report of Committee on Credentials.**
  - 4. Roll call of officers and representatives.**
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5. Appointment of Committees.
6. Reading of minutes of previous day's session and action thereon.
7. Report of Committee on Rules, Order of Business and Ritual.
8. Report of International Officers.
9. Reading of Resolutions and Communications.
10. Reports of Committees:
  - (a) Grand Lodge Constitution and Laws,
  - (b) Appeals,
  - (c) Petitions and Resolutions,
  - (d) Finance, Salaries, Mileage and Per Diem,
  - (e) Official Publication, Printing and Press,
  - (f) Retirement, Unemployment Insurance and Health and Welfare,
  - (g) State, Provincial and Federal Legislation.
11. Unfinished Business.
12. New Business.
13. Election of Officers.
14. Installation of Officers.
15. Miscellaneous.

Robert's Rules of Order shall be the recognized guide of the Grand Lodge and all subordinate units where the Constitution does not cover.

Section 14. All general expenses incurred in conducting any convention, including printing expenses incidental thereto, shall be paid from the Convention Fund.

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**ARTICLE 8—  
DUTIES OF CONVENTION COMMITTEES**

**Committee on Grand Lodge Constitution and Laws**

Section 1. (a) It shall be the duty of the Committee on Grand Lodge Constitution and Laws to examine all proposed amendments to the Constitution of the Grand Lodge, Statutes for the Government of Lodges, Statutes for the Government of Districts and Protective Laws and such other matters as may be properly referred to it by subordinate units, delegates and International Officers, and report its recommendations to the Convention.

(b) The Committee shall meet in the Convention city at least five (5) days prior to the time set for the convening of the Convention and proceed to business.

**Committee on Rules, Order of Business and Ritual**

Section 2. It shall be the duty of the Committee on Rules, Order of Business and Ritual to meet in the Convention city at least one (1) day prior to the convening of the Convention for the purpose of formulating rules for the guidance of the Grand Lodge Convention. It shall also receive proposed alterations and additions to the ritual and make a report of its recommendations to the Convention.

**Committee on Appeals**

Section 3. It shall be the duty of the Committee on Appeals to handle all matters properly referred to it, to hear all evidence or testimony offered by each interested party or by their counsel. The Committee's report to the Convention shall set forth the salient points of the case and recommend the action to be taken.

**Committee on Petitions and Resolutions**

Section 4. It shall be the duty of the Committee on Petitions and Resolutions to handle all matters properly referred to it by the Grand Lodge Convention, to formulate resolutions on such matters and report them to the Convention with its recommendations.

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**Committee on Finance, Salaries, Mileage & Per Diem**

**Section 5.** It shall be the duty of the Committee on Finance, Salaries, Mileage and Per Diem to inquire into the financial condition of the Organization, to make recommendations for its benefit, to recommend the amount of salary to be paid the International Officers, to pass upon all claims made for mileage and per diem allowance by the delegates and to report their findings to the Grand Lodge Convention.

**Committee on Official Publication, Printing and Press**

**Section 6.** It shall be the duty of the Committee on Official Publication, Printing and Press to inquire into the management and financial standing of the official publication, Interchange, to make recommendations for improvement, to superintend the printing orders of the Grand Lodge while in session, to attend to the distribution of the printed matter of the Grand Lodge and to give such information to the public press concerning the transactions of the Grand Lodge Convention as it may deem proper.

**Committee on Retirement, Unemployment Insurance,  
and Health and Welfare**

**Section 7.** It shall be the duty of the Committee on Retirement, Unemployment Insurance and Health and Welfare to handle all matters properly referred to it, and make such report and recommendations to the Convention as in its opinion should be made. This Committee shall meet in the Convention city at least one (1) day before the convening of the Convention and proceed to business.

**Committee on State, Provincial and Federal Legislation**

**Section 8.** It shall be the duty of the Committee on State, Provincial and Federal Legislation, to handle all matters properly referred to it, and make such report and recommendations to the Convention as in its opinion should be made.

Article 8, Section 9

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**Petitions and Resolutions**

Section 9. Petitions and resolutions to be considered by the Convention may be submitted only by subordinate units, delegates and International Officers. Each petition or resolution shall be in writing, confined to one subject and eight (8) copies filed with the International President on or before April 15, next preceding each Grand Lodge Convention.

**Proposed Amendment to the Constitution**

Section 10. Proposed amendments to the Constitution, Statutes and Protective Laws may be submitted only by subordinate units, delegates and International Officers. Each proposed amendment shall be in writing, confined to one subject and eight (8) copies filed with the International President on or before April 15, next preceding each Grand Lodge Convention. Copies of all such proposals shall be printed and mailed to all delegates on or before May 15. Copies shall be supplied the Committee on Grand Lodge Constitution and Laws immediately on convening. The Committee will consider and report to the Convention its recommendations on all proposals submitted.

**ARTICLE 9—DUTIES OF GRAND LODGE**

Section 1. It shall establish Lodges, Districts and subordinate units throughout the States, territories, provinces of the United States, Canada and Mexico.

Section 2. It shall establish a Ritual, and shall change, alter and amend the same when deemed necessary to provide for its security and the uniform dissemination of its teachings.

Section 3. It shall print and furnish all Charters, Rituals, Cards and forms necessary to uniformity throughout the Union. It shall also print in French, Spanish or other languages necessary a supply of Constitutions, Rituals, Petitions and other necessary forms.

Section 4. It shall provide a revenue to meet its expenses by

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per capita tax on membership, and by fees, dues and assessments; and will furnish, free of charge to subordinate units, supplies such as Constitutions, report blanks to be made to the Grand Lodge and application blanks for membership.

Section 5. The government of all Lodges, Districts, Boards, System Divisions, Councils or Federations or any other subordinate unit shall be vested in this Grand Lodge as the supreme head of all units under its jurisdiction. To it shall belong the authority to determine the customs and usages in regard to all matters relating to the Union.

**ARTICLE 10—  
ELECTION-INTERNATIONAL OFFICERS**

Section 1. The International President shall be elected on one (1) ballot; the International Secretary-Treasurer shall be elected on one (1) ballot; seven (7) International Vice Presidents shall be elected on one (1) ballot; and seven (7) members of the Board of Trustees shall be elected on one (1) ballot by the Grand Lodge at its regular session. The election on each of those four (4) ballots shall be completed in the order listed before nominations for the offices on the next ballot. In the event a candidate is defeated, he shall be eligible for nomination to office on subsequent ballots.

Terms of office to commence September 1, following each regular Convention and officers shall serve until the election and installation of their successors, unless relieved of their offices by due process.

Section 2. (a) Of the foregoing there shall be elected one (1) International Vice President and one (1) member of the Board of Trustees from the Carmen Division. The balance of the International Vice Presidents and members of the Board of Trustees shall be elected from the membership at large. The offices of Chairman and Secretary of the Board of Trustees shall be filled by the members of the Board on an annual rotation basis.

**Article 10, Section 3**

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**Note:** The delegates to the 1991 Grand Lodge Convention affirmed the ruling of the chair, by over a two-thirds majority, that Carmen members are not eligible to be candidates for election to at-large International Vice President offices, thereby confirming the prior interpretation and application of this provision. This same principle applies to the at-large Board of Trustee positions.

(b) As set forth in Carmen Division By-Laws, the Carmen Division President and Chairman, Carmen Division Executive Board, shall be placed before the Convention as the nominees of the Carmen Division for election as International Vice President and Carmen Member, Board of Trustees, respectively.

**Section 3.** To be eligible for election, all candidates must be members of this Union in good standing, and must actually be employed in railroad, steamship, airlines, express or other service over which the Union claims jurisdiction, or employed exclusively by the Grand Lodge or any subordinate unit and must have been so employed continuously, (as defined in Article 6, Section 6(a) of the Constitution of the Grand Lodge), for a period of not less than four (4) years immediately preceding the date of the Convention at which they seek office. In addition, they must have met their full dues obligation for the preceding year and must continue to do so for their term of office.

**Section 4.** All elections shall be conducted by secret ballot; ballots shall show only the voting strength of delegates, names of candidates and office for which nominated. "Write-in" votes are not permissible. Proper space shall be provided in upper right hand corner for record of voting strength. Sufficient space between entry of voting strength and name of first candidate shall be provided to permit folding of ballot to insure secrecy of vote. A secret ballot need not be conducted where nominees are unopposed.

**Section 5.** The International President shall appoint a sufficient number of tellers to receive and count the votes; a majority of all votes cast shall be necessary to elect and should there be no choice

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on the first ballot, the candidate receiving the lowest number of votes or less than ten percent (10%) of the total votes shall be dropped and so on with each succeeding ballot, until the choice is made. Any ballot which does not carry a vote for all seven (7) International Vice Presidents and any ballot which does not carry a vote for all seven (7) members of the Board of Trustees shall be declared illegal.

Section 6. Delegates will be furnished only one (1) ballot each, upon presentation of credentials. Tellers shall check recorded voting strength against credential card at time ballot is procured and again on deposit of ballot in ballot box.

Section 7. Any member may protest the election of an International Officer or Carmen Division Officer by filing a written protest setting forth the basis for complaint with the International Secretary-Treasurer. Said written protest must be received within thirty (30) days after the close of the Convention at which the election in question was held. The International Secretary-Treasurer shall refer the protest to the Executive Council which shall have final authority to rule on it. The procedures established by Article 16 shall govern the Executive Council's handling of such a protest.

ARTICLE 11—  
VACANCIES IN OFFICE OF GRAND LODGE

Section 1. In case of death, resignation, removal or suspension of an International Officer, the Executive Council shall elect his successor to fill the unexpired term except as otherwise provided in these laws.

Section 2. In case of death, resignation, removal or suspension of the International Secretary-Treasurer, the Executive Council, with the approval of the Board of Trustees, shall elect his successor. The Board of Trustees shall immediately convene at Grand Lodge Headquarters, and with expert assistance proceed to audit the accounts of the former International Secretary-Treasurer and transfer the funds to his successor.

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**ARTICLE 12—SALARIES AND ALLOWANCES**

**Section 1.** The salaries of the International President, International Secretary-Treasurer, the International Vice Presidents, and the salaries, per diem of the members of the Board of Trustees, shall be payable semi-monthly. Each officer shall be allowed necessary expenses when traveling on business of the Union. The salaries shall be established prior to the nomination and election of officers at each Convention of the Grand Lodge.

**Section 2.** The salary of any member of the Union assigned to act as National Legislative Director shall not exceed for the term of their assignment the salary of International Vice Presidents. The salary of any member assigned by the International President to be his Special Assistant shall, in the aggregate, be equal to that of the International Secretary-Treasurer. They shall be allowed necessary expenses for such work and shall be paid from the General Fund Account.

**Section 3.** Each officer or employe of the Grand Lodge shall render to the International President, a statement of his expenses, together with receipts not less than once a month. If approved, it shall be forwarded to the International Secretary-Treasurer for payment.

**Section 4.** All committees acting under authority shall be allowed per diem, in the same amount as Convention delegates, and their necessary expenses while traveling on business of the Union or transacting the business of the Union away from their homes.

**Section 5.** All salaries, per diem and expenses provided for in this Article shall be paid from the General Fund Account.

**ARTICLE 13—INTERNATIONAL PRESIDENT'S  
DUTIES AND PREROGATIVES**

**Section 1.** The International President shall exercise general supervision over all the affairs of the Union.

**Section 2.** He shall preside at all sessions of the Grand Lodge, enforce strict observance of the Constitution, laws, rules and regulations of the Union.

**Enforcement of Laws**

**Section 3.** He shall at all times strictly enforce the Grand Lodge Constitution, Statutes for the Government of Lodges, Statutes for the Government of Districts and Protective Laws of the Union and shall call to account any member or members of the Union violating same.

**Interpretation of Constitution and Laws**

**Section 4.** He shall have sole power and authority to interpret the Constitution and Laws, subject to appeal to the Executive Council, and shall advise the membership through Interchange of any such interpretations issued, and may issue dispensation not inconsistent with said Constitution and Laws.

**Approval of Charters of Lodges**

**Section 5.** He shall pass upon and approve or reject all applications for charters for the establishment of Lodges, Districts and subordinate units when received from the International Secretary-Treasurer properly endorsed, and shall arrange for the institution of such Lodges, Districts and subordinate units when the applications have been approved by him.

**Charters for Federations or Councils**

**Section 6.** The International President may grant charters for the establishment of District Councils and State, Region or Provincial Federations. Councils and Federations established shall be under the control and jurisdiction of the Grand Lodge. By-Laws and rules adopted for their government must be approved by the International President before becoming effective. If approved, they shall become effective on the date fixed by him, and shall not be printed before being so approved. When charters are forfeited, suspended, revoked or surrendered, or when Boards, System Divisions or subor-

**Article 13, Section 7**

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dinate units go out of existence (except mergers), all supplies, books, records, funds and other property shall become the property of the Grand Lodge. The officer or officers having in his or their possession funds or other property of such units shall be held responsible under his or their bonds for their transfer to the Grand Lodge.

**Approval of By-Laws of Subordinate Units**

Section 7. He shall approve the By-Laws of all subordinate units when not in conflict with this Constitution.

**Discipline**

Section 8. He is empowered to discipline all Lodges, Districts, Boards, System Divisions, Federations and other local or subordinate units, and for that purpose shall have authority to arrest or revoke charters for disobedience of the Constitution and Laws of the Union.

**Failure to Comply with Laws**

**Trusteeship**

Section 9. (a) The International President may suspend the charter of a Local Lodge, District, System Board, Joint Protective Board, System Division or any other subordinate body when, in his judgment, such action is needed for the purpose of correcting corruption or financial malpractice; assuring the performance of collective bargaining agreements or other duties of a bargaining representative; restoring democratic procedures; or otherwise carrying out the legitimate objectives of this union; and he may appoint a temporary Trustee to take control of the subordinate body, including its property, records and finances; provided, that, before the suspension of charter and appointment of Trustee, he shall arrange for a hearing for the purpose of determining whether such action should be taken, unless in the judgment of the International President there is an emergency situation, in which case he may take such action prior to a hearing.

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**Trusteeship Hearing Procedures**

(b) When in the International President's judgment there is a basis for the appointment of a Temporary Trustee, or where such an appointment is made because in his judgment an emergency exists, he shall provide each officer of the subordinate body with a charge specifying the reasons for imposing a trusteeship and a notice setting forth the time, date and place of hearing, which shall be scheduled at least ten (10) days after the date of the notice.

Any request to postpone the hearing shall be directed to the International President, who shall grant such a request only for good cause, in light of the need for expeditious handling.

The International President shall appoint a hearing officer, who must be a TCU member. The hearing officer shall be responsible to assure that evidence is received in an orderly manner. While the rules of evidence shall not be applicable to this hearing, the hearing officer is authorized to limit testimony to relevant matters as well as to rule on any objections or motions made at the hearing. The hearing officer shall arrange for a transcript of the hearing to be prepared by a court reporter.

The International President shall appoint a representative to introduce the evidence which he believes supports the appointment of a temporary Trustee. Officers of the involved subordinate body shall also be afforded an opportunity to present evidence. Witnesses shall be subject to cross-examination. Parties may only be represented by members of this union.

The hearing officer shall within ten (10) days of the close of the hearing furnish the International President or, in the case of an emergency, the Executive Council, the transcript of the hearing, copies of all exhibits and his recommendation. The International President, or in the case of emergency, the Executive Council, shall issue a decision within thirty (30) days of receipt of the hearing officer's report.

Article 13, Section 10

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(c) Any officer of the involved subordinate body may appeal the decision of the International President to the Executive Council within thirty (30) days. When the U.S. mail is used, the postmark will govern in determining compliance with the time limits stipulated herein. The Executive Council shall be furnished the transcript of hearing and all exhibits from the hearing. The Council shall issue its decision within thirty (30) days of receipt of the appeal. A decision of the Executive Council under this section or section (b) may be appealed to the Grand Lodge Convention, pursuant to Article 16, Section 15 of the Constitution.

(d) The time requirements set forth in this section are not mandatory and may be modified for good cause.

(e) The Trustee shall be authorized and empowered to take full charge of the affairs of the subordinate body, to remove any or all officers and appoint temporary officers at any time during his trusteeship, and to take such other action as in his judgment is necessary for the preservation of the subordinate body and its interests. The terms of office of officers so removed shall terminate as of the date of removal.

**Other Hearing Procedures**

Section 10. (a) He shall have power to suspend, expel, or otherwise discipline any officer, committee member or member: (1) for conduct unbecoming an officer, committee member or member, (2) for violation of the Constitution, Statutes for the Government of Lodges, Statutes for the Government of Districts and Protective Laws of the Union, (3) for violation of the policies established pursuant thereto, or (4) for any action detrimental to the interests of the Union or its members, in the manner provided in sub-sections (b) and (c) of this section.

(b) He may summarily suspend any officer, or committeeman from his office or position as committeeman pending the filing of charges, hearing and decision thereon. Within thirty (30) days thereafter he shall serve such officer or committeeman with specific written charges. The suspended officer or committeeman shall be given

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a reasonable time by the International President to prepare his defense and shall be promptly afforded a full and fair hearing on such charges.

In the event an officer or committeeman refuses or neglects to attend a properly scheduled hearing, he shall be deemed guilty of contempt and the hearing shall proceed in his absence.

The International President shall render his decision within thirty (30) days after the completion of the hearing, and promptly notify the accused officer or committeeman and the Secretary of the Lodge, District or subordinate unit in which he holds membership of his decision.

(c) He shall have power to suspend, expel, or otherwise discipline a member, but only after serving such member with specific written charges stating the grounds therefor, and affording the member reasonable time to prepare his defense and a full and fair hearing. In the event a member refuses or neglects to attend a properly scheduled hearing he shall be deemed guilty of contempt and the hearing shall proceed in his absence. The International President shall render his decision within thirty (30) days after completion of the hearing, and promptly notify the member and the Secretary of the Lodge, District or subordinate unit in which he holds membership, of his decision.

#### **Right of Appeal**

Section 11. Any officer, committeeman, or member suspended, expelled, or otherwise disciplined as provided in Section 10 of this Article, shall have the right of appeal to the Executive Council and to the next Convention of the Grand Lodge as provided in Section 12 of this Article and in Article 16.

#### **Procedure for Appeal**

Section 12. All appeals permitted to be taken by a member or subordinate unit to the International President, Executive Council and the Grand Lodge Convention, shall be in writing, signed by the

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**Article 13, Section 13**

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appellant and fully set forth the facts pertaining to the appeal, the grounds on which it is based, the contention of the appellant in support thereof, and filed in the manner and order, and within the time specified in the provisions of the Constitution and Laws of the Union applicable to each respective appeal.

No appeal shall be recognized or considered unless the member or subordinate unit filing the appeal has complied with these requirements.

**Supervision**

Section 13. (a) He shall have complete supervision over the International Vice Presidents, General Representatives and all Organizers, assigning them to such duties and such headquarters as in his opinion will permit the work of the Union to be handled in the most efficient and economical manner.

(b) The International President shall be the Editor of Interchange.

**Assignment-National Legislative Director**

Section 14. With the approval of the Executive Council he may assign, if conditions warrant, a member of the Union as National Legislative Director.

**Assignment of Members**

Section 15. He may assign a member of the Union to perform a duty or specific act in his stead when circumstances arise or occasion demands, and by letter of instructions set forth the duty or act to be performed. Upon the completion of the assignment, a full written report of the work shall be made to the International President.

**Clerical Help, Assistants and Field Representatives**

Section 16. He shall employ such clerical help and staff assistants necessary to conduct the business of his department. Such employes shall become members of the Union at the time of their employment. He shall also employ such assistants and field repre-

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sentatives necessary to take care of organization work and shall pay such salaries as he may deem proper subject to approval of the Finance Committee. In case of emergency, he shall have authority to employ such additional help and such legal advice as may be considered necessary.

#### **Appropriation-Funds**

Section 17. (a) The International President shall have authority to appropriate such funds of the Union as may be necessary for the liquidation of the legitimate expenses of the Union, provided, however, that any unusual or extraordinary expenditure of funds shall be subject to the approval of the Finance Committee, as provided in Article 18, Section 2(b).

(b) With the approval of the Finance Committee he shall have authority to appropriate such funds of the Union as may in his judgment be necessary in case of strikes or lockouts.

#### **Meetings of General Committees**

Section 18. (a) He may assemble all General Chairmen as a General Committee for such period of time he may deem necessary when the question of wages and working conditions becomes a national issue; such meetings shall be for the purpose of consultation. All expenses of such meetings including legitimate expenses of the General Chairmen, shall be paid by the Grand Lodge from the General Fund Account, when the provisions of Article 1, Section 13(a) of the Protective Laws have been complied with.

(b) On national negotiations involving wages or working conditions for U.S. rail employes, the International President shall appoint a National Negotiating Committee. The International President will be the Chairman of said Committee. In addition to the Chairman, the Committee shall include at least two (2) International Vice Presidents, the Chairman and Vice Chairman of the General Chairmen's Association, and such staff or professional assistance as the International President deems necessary.

**Article 13, Section 19**

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(c) Tentative agreements negotiated pursuant to (b) above shall first be subject to ratification by a weighted majority vote of General Chairmen. Each General Chairman's vote shall be in proportion to the number of members within the scope of said agreement represented by his Board or System Division. The International President may assemble the General Chairmen for this purpose or he may vote the General Chairmen by any other appropriate means.

(d) Upon ratification of the tentative agreement by the General Chairmen pursuant to (c) above, it will be submitted for ratification to the involved members voting by U.S. Mail. Unless a majority of the members voting vote for the tentative agreement it shall not be adopted. Such ratification vote to be conducted under the supervision of the Grand Lodge Board of Trustees and this Board shall certify the result to the International President.

**Consolidations, Boards and/or System Divisions**

Section 19. In instances where it is clearly apparent there are not sufficient members under the jurisdiction of any Board or System Division to assure adequate finances at a reasonable level of per capita tax rate to permit such Board or System Division to adequately and efficiently perform the services required of the Board or Division under Article 1, Section 13(a) of the Grand Lodge Protective Laws; or the membership under its jurisdiction desires by referendum vote for any reason to consolidate with another Board or System Division and such other Board or System Division is not agreeable to such merger, the facts in connection therewith shall be referred to the International President, who is hereby authorized to encourage voluntary consolidation of such Board or System Division to the extent he may deem practicable, and in any such instance where the International President is unable to secure voluntary action to consolidate, authority is hereby granted to the International President to require such consolidations subject to appeal and review by the Executive Council.

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**Subordinate Units**

**Failure to Function**

Section 20. (a) When any subordinate unit is not functioning to the best interest of the membership under the laws and regulations of the Union, the International President shall have authority to investigate and if results of investigation justify, he will recommend means for improvement to the officers of such subordinate unit.

(b) Should the officers of a subordinate unit fail or decline to take steps necessary for such improvement, the International President has authority to order special meetings or circularize the membership, setting forth all facts to the membership under the jurisdiction of such subordinate unit and state the necessity for such action to correct such conditions.

**Jurisdiction--Local Lodges and Districts**

Section 21. The International President shall define the jurisdiction of Lodges or Districts in instances where there is a conflict in jurisdiction between the Protective Committees of Lodges or Districts or may require the consolidation of such Lodges or Districts when he deems it to be in the best interests of the Union, subject to appeal and review by the Executive Council.

**Mergers**

Section 22 (a). He is authorized and empowered to engage in active discussions with any other trade labor union concerning merger of such union or unions with TCU, whenever such discussions in his discretion appear appropriate.

(b) With the approval of the Executive Council, he is authorized and empowered to approve, enter into, effectuate and implement any merger agreements with trade labor unions which, in its opinion, are in the interest of the good and welfare of this Union, are consistent with the ideals, principles, goals and purposes of this Union, and which provide for the same basic democratic procedures and protection afforded TCU members through the Constitution and Laws of this Union, even though such may reflect structural differences.

Article 13, Section 23

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**Strikes**

Section 23. He shall have authority to order a strike affecting any or all of the membership involved when in his opinion the circumstances warrant such action or when requested to do so by the International Vice President assigned, when such request is agreed upon and approved by the Board(s) or System Division(s) affected and when handled in accordance with the Protective Laws. In the event of a strike, the International President shall be the recognized leader, and with the approval of the Finance Committee, shall have authority to command the entire resources of the Union. The agency herein authorized to sanction a strike shall also have authority to declare a strike at an end. (See Article 2, Section 6, of the Protective Laws.)

**Information**

Section 24. He shall furnish to the Executive Council within a reasonable time any information within his possession that may be required concerning matters pertaining to the affairs of the Union.

**Bond**

Section 25. He shall give bond in such amount as may be required by the Board of Trustees, the expense of which shall be borne by the Union, and such bond shall be held in trust by the Board of Trustees.

**Report to Convention**

Section 26. He shall make a full and complete printed report to the Grand Lodge Convention of all his official acts, together with suggestions and recommendations for such improvements and changes as his experience and knowledge may deem advisable.

**ARTICLE 14—INTERNATIONAL  
SECRETARY-TREASURER'S DUTIES**

**Bond**

Section 1. Before assuming the duties of his office, the International Secretary-Treasurer shall give satisfactory bond in such

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amount as may be determined by the Board of Trustees, the expense of which shall be borne by the Union, and such bond shall be held in trust by the Board of Trustees.

**Clerical Help**

Section 2. He shall employ the clerical help necessary to conduct the business of his department, all of whom shall become members of the Union at the time of their employment, and shall pay such salaries as he may deem proper, subject to approval of the Finance Committee.

**Auditors**

Section 3. On approval of the Executive Council, he shall employ such auditors as may be necessary, with power to examine books and accounts of any subordinate unit. Whenever conditions warrant, he may authorize any member of the Union to make such audits and pay such salary and expenses therefor as he may deem proper, subject to approval of the Finance Committee.

**Conducting Business**

Section 4. He shall conduct all necessary correspondence of his office and attest all official documents with his signature and the seal of the Grand Lodge, and provide himself with all books, stationery and supplies necessary to conduct the business of his office.

**Monies and Property**

Section 5. He shall receive all monies due the Grand Lodge from whatsoever source and shall have charge of the seal and all books, papers and property of the Union not otherwise provided for.

**Funds of Grand Lodge**

Section 6. (a) He shall have charge of all funds of the Grand Lodge. He shall pay out the funds by order of the Grand Lodge or in liquidation of the legitimate expenses of the Union when approved by the International President. The voucher system for the expendi-

**Article 14, Section 7**

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tures of all Union funds shall be used. All funds of the Grand Lodge with the exception of the necessary petty cash shall be deposited in a suitable depository approved by the Finance Committee.

(b) He shall not invest the funds of the Grand Lodge or any portion thereof in real property, stocks, shares, bonds or securities or for any similar purposes without first obtaining in writing the consent of the Finance Committee. The International Secretary-Treasurer shall maintain the record of all investments and the evidence of title to real property, subject to review by the Board of Trustees.

**Applications for Charter**

Section 7. He shall receive all applications for charters to establish Lodges or Districts when accompanied by the required fee, and signed by forty (40) or more persons, including application for bond as required by Article 21 of this Constitution, he shall endorse and forward such application to the International President, and if approved by the International President, the International Secretary-Treasurer shall issue such Lodge or District a charter within thirty (30) days signed by the International President and himself, bearing the seal of the Grand Lodge. Charters may be issued to less than forty (40) applicants when in the judgment of the International President circumstances warrant.

**Register of Subordinate Units**

Section 8. He shall keep a register of all subordinate units with the date of their organization, their time of meetings, their location and a correct list of all members of the Union and their last given address.

**Rosters**

Section 9. During the month of June of each year he shall furnish to all subordinate units of the Union, except Lodges and Districts, a complete roster, showing the names and addresses of all Boards, System Divisions, Councils or Federations.

**Membership Cards**

Section 10. (a) He shall have printed a sufficient supply of membership cards, inserting name of member and official card number, to be issued to the membership on the receipt of per capita tax for the last quarter following the 1999 Grand Lodge Convention; such cards shall bear the official logo of the Union and signatures of the International President and the International Secretary-Treasurer. Upon delivery to the member such card shall be considered valid contingent only upon payment of required dues, fees and assessments as prescribed by the Constitution.

(b) Thereafter, membership cards shall only be issued to new members or to a member who requests a replacement card, as needed, unless otherwise directed by the International President.

**Membership Cards—New Members**

Section 11. Upon receipt of application for membership as set out under Article 4, Section 8(b) of the Statutes for the Government of Lodges or Article 4, Section 6 of the Statutes for the Government of Districts, he shall process the application and issue a membership card. Upon delivery to the applicant as set out therein, such card shall be considered valid contingent upon payment of the required dues, fees and assessments as prescribed by the Constitution.

Section 12. Lodges, Boards and System Divisions shall be allowed appropriate credit on quarterly per capita tax report for sick and out-of-work members. Members in military service and members drawing disability pension or age and service pension will be shown in a separate class on the per capita tax report and the Lodge, Board or System Division will be billed for such members at the reduced per capita tax rate.

**Reports Required**

Section 13. He shall have printed in quadruplicate a standard form for the use of the Lodges, Districts, Boards and System Divisions in the handling of various reports required by the Grand Lodge,

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**Article 14, Section 14**

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the original of which shall be forwarded by the Lodge, District, Board or System Division to the International Secretary-Treasurer, duplicate copy to the General Secretary-Treasurer of the Board or System Division and a copy to be retained by the Lodge or District for its records.

**Convention Duties**

**Section 14.** He shall render a full and complete printed report to the Grand Lodge Convention of all his official acts and an accurate and comprehensive statement of all receipts and expenditures of funds of the Grand Lodge, together with its assets and liabilities.

**Section 15.** It shall be the duty of the International Secretary-Treasurer to keep an accurate journal of the proceedings and transactions of the Grand Lodge while in session, to preserve the archives of the Union and to perform such other duties as may be designated by the Executive Council and the laws of the Union.

**Section 16.** He shall consolidate all International Officers' reports in one book and mail to the duly elected delegates on or before May 1 prior to the date of the Convention.

**Section 17.** Upon receipt of certification of election of delegates and alternates, he shall mail to the secretaries of Lodges or General Secretary-Treasurers of Boards or System Divisions with Districts having one hundred (100) or more members a credential bearing the name of the delegate and alternate and the Lodge Secretary or General Secretary-Treasurer shall affix the seal of the Lodge, Board or System Division and mail or deliver the credential to the elected delegate. For all delegates-at-large he shall mail to the General Secretary-Treasurer of the Board or System Division credentials bearing names of the elected delegates and alternates. The General Secretary-Treasurer shall affix the seal of the Board or System Division and mail or deliver the credentials to the delegates-at-large.

**Section 18. (a)** He shall prepare a temporary roll of International Officers, delegates and alternates entitled to seats in the Grand Lodge Convention. A list of delegates and alternates whose right to

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seats in the Grand Lodge Convention is in dispute shall also be furnished the Committee on Credentials, together with all information in his possession.

(b) The list of delegates and alternates shall not be used by anyone for circularizing purposes.

Section 19. As soon as circumstances permit, he shall furnish the members of the Grand Lodge participating in the work of the Convention a printed copy of the permanent and temporary committees named by the International President, at the regular session of the Grand Lodge Convention.

#### **Interchange Management**

Section 20. Interchange shall be under the business management of the International Secretary-Treasurer. He shall have charge of all advertising, render statements to advertisers, collect amounts due, and have charge of all subscriptions. All bills for the maintenance of the publication shall be paid by the International Secretary-Treasurer.

He may employ such clerical help as is necessary to conduct the business of Interchange, all of whom must become members of the Union at the time of their employment, at salaries agreed upon by the Finance Committee.

#### **ARTICLE 15—INTERNATIONAL VICE PRESIDENTS' DUTIES**

Section 1. (a) International Vice Presidents will be under the immediate supervision of the International President. They shall perform such duties as may be assigned to them by the International President.

(b) They shall do all in their power to promote organization and advance the welfare of the Union.

(c) They shall consult with and assist subordinate units and the officers thereof for the purpose of securing an amicable adjustment of wage and schedule disputes.

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Article 15, Section 2

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**Bond**

Section 2. Each International Vice President shall give bond in such amount as may be required by the Board of Trustees, the expense of which shall be borne by the Union. Such bonds shall be held in trust by the Board of Trustees.

**Report to Convention**

Section 3. They shall make a full and complete printed report of their official acts and work during their term of office to each session of the Grand Lodge Convention.

**ARTICLE 16—EXECUTIVE COUNCIL**

Section 1. (a) The Executive Council shall consist of the International President, International Secretary-Treasurer and all International Vice Presidents.

(b) The International President shall be the Chairman and the International Secretary-Treasurer, the Secretary of the Executive Council.

**Duties and Jurisdiction**

Section 2. (a) Between Conventions all executive and judicial power of the Grand Lodge—except as the law provides in defining duties of the International Officers, the Finance Committee and Board of Trustees, the handling of recall and special conventions shall be vested in the Executive Council.

(b) The Executive Council shall have jurisdiction over the affairs of the Union as provided in these laws; and, their decision shall stand unless reversed by the Grand Lodge Convention.

(c) The Executive Council shall prosecute to the full extent of the law all unauthorized persons using the name of the Transportation Communications International Union (TCU), or the official publication.

(d) The Executive Council shall secure bids and make awards

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of all printing, including the official publication and all supplies used by the Grand Lodge; it shall also devise proper books and forms for all departments of the Union.

(e) The Executive Council with the approval of the Finance Committee may levy special or general assessments in such reasonable amounts and manner as it deems appropriate. Any member failing or declining to pay his assessment shall stand suspended and shall be reported the same as a member failing to pay dues.

#### **Meetings**

Section 3. Meetings of the Executive Council shall be called by the Chairman from time to time as the affairs of the Union require consideration and must be called by him upon request of the majority of the members of the Council.

#### **Minutes of Meetings**

Section 4. Proper record of minutes of all meetings shall be kept and such minutes shall be subject to inspection by any officer or member of the Union.

#### **Report to Convention**

Section 5. The Executive Council shall render a full and complete report of all its official acts to the Grand Lodge Convention.

#### **Appeals from Decision of the International President**

Section 6. Any subordinate unit, officer, committee member, or member of the Union feeling aggrieved by the decision of the International President in matters of Law and Equity may appeal to the Executive Council within thirty (30) days after such decision, said appeal to be in writing, the original to be sent to the International Secretary-Treasurer and one copy to each member of the Executive Council.

#### **Action and Appeal**

Section 7. Members of the Executive Council upon receipt of

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**Article 16, Section 8**

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such appeal, shall notify the International Secretary-Treasurer in writing and say if the appeal is of such a nature as to demand a special meeting of the Executive Council. The International Secretary-Treasurer shall tabulate the opinion of the members of the Executive Council, and if the majority is in favor of a special meeting, he will issue a call for same. Otherwise, the appeal will be handled at its next regular session.

**Notification**

Section 8. Each party shall be notified in writing by the Executive Council, thirty (30) days prior to the date, of the time and place of hearing on the appeal.

**Representation**

Section 9. Either party may be represented in person, or by counsel, or by both, at the hearing on the appeal. Counsel shall be a member of the Union.

**Remote Location-Witnesses**

Section 10. In cases where witnesses are located in remote places, or are unable to appear before the Executive Council, their testimony may be taken in writing before any member of the Union who may be appointed and authorized as a commissioner for such purpose by the Executive Council.

**Attendance**

Section 11. Any member in good standing shall be allowed to attend sessions of the Executive Council when they are conducting a hearing on an appeal.

**Hearing on Appeal**

Section 12. The Executive Council, exclusive of the International President, shall hear and decide all appeals made from the decision of the International President.

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**Evidence**

Section 13. All of the evidence presented at the hearing on appeal shall be reduced to writing.

**Decision**

Section 14. Within a reasonable time after the close of hearing on the appeal, the Executive Council shall sustain, modify, or reverse the decision of the International President, or in the event of new evidence having been introduced at the hearing which is relevant and proper to consider, shall make what disposition of the matter seems just and fitting.

**Appeal from Decision**

Section 15. Any subordinate unit, officer or member of the Union feeling aggrieved by the decision of the Executive Council may appeal to the Grand Lodge Convention within sixty (60) days after such decision (except as provided in the Protective Laws), in which case the same shall be filed with the International Secretary-Treasurer, together with all papers, documents and records in evidence before the Executive Council at the time of hearing. When the U.S. mail is used, the postmark will govern in determining compliance with the time limit set forth herein.

Section 16. All cases of appeal from the decision of the Executive Council shall be referred to the Committee on Appeals at the next Convention of the Grand Lodge.

**Expense of Appeal**

Section 17. The expense of any appeal conducted by the Executive Council shall be borne by the Grand Lodge. The Executive Council shall be the judge of assuming the expense of any witness.

**Baseless Charges or Failure to Respond**

Section 18. Any subordinate unit, officer or member of the Union preferring frivolous, baseless, or unwarranted charges, or refusing to respond to summons of the Executive Council to testify or

**Article 16, Section 19**

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submit upon proper request letters, documents or files in his or its possession that might be pertinent to the appeal under consideration, shall be dealt with subject to the provisions of Article 13, Sections 8 and 10, of this Constitution.

**Reinstatement of Expelled Members**

Section 19. A member expelled from the membership in the Union by the International President or Executive Council may not make application for reinstatement until the next Convention and cannot again be admitted to membership without the consent of the Grand Lodge Convention. In case of reinstatement he shall be obligated to adhere to the laws of the Union.

**ARTICLE 17—BOARD OF TRUSTEES**

**Duties**

Section 1. The Board of Trustees shall meet semi-annually each year, and may hold special meetings whenever it deems this advisable for the best interests of the Union, for the examination, with expert assistance, of all accounts of the International Secretary-Treasurer. It shall engage a Certified Public Accountant to make audits of all accounts of the International Secretary-Treasurer, and he shall have full access to all books and records of the International Secretary-Treasurer, pertaining to all financial matters of the Union.

**Bonds-International Officers and Employes**

Section 2. The Board shall have custody of all bonds of International Officers (except those of the Board of Trustees) and employes and shall require such International Officers and employes as are required to furnish satisfactory bond to file them before assuming their duties.

Section 3. Each member of the Board of Trustees shall give bond in such amount as may be required by the Executive Council, the expense of which shall be borne by the Union and these bonds shall be held in trust by the International President.

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**Section 4.** Every Grand Lodge employe who receives, handles, disburses or otherwise exercises control or custody of any funds or other property of the Grand Lodge shall be bonded as required by applicable law, the expense of which shall be borne by the Union and such bonds shall be held in trust by the Board of Trustees.

**Report to Grand Lodge Convention**

**Section 5.** The Board shall render a full and complete printed report to the Grand Lodge Convention of all its official acts.

**ARTICLE 18—FINANCE COMMITTEE**

**Personnel**

**Section 1.** There shall be created a Finance Committee composed of the International President, who will be the Chairman; the International Secretary-Treasurer, who will be the Secretary, and the members of the Board of Trustees.

**Duties**

**Section 2. (a)** This Committee shall have general supervision over the finances and the funds of the Organization.

**(b)** It shall have control of any unusual or extraordinary expenditures of funds. It shall have authority to require from International Officers a correct itemized account of all monies expended by them.

**Section 3.** The Finance Committee shall control the investment of funds of the Union by the International Secretary-Treasurer in real property, stocks, shares, bonds, securities, or otherwise.

**Meetings**

**Section 4.** Meetings of the Finance Committee shall be held concurrently with those of the Board of Trustees. Six (6) members shall constitute a quorum for the transaction of business, providing the International President and the International Secretary-Treasurer are present, and the determination of all questions under consideration by the Committee will be by vote of six (6) members concurring.

Article 18, Section 5

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**Minutes of Meetings**

Section 5. Proper records of minutes of all meetings shall be kept and a copy thereof furnished to all International Officers, Boards and System Divisions.

**ARTICLE 19—STRUCTURE COMMITTEE**

Section 1. The International President shall appoint a special Structure Committee to serve between Grand Lodge Conventions to consist of a Chairman and not more than a total of twenty (20) members, chosen from various units and divisions of the Union.

**Authority**

Section 2(a) The Structure Committee shall be authorized to solicit and receive suggestions for improvement of the Union's present structure from the membership and officers on local or district, board and national levels, and to recommend suggested changes, if any, to the next regular Convention.

(b) The Committee is authorized to recommend to the Executive Council, on a temporary experimental basis, structure changes in TCU and its subordinate units, which in the case of subordinate units can only be implemented if the involved units accept such change, i.e., by majority vote of the officers, Local and/or District Chairpersons of the involved unit entitled to vote.

**Meetings**

Section 3 (a) The Committee may hold meetings, hearings, and any other related activities as may be deemed appropriate by the International President or the Chairman of the Committee.

(b) The Grand Lodge will pay the travel, per diem and other appropriate expenses as may be incurred by the Committee in performing its assigned duties and responsibilities.

**Permanent Changes**

Section 4. No successful experiment may become a permanent change in structure until approved by the next regular Convention.

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**ARTICLE 20—OFFICIAL PUBLICATION**

**Section 1.** There shall be maintained an official publication of the Union, known as *Interchange*. It shall be published under the business management of the International Secretary-Treasurer and edited by the International President. The publication shall be in accord with the Grand Lodge policy and under the supervision of the Executive Council. The proceeds derived from the publication shall, after expenses have been paid, revert to the General Fund Account of the Union.

**Section 2.** The publication is calculated to promote the general welfare of the Union and the moral and intellectual character of its members, instructions and information emanating from the International Officers, and other important matters pertaining to the interest of the membership of this Union. The policy of the publication in general shall be non-partisan and non-sectarian.

**Subscription**

**Section 3.** The subscription price of *Interchange* shall be established annually by the editor thereof in consultation with the International Secretary-Treasurer at a rate that takes into consideration the cost of publication and handling. All members shall be furnished a copy thereof without charge. Any agency fee payer shall, upon request, be furnished a copy without charge.

**Section 4.** Complimentary copies of *Interchange* may be furnished to individuals or organizations when the International President deems it in the interest of the Union.

**ARTICLE 21—BONDS**

**Auditing and Bonding Department**

**Section 1.** The Executive Council shall maintain an Auditing and Bonding Department under the immediate supervision of the International Secretary-Treasurer. It shall formulate such rules and regulations for the successful operation of the department and to ad-

**Article 21, Section 2**

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equately insure the funds and meet requirements of any applicable law for each bonded unit, with provision for additional coverage when requested by the unit. Where not inconsistent with applicable law, the department shall be surety on all bonds for each subordinate unit.

**Bonds-Amount**

**Section 2.** Each officer, dues collector, or other person who receives, handles, disburses, or otherwise exercises custody or control of the funds or other property of a subordinate unit shall be bonded. Such bond shall be issued by the Auditing and Bonding Department unless otherwise required by applicable law and the expense thereof shall be borne by the subordinate unit involved. No persons shall be permitted to function in such capacity without being bonded. All bonds shall be transferable to the successor of any bonded position. Bond shall be held by the Financial Officer of each subordinate unit and a copy retained in the Auditing and Bonding Department.

**Section 3.** Whenever a Financial Officer of any subordinate unit ceases to perform the duties for which he was bonded, his books shall be audited at once by the Board of Trustees of the subordinate unit involved and the International Secretary-Treasurer shall be notified. Where a General Secretary-Treasurer of a System Division without a Board of Trustees is involved, the General Committee shall appoint an auditing committee of three (3) members (not to include the General Chairman or General Secretary-Treasurer) to conduct an audit of the System Division books and the International Secretary-Treasurer shall be notified.

**Section 4.** Claims arising under bonds issued by the Auditing and Bonding Department, when approved, shall be paid from the income derived by the Department.

**Section 5.** Where applicable law prevents the bonding of subordinate units by the Auditing and Bonding Department, the Grand Lodge will arrange for bonds with a qualified surety company to adequately insure the funds and meet the requirements of any appli-

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cable law and the expense thereof shall be borne by the unit involved.

Section 6. An officer or member of a subordinate unit who shall misappropriate funds of the Union, if found guilty, shall thereafter be ineligible to hold any office or to represent the Union in any capacity. No subordinate unit shall have the authority to compromise or offer any settlement with such officer or member but shall immediately report same to the International Secretary-Treasurer. (See Article 10, Section 8, of the Statutes for the Government of Lodges or of the Statutes for the Government of Districts, respectively.)

Section 7. The International Secretary-Treasurer shall make a report of the business transacted by the Auditing and Bonding Department and all the books of such department shall be examined and made a part of the annual audit of the International Secretary-Treasurer's accounts.

#### **ARTICLE 22—LEGISLATION-GENERAL**

##### **National Legislative Director**

Section 1. Any member of the Union assigned to serve as National Legislative Director by the International President shall make a report of his activities as often as required to the International President. A report of the activities of the National Legislative Director shall be included in the printed report of the International President to the next Grand Lodge Convention.

##### **Policy**

Section 2. The International President shall determine the policy of the Union with respect to State and Federal legislation, matters pending before State and Federal agencies, and the endorsement of candidates for State and Federal offices or the appointment to State and Federal agencies.

##### **State Legislation**

Section 3. The International President, through the Legislative Department, National Legislative Director, AFL-CIO, or by other means, shall monitor legislative activities at the state level and may,

Article 23, Section 1

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from time to time, assign individuals to protect the interests of TCU members before such bodies.

**ARTICLE 23—COUNCILS AND FEDERATIONS**

**Establishment**

Section 1. District councils and State or Provincial Federations may be established under the control, jurisdiction and approval of the Grand Lodge.

**By-Laws and Rules**

Section 2. They may formulate By-Laws and rules for their own constitution and guidance, which in their opinion are necessary and advisable. After adoption, three (3) copies of such laws shall be submitted to the International President for approval. If approved they shall become effective on the date fixed by him and shall not be printed before being so approved.

**Local Organizers**

Section 3. With the consent of the International President, Councils or Federations may select local Organizers and provide means for paying expenses. Such Organizers shall be under the direction of such Councils or Federations and under the discipline of the International President.

**ARTICLE 24—REPRESENTATION**

**American Federation of Labor and Congress of Industrial Organizations**

Section 1. Representatives to Conventions of American Federation of Labor and Congress of Industrial Organizations shall consist of the International President and such other members appointed by him in number sufficient to give the Union the representation to which it is entitled under the governing laws of the American Federation of Labor and Congress of Industrial Organizations. The allowance to delegates (except International Officers and full-time employes of the Grand Lodge) shall be on the same basis as was

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provided for delegates attending the preceding Grand Lodge Convention. Full-time International Officers and employes shall be paid their expenses and regular salaries.

**ARTICLE 25—  
COMMUNICATING-SOLICITING FUNDS**

Section 1. A subordinate unit, officer, committee member, or member shall not send circulars or letters to any subordinate unit or member encouraging or advocating violation of, or having the tendency or effect of violating, the obligations imposed upon them by Article 5 of this Constitution.

Section 2. (a) Subordinate units, officers, committee members and members must not solicit funds in the name of the Union unless authorized by the International President.

(b) A subordinate unit of the Union shall not be denied the right to publish souvenir programs for social functions when they do not carry paid advertising, nor are social functions conducted by a subordinate unit prohibited when the sale of tickets is handled by its own members.

**ARTICLE 26—FEES AND DUES**

**Fees**

Section 1. (a) The initiation fee of the Union shall be fifty dollars (\$50.00) and the reinstatement fee of the Union shall be one hundred dollars (\$100.00). The initiation or reinstatement fee may be waived in whole or in part by the International President on applicants for membership who are in the service of an employer where the Union is conducting an organization campaign or endeavoring to establish or maintain right of representation for collective bargaining. The Grand Lodge shall receive fifteen dollars (\$15.00) from each initiation fee and thirty dollars (\$30.00) from each reinstatement fee.

(b) Each Board or System Division shall receive fifteen dollars (\$15.00) from each initiation fee and thirty dollars (\$30.00) from

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**Article 26, Section 2**

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each reinstatement fee, the remainder of each fee to be retained by the Local Lodge, and for Districts the remainder to be retained by the Board/System Division.

(c) Any subordinate unit that desires to establish an initiation fee above the fifty dollar (\$50.00) amount or a reinstatement fee above the one hundred dollar (\$100.00) amount shall be permitted to do so provided a majority of the members of said unit and the International President approve same.

**Dues**

Section 2. (a) There shall be two (2) kinds of dues applicable to members of the Union; first, **FULL DUES** established pursuant to (b), (c), or (d) below, applicable to each member who receives pay for forty (40) hours or more in any calendar month on a position in industry over which the Union claims jurisdiction, or the equivalent compensation under any agreement between an employer and the Union or pursuant to protective legislation providing the equivalent compensation, excluding F.E.L.A. awards or settlements, workers' compensation, Federal or state unemployment or sick benefits; to a member promoted to excepted or official positions; and a member taking voluntary leave of absence requiring approval of the Organization. Members receiving protective benefits, called to service in another craft pursuant to a protective agreement, shall be required to pay full dues, notwithstanding that they may be required to pay dues to another labor organization. Second, **RETENTION OF MEMBERSHIP DUES**, which shall be two dollars (\$2.00) per month.

Note: Members holding positions outside the scope of the Union's Rules Agreement, not paying dues to TCU pursuant to a Union Shop Agreement but, rather, paying a fee equal to full dues and assessments for the purpose of retaining seniority, shall be permitted only to receive Interchange.

(b) Effective April 1 of each year, minimum monthly dues applicable to all full dues paying members shall be established at not

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less than two and one-half times the average hourly wage (including C.O.L.A.) in effect on December 31 of the preceding year for members in the railroad industry, except for provisions hereinafter set forth. Such average hourly wage shall be determined by updating the July 1, 1979 index. Computations shall be rounded to the nearest dime.

The average hourly rate for July 1, 1979 shall be deemed to be \$8.57 (index), which is an amount determined by updating such average hourly wage in effect December 31, 1977, (\$7.08), based upon application of I.C.C. Forms A-300 and M-300.

(i) Where dues have been previously established at an amount less than current minimum, those Boards or System Divisions shall annually before January 1 of each year, re-examine those amounts and make recommendations to the International President. The lesser amount of dues previously approved to remain in effect subject to change after this re-examination.

(c) Each Board or System Division is authorized to fix for the members under its jurisdiction uniform dues greater than the amount set forth in (b) above, if approved by a majority vote of said unit and the International President.

(d) Where Boards or System Divisions have established dues above the minimum set forth prior to the date of enactment of the changes in this Article, those increases provided for herein shall be in addition to the higher minimum dues previously approved.

(e) Retention of membership dues shall apply to a member who performs no service in a calendar month due to reduction in force, furlough, military service, sickness, disability, resignation, who receives pay for less than forty (40) hours in any calendar month on a position in industry over which the Union claims jurisdiction, or is working in another craft in the industry where required to join an-

Article 26, Section 3

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other union under a Union Shop Agreement, except as provided in (a) above.

(f) Members who have retired because of age and who perform no compensated service on a position in industry over which the Union claims jurisdiction will be classified as ASSOCIATE MEMBERS with full rights to receive Interchange and attend Lodge or District meetings of the Union. They shall have no vote in the election of officers or on matters pertaining to wages, rules, working conditions or grievances. They may retain such membership by the voluntary contribution of one dollar and fifty cents (\$1.50) per month, to be paid annually. Former T.C. Division members who retired prior to February 21, 1969 may retain such membership by the voluntary contribution of seventy-five cents (\$.75) per month. Additionally, each ASSOCIATE MEMBER may make a fifty cents (\$.50) per month contribution to Responsible Citizens Political League (RCPL) and remit at the same time as his dues.

Note: A voluntary contribution of fifty cents (\$.50) per month is a suggested amount. Members are free to contribute more or less, or refuse to contribute at all. No favor or disadvantage shall arise by reason of the amount of a member's contribution or a member's decision not to contribute. The Responsible Citizens Political League (RCPL) uses the contributions it receives for political purpose, including, but not limited to, working for improvements of retirement systems, making contributions and expenditures to Federal, state and local candidates, as well as addressing other issues of public importance. The Financial Secretary-Treasurers of Local Lodges and the General Secretary-Treasurers receiving such contributions shall maintain necessary records and shall remit to the International Secretary-Treasurer the total RCPL contributions within thirty (30) days from the date received.

**Subordinate Units**

Section 3. (a) No assessment shall be levied by any subordinate unit except by approval of the International President, except as

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otherwise provided by Article 5, Section 4 of the Statutes for the Government of Districts.

(b) Subordinate units shall not be permitted to waive dues of any member or officer except that members on strike over two (2) weeks and who have not secured other employment shall be exempt from the payment of dues.

#### **Grand Lodge Per Capita Tax**

Section 4. (a) Effective April 1 of each year, the Grand Lodge monthly per capita tax on full dues paying members shall be established at an amount not less than thirty-nine and four-tenths percent (39.4%) of the monthly minimum dues in effect on such date, except that where Districts are established the Grand Lodge per capita tax shall be forty-eight percent (48%) of the established minimum dues.

(b) When a Local Lodge or District is under the direct jurisdiction and supervision of the Grand Lodge, the International President, with the approval of the Finance Committee, shall establish the appropriate Grand Lodge per capita tax.

(c) In the event of extraordinary circumstances involving new organizational efforts, newly acquired representation rights, initial contracts, and situations where existing rates of pay or working conditions are determined to be below the over-all pattern of the Union, any subordinate unit or units involved may petition the International President for, or the International President may initiate on his motion, a partial reduction of the Grand Lodge per capita tax for the members covered by the respective contract or organizing situation, subject to the approval of the Finance Committee.

(d) Where the subordinate unit requests and the International President approves other than the minimum dues, he shall at the time of his approval specify the appropriate Grand Lodge and Board per capita tax.

(e) Per capita tax on members paying RETENTION OF MEMBERSHIP DUES shall be one dollar and sixty cents (\$1.60) per mem-

**Article 26, Section 4**

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ber per month, or four dollars and eighty cents (\$4.80) per member per quarter.

(f) Per capita on ASSOCIATE MEMBERS' contributions shall be one dollar and ten cents (\$1.10) per member per month, or thirteen dollars and twenty cents (\$13.20) per member per year. Per capita tax on former T.C. Division members who retired prior to February 21, 1969 shall be thirty-five cents (\$.35) per member per month, or one dollar and five cents (\$1.05) per member per quarter.

(g) Grand Lodge per capita tax is payable as follows:

(i) FULL DUES PAYING MEMBERS executing dues check-off authorization-the month in which received from employer.

(ii) FULL DUES PAYING MEMBERS making direct payments through a financial officer of a subordinate unit and those paying retention of membership dues-quarterly in the month following the close of each calendar quarter.

(iii) ASSOCIATE MEMBERS making voluntary contributions-annually in the month following the close of the first calendar quarter. Former T.C. Division members who retired prior to February 21, 1969-quarterly in the month following the close of each calendar quarter.

(h) Subordinate units shall be allowed appropriate credit on the quarterly per capita tax report for sick and out-of-work members. The subordinate unit will be billed on per capita tax report for members in military service and members drawing disability pension or age and service pension at the reduced per capita tax rate.

(i) Per capita tax advanced on members who are not subject to suspension under the provisions of Article 6, Section 1 of the Statutes for the Government of Lodges and Districts or the By-Laws of other subordinate units, at the time quarterly per capita tax report is made to the International Secretary-Treasurer, shall upon proper certification be credited to the Lodge or subordinate unit by the Interna-

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tional Secretary-Treasurer for any month of the current quarter and the last month of the previous quarter for which dues were not paid.

**Board and System Division Per Capita Tax**

Section 5. (a) Effective April 1 of each year, Board and System Division monthly per capita tax shall be an amount equaling thirty-eight and one-tenth percent (38.1%) of the established minimum monthly dues in effect on such date, except that where Districts are established the Board or System Division per capita tax shall be fifty-two percent (52%) of the established minimum dues.

(b) In the event of extraordinary circumstances, involving ongoing organizational efforts, new representation, specific national problems, restrictive labor laws, or other unusual circumstances, any subordinate unit may petition the International President for permission to lower the minimum Board, System Division or Local Lodge per capita tax specified herein and elsewhere. The International President may grant such waiver subject to annual review by him, provided that, in his judgment, the needs of the Union can be adequately met and the circumstances warrant such action.

(c) Board and System Division per capita tax paid on each full dues paying member shall be payable as follows:

- (i) Those executing dues check-off authorizations-the month in which received from the employer.
- (ii) Those making direct payments through or to any financial officer of the Union-quarterly in the month following the close of each calendar quarter.
- (iii) Adjustments may be made quarterly in the month following the close of each calendar quarter.

**Local Lodge Per Capita Tax**

Section 6. Local Lodges shall be entitled to that portion of dues not required for the payment of per capita taxes to the Grand Lodge or Boards.

Article 26, Section 7

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**Grand Lodge Assessments**

Section 7. Each member and agency fee payer, except retired members and those paying retention of membership dues, shall pay the following assessments to the Grand Lodge:

- (i) One dollar (\$1.00) per month to a Convention Fund.
- (ii) Seventy-five cents (\$.75) per month to a Legislative Fund.
- (iii) Seventy-five cents (\$.75) per month to a Protective Fund.
- (iv) Fifty cents (\$.50) per month to an Educational Fund, to be used to finance educational seminars.

**Funds**

Section 8. (a) All monies received by the International Secretary-Treasurer shall be deposited in the General Fund of the Union, except RCPL funds which shall be deposited and maintained separately.

(b) The International Secretary-Treasurer shall be the custodian of all funds.

**ARTICLE 27—PROCEDURES FOR  
NON-MEMBER AGENCY FEE PAYERS TO OBJECT TO  
THE EXPENDITURE OF FEES FOR PURPOSES NOT  
GERMANE TO COLLECTIVE BARGAINING**

**Advance Reduction**

Section 1. Non-members required to pay agency fees as a condition of employment shall have the right to object to expenditures on activities not germane to collective bargaining. Those persons filing objections as required herein shall be entitled to receive an advance reduction of their fees.<sup>1</sup>

<sup>1</sup> Although collective bargaining agreements requiring "membership" as a condition of employment are legal, it is the payment of all dues, fees, and assessments (agency fees), not actual membership, which is required.

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**Notice of Objection**

Section 2. (a) Non-member agency fee payers wishing to file an objection shall do so annually by notifying the International Secretary-Treasurer of his objection in writing, postmarked within the thirty-five (35) day period (window period) from the date of mailing the audit report described in Section 4 below. The notice of objection shall contain the objector's current home address, and he shall be obligated to keep the International Secretary-Treasurer informed of any change in address.

(b) Employees who resign from membership wishing to file an objection shall do so as specified in Section (a) above postmarked within 35 days from tendering their resignation.

(c) Newly hired employees shall receive notice of these procedures. Those opting not to become members who wish to file an objection shall do so as specified in Section (a) above postmarked within 35 days of receiving such notice.

**Chargeable and Non-Chargeable Expenditures**

Section 3. Objectors shall be charged for all expenditures which (1) are germane to collective bargaining activity, (2) are justified by the government's vital policy interest in labor peace and avoiding free riders, and (3) do not significantly add to the burdening of free speech that is inherent in the allowance of an agency or union shop. Objectors will not be charged for expenditures failing to meet these criteria. The following are examples of these types of expenditures:

**Chargeable Expenditures:**

- (i) All funds expended on collective bargaining.
- (ii) All funds expended on contract administration-grievance adjustment and arbitration.
- (iii) All funds expended on internal governance and administration.

Article 27, Section 4

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**Non-Chargeable Expenditures:**

- (i) All funds expended on the election of candidates for public office, including contributions to any political party, political organization, or candidate for public office; expenditures on behalf of and facilities used for any political party, political organization or candidate for public office.
- (ii) All funds expended on efforts to recruit new members.
- (iii) All funds expended on lobbying except for lobbying directly related to ratifying or implementing a collective bargaining agreement.
- (iv) All dues to the AFL-CIO.
- (v) All contributions to charitable and educational groups.
- (vi) A prorated portion of the cost of Interchange and other Union publications devoted to the coverage of subjects specified in the preceding subsections, or any other non-germane subjects.

**Audit Report**

Section 4. The Grand Lodge shall retain a certified public accountant to audit its allocation of expenditures into chargeable and non-chargeable categories. A copy of said audit report, a description of chargeable and non-chargeable expenses, and an explanation of Board, Local Lodge or District chargeable expenditures shall be mailed to any non-member agency fee payer on an annual basis. In addition, any non-member filing notice of objection under Section 2(b) and (c) shall be mailed a copy of the documents listed above, at the time of their objection.

**Advance Reduction Calculation**

Section 5. The percentage of non-chargeable expenditures shall be calculated in accordance with the certified audit report as well as an analysis of the Board, Local Lodge and District expenditures. The amount of the advance reduction shall be calculated by multiplying projected fee payments times the non-chargeable percentage.

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**Section 6.** Non-members filing a notice of objection pursuant to Section 2(a) shall receive an advance reduction in agency fees for the period of July 1 through June 30 of the following year. An advance reduction check shall be mailed to non-member objectors by July 1.

Non-members filing objections under Section 2(b) shall receive an advance reduction in agency fees for the period from the date they tendered their resignation until June 30. Non-members filing objections under Section 2(c) shall receive an advance reduction in agency fees for the period they begin paying such fees until June 30.

One or more advance reduction checks may be mailed to cover the periods noted above.

#### **Challenge of Calculations**

**Section 7. (a)** Non-members filing a notice of objection pursuant to Section 2 may also challenge the calculation of chargeable and non-chargeable expenditures by filing a written challenge with the International Secretary-Treasurer postmarked within the thirty-five (35) day period from the date of mailing of the audit report as set forth in Section 4. Those failing to file a challenge shall waive their right to do so.

(b) Non-members filing timely objections as required by Section 2(b) and (c) may challenge the calculation of chargeable and non-chargeable expenses as set forth above. Challenges filed under this section will be consolidated for arbitration with those filed under Section (a).

#### **Selection of Arbitrator**

**Section 8.** After the close of the challenge period, the International Secretary-Treasurer shall provide a list of challengers to the American Arbitration Association (AAA). All challenges shall be consolidated. The AAA shall appoint an arbitrator from a special panel maintained by the AAA for this purpose. The AAA shall in-

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Article 27, Section 9

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form the International Secretary-Treasurer and the challengers of the arbitrator selected.

**Arbitration Procedures**

Section 9. (a) The arbitration shall be scheduled expeditiously. The AAA shall develop rules that shall govern these arbitrations, and, conscious of the need for an informed and expeditious decision, the arbitrator shall have control over all procedural matters affecting the arbitration.

(b) Each party to the arbitration shall bear their own costs. The challengers shall have the option of paying a pro-rata portion of the costs of the arbitrator's fees and expenses. The Union shall pay the balance of such fees and expenses.

(c) A court reporter shall make a transcript of all proceedings before the arbitrator. This transcript shall be the official record of the proceedings and may be purchased by the challengers. If an objector does not purchase a copy of the transcript, the Union shall, upon request, make a copy available for inspection.

(d) A challenger may, at his expense, be represented by counsel or other representative of his choice. The challenger need not appear at the hearing and shall be permitted to file written statements with the arbitrator in lieu of an appearance.

(e) Prior to the start of the hearing, the Union shall provide challengers with a list of all exhibits it intends to introduce at the hearing and a list of all witnesses it intends to call, except for exhibits and witnesses it may introduce for rebuttal. Copies of exhibits will be made available upon request.

(f) The Union shall have the burden of establishing that the reduced agency fee being charged is lawful.

(g) If the arbitrator shall determine that more than one day of hearings is necessary, he shall, to the extent possible, schedule the hearings to continue from day to day until completed. The arbitrator

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shall issue his decision within thirty (30) days after the submission of post-hearing briefs or within such other reasonable period as is consistent with the rules established by the AAA.

(h) The arbitrator shall give full consideration to the legal requirements limiting the amounts that objectors may be charged, and he shall set forth his analysis in the decision. The order and decision of the arbitrator shall be final and binding on the Union.

#### **Escrow Account**

Section 10. The Union shall establish an escrow account containing the portion of agency fees paid by non-members filing challenges pursuant to Section 7 which reasonably may be in dispute in arbitration. In the event the Union escrows less than the entire amount of fees so paid, the amount of the escrow shall be based on an independent audit, and the escrow figure shall be independently verified. After the issuance of the arbitration award, the escrow fund shall be distributed in accordance with the arbitrator's decision.

#### **Amendments**

Section 11. The Executive Council shall have authority to amend this Article as it deems appropriate.

Section 12. This article shall not be applicable to members working in Canada.

#### **ARTICLE 28—RECALL**

Section 1. (a) The holder of an elective Grand Lodge office may be recalled at any time by the members of the Union provided that he is guilty of serious misconduct under federal or state law or under the Grand Lodge Constitution. The procedure to recall such officers shall be the same as set forth in Article 7, Sections 2(a), (b), (c) and (d), except if the officer sought to be recalled is the International Secretary-Treasurer, the Chairman of the Board of Trustees shall perform those functions involving the recall procedure and required of the International Secretary-Treasurer.

**Article 29, Section 1**

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(b) A recall ballot shall be accompanied by circulars stating the charges or grounds on which recall is asked and also a statement from the incumbent in his behalf.

(c) If a majority of those eligible vote to recall, the vacancy shall be filled in accordance with Article 11 of this Constitution.

**ARTICLE 29—PARLIAMENTARY RULES**

Section 1. Robert's Rules of Order shall be the recognized guide of the Grand Lodge and all subordinate units where the Constitution, Statutes for the Government of Lodges, Statutes for the Government of Districts, Protective Laws, or approved By-Laws do not govern.

**ARTICLE 30—  
AMENDMENTS TO THE CONSTITUTION,  
STATUTES FOR THE GOVERNMENT OF LODGES,  
STATUTES FOR THE GOVERNMENT OF DISTRICTS,  
AND PROTECTIVE LAWS**

**How Amended**

Section 1. Amendments to this Constitution, Statutes for the Government of Lodges, Statutes for the Government of Districts and Protective Laws can only be made by the delegates and International Officers in Conventions assembled. All proposed alterations or amendments shall be in writing and shall be filed with the International President on or before April 15, preceding the Grand Lodge Convention. The International President shall, on or before May 15, mail copies of all such proposed amendments to all International Officers and copies to each of the delegates to the coming Convention, provided that the Grand Lodge may at any Convention by a majority vote take up and consider any proposed amendment.

Section 2. A two-thirds (2/3) vote of the delegates and Officers of the Grand Lodge present at a Convention and voting shall be required to adopt any amendment to this Constitution, Statutes for

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the Government of Lodges, Statutes for the Government of Districts and Protective Laws, and such amendments shall not be operative until sixty (60) days after the adjournment of the Grand Lodge Convention unless otherwise ordered by two-thirds (2/3) vote.

International Officers shall not have a vote on an amendment to the Constitution proposing to increase dues or initiation fees, or to levy a general or special assessment.

#### ARTICLE 31—CODIFYING LAWS

Section 1. During a Convention, or as promptly thereafter as practicable, it shall be the duty of the Committee on Grand Lodge Constitution and Laws to codify the laws as amended, changing language or eliminating portions of laws, so as to make all laws conform to the amendments adopted by the Convention; provided, no laws shall be omitted, or changed by the Committee on Grand Lodge Constitution and Laws except it be evident that it was the desire of the Convention to so omit or change.

#### ARTICLE 32—LAWS-SUBORDINATE UNITS

Section 1. Action of the Grand Lodge in adopting this Constitution, Statutes for Government of Lodges, Statutes for the Government of Districts and Protective Laws shall have the effect of an amendment, without further action upon the By-Laws of any subordinate unit where conflict exists.

#### ARTICLE 33—GENDER

Section 1. Wherever the masculine gender is used in this Constitution or Statutes for Government of Lodges or Statutes for the Government of Districts or Protective Laws, the same shall be construed as also including feminine gender and where "he" is found, it will be construed "he/she."





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# **STATUTES FOR THE GOVERNMENT OF LODGES**

**Under the Jurisdiction of the Grand Lodge of the  
Transportation Communications International Union**

## **PREAMBLE**

For the purpose of effecting uniformity in the administration of privileges and benefits to its members, the Transportation Communications International Union (TCU) ordains the following Statutes for the Government of subordinate Lodges.

## **ARTICLE 1—CHARTERS**

Section 1. This Lodge shall be known as \_\_\_\_\_  
Lodge No. \_\_\_\_\_ Transportation Communications International  
Union (TCU), and cannot voluntarily surrender its charter or dis-  
solve so long as forty (40) members in good standing object thereto.  
A Lodge charter may be retained by less than forty (40) members  
when in the judgment of the International President circumstances  
warrant.

### **Jurisdiction**

Section 2. The International President shall define the  
jurisdiction of Lodges in instances where there is a conflict in  
jurisdiction between the Protective Committees of Lodges or may  
require the consolidation of such Lodges when he deems it to be in  
the best interests of the Union, subject to appeal and review by the  
Executive Council.

## **ARTICLE 2—ELIGIBILITY**

Section 1. (a) Any person of good moral character who, at the  
time of making application, is employed in the transportation or other  
industry over which the Union has or claims jurisdiction and who



**Article 2, Section 2**

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either is represented by the Union or is a person for whom the Union is seeking representation rights, shall be eligible for membership.

(b) The International President, when he deems it necessary in the interests of the Union, may make exceptions to this Section.

**Applications for Membership**

Section 2.(a) Applications for membership, reinstatement to membership, or reinstatement upon deposit of a withdrawal card, shall be made in writing upon a form furnished for that purpose. The application must be signed by applicant.

(b) Date of membership in the Union for record purposes shall be the date the application for membership, or reinstatement to membership or reinstatement upon deposit of withdrawal card, together with necessary fees, is received and accepted in the office of the International Secretary-Treasurer.

**Persons Not Favorable**

Section 3. (a) Members shall not propose for membership persons whom they do not know to be favorable to the principles of the Union.

(b) No member of the Union may hold membership in any other railway labor organization admitting membership as described in this Article, or any other organization or alliance that is dual to the purpose of the Union. Any member who advocates, encourages or affiliates with any dual movement or alliance in any manner whatsoever, shall be deemed to be guilty of conduct unbecoming a member and shall be subject to expulsion.

(c) Any member of the Union who advocates, promotes, or holds membership in any Communist, Fascist, or Nazi organization, or is affiliated with any organization controlled or directed by members of any of these organizations, shall be subject to expulsion.

**Voting on Applicants for Membership**

Section 4. All applications for membership, reinstatement to membership, or reinstatement upon deposit of withdrawal card, shall

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be accepted or rejected by a majority vote of the members voting at the meeting at which the application is reported, unless challenged by a member in good standing. If any applicant is challenged, the President shall appoint an investigating Committee of three who shall report not later than the next regular meeting. The report of the Committee shall be placed before the Lodge for acceptance or rejection of the challenged applicant, by a majority vote of the members voting at the meeting. In the event the application is rejected, such rejection shall only be effective if approved by the International President. Candidates rejected shall not be permitted to again present application for membership until three (3) months have elapsed. If rejected, the fee paid shall be returned to the applicant.

#### ARTICLE 3—LODGES

Section 1. (a) All Lodges shall make the necessary arrangements to procure appropriate bonds at the expense of the Lodge for each officer, dues collector, or other person who receives, handles, disburses, or otherwise exercises custody or control of the funds or property of the Lodge, as provided in Article 21 of the Constitution. No person shall serve in such capacity without having furnished bond.

(b) Lodges shall meet at least once each month unless prevented from doing so by an act of God. Lodges may also meet less frequently if a majority of members present so vote at a regular meeting after having been read at two consecutive meetings and if approved by the International President. In no event, shall a Lodge meet less than once every three (3) months. Special meetings may be called by the Lodge President and must be called by him upon written request by one-third of the members of the Lodge. Ten (10) members, three (3) of whom must be officers of the Lodge including one qualified to act as President, shall constitute a quorum for the transaction of business; Lodges may in their By-Laws fix a quorum in excess of the foregoing requirement.

#### Authority to Make By-Laws and Rules

Section 2. Lodges may make, alter, or amend such By-Laws,

**Article 3, Section 3**

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rules and regulations to supplement these Statutes as may be deemed expedient. Such By-Laws, rules and regulations must be adopted by a vote of two-thirds of the members present, after having been read at two (2) consecutive meetings. The vote on adoption must be taken at the next succeeding meeting. Such By-Laws, rules and regulations shall not conflict with these Statutes, or the Constitution, Laws or Regulations of the Union.

**Adoption and Approval of By-Laws**

Section 3. After adoption, three (3) copies of all By-Laws shall be submitted to the International President for approval. If approved, they become effective on the date fixed by him and shall not be printed before being so approved. An official copy bearing the seal of the Lodge and signed by the Secretary shall be deposited with the International President.

**ARTICLE 4—OFFICERS AND COMMITTEES**

Section 1. (a) The officers of the Lodge shall consist of a President, Vice President, Recording Secretary, Financial Secretary-Treasurer, Chairman of the Board of Trustees, two (2) or four (4) members of the Board of Trustees and Chairman or Chairmen of the Local Protective Committee-Delegate(s). No member shall hold more than one (1) office, except in the case of members of the Board of Trustees and Chairman of the Local Protective Committee-Delegate. The President and the Financial Secretary-Treasurer shall not be eligible to serve as Chairman or member of the Board of Trustees. The offices of Recording Secretary and Financial Secretary-Treasurer may be consolidated at the discretion of the Lodge. Those Lodges having one hundred (100) or more members shall also elect an Alternate-Delegate.

(b) Committees of the Lodge shall consist of Local Protective Committees (see Protective Laws, Article 1), an Organization Committee consisting of not less than three (3) members, one of whom shall be the Recording Secretary or Financial Secretary, a Commu-

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nity Services Committee, consisting of not less than three (3) members, the Chairman of which shall be the Vice President, and such other Committees as may be established by the Lodge.

**Eligible for Nominations**

Section 2. (a) No member may be nominated for any office or committee in the Lodge who is indebted to the Lodge for more than the current month's dues or for assessments, or who is otherwise not eligible to hold office under the provisions of applicable law. In addition, he must have met his full dues obligation for the preceding year and must continue to do so for his term of office.

(b) Candidates for office or committee (except office of Chairman of the Local Protective Committee-Delegate and Alternate-Delegate, who are covered under paragraph (e) of this section) must be actually employed in railroad, steamship, airline, express or other service over which the Union claims jurisdiction, or exclusively employed by Lodges, Boards, Federations, or other subordinate bodies, or by the Grand Lodge and shall have been so employed continuously (as defined in Article 6, Section 6(a) of the Constitution of the Grand Lodge) for more than one (1) year. Such qualifications must be retained for term of office.

(c) Candidates for office or committee shall have had one (1) year or more continuous membership. This paragraph shall not apply to newly organized Lodges.

(d) The International President may approve exceptions to paragraphs (a), (b), (c) and (e) of this Section where, in his judgment, the conditions warrant such exceptions.

(e) No member shall be eligible for nomination and election to office of Chairman of the Local Protective Committee-Delegate or as Alternate-Delegate who does not meet the requirements set forth in Article 6, Section 6(a) of the Constitution of the Grand Lodge. Such qualifications must be retained for term of office.

(f) The one (1) year clause, referred to in the preceding paragraph, shall not apply to newly organized Lodges during the first

Article 4, Section 3

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year of their existence; however, no member hereunder shall be eligible for nomination and election to the office of Chairman of the Local Protective Committee-Delegate or as Alternate-Delegate until sixty (60) days after admission into the Union.

**Nominations and Elections**

Section 3. (a) Officers shall be nominated in November, elected in December, and shall be installed in the month of January following. A candidate unable to attend the meeting at which nominations are made must have his nominator submit his written acceptance of the nomination at the time his nomination is made. The term of office for all officers shall be three (3) years. Election shall be by secret ballot. Not less than fifteen (15) days prior to the date fixed for the nominating meeting and election of officers, notice thereof shall be mailed to each member at his last known home address.

The election shall be by a secret referendum ballot conducted by an Election Committee composed of not less than three (3) or more than five (5) members. Names of candidates for office to be shown on the ballot in the order of continuous membership, the member with the longest membership to be first. All members to be supplied with a ballot through first-class mail and arrangements made for its return and tabulation by the Election Committee. The Election Committee shall make arrangements for ballots to be returned by mail to a restrictive access post office box. Full and complete instructions for voting and return shall appear on the ballot.

A plurality of the legal votes cast shall elect, i.e., the candidate receiving the highest number of legal votes for the office shall be declared elected. In the case of a tie, the candidate having the longest continuous membership in the Union shall be declared elected.

No vote shall be valid or recorded except for candidates who have been properly nominated. "Write-in" votes are not permissible.

A secret ballot need not be conducted where nominees are unopposed. Unopposed nominees shall be elected by motion adopted at the December meeting, that the Secretary be instructed to cast a

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unanimous ballot for the unopposed nominee or nominees.

Upon receipt of the election results from the Election Committee, the President shall fill out returns of said elections which shall set forth lists of all candidates, the number of votes cast for each, and the names and locations of all officers elected. These returns shall be signed by at least a majority of the election committee and after being attested by the President shall be mailed immediately to the International Secretary-Treasurer and General Secretary Treasurer. The President shall notify the membership by circular letter within thirty (30) days of the tabulation of the votes.

The ballots and all other records pertaining to the election shall be retained by the Recording Secretary for not less than one (1) year.

**Protests**

(b) A candidate or member may protest in writing the election or election procedures as follows:

(i) To the President of the Lodge setting forth, in writing, the reasons for the protest within ten (10) days from the date of the incident or the counting of the ballots. When the U.S. mail is used, the postmark will govern in determining compliance with the time limit set forth herein.

(ii) The President of the Lodge shall investigate the matter and within thirty (30) days from receipt of the protest issue a written ruling. If a ruling is not issued within thirty (30) days, the protest shall be deemed denied.

(iii) The ruling of the Local Lodge President may be appealed, in writing, within thirty (30) days to the International President whose decision is appealable to the Executive Council and the Convention in accordance with Article 16 of the Constitution of the Grand Lodge. When the U.S. mail is used, the postmark will govern in determining compliance with the time limit set forth herein.

(iv) A protest involving the election of Chairman Local Protective Committee-Delegate or Alternate-Delegate, that has

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Article 4, Section 4

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been timely appealed to the Convention shall be referred to the Committee on Credentials for its review and report to the Convention. In the event this election is held in the year immediately preceding the Convention, appeals from the International President's decision or if a decision is not made by him by the forty-fifth (45th) day prior to the first day of the convention, an appeal may be filed, in writing, with the International Secretary-Treasurer by the twentieth (20th) day prior to the first day of the Convention. The International Secretary-Treasurer shall refer all such appeals to the Credentials Committee for its review and report to the Convention.

**Absent Through Neglect**

Section 4. If officers through neglect absent themselves for three (3) successive meetings (unless working hours prohibit attendance), their office may, by vote of the Lodge, be declared vacant.

**Interim Vacancies**

Section 5. (a) Any interim vacancy in an elective office other than the Chairman of the Local Protective Committee-Delegate shall be filled by the President or in his absence by the Vice President through appointment, subject to approval of the Lodge, such appointment to be made within thirty (30) days from the date of vacancy, and approval of the appointment by the lodge members at a meeting of the Lodge.

(b) Interim vacancy in the office of Chairman of the Local Protective Committee-Delegate or Alternate-Delegate shall be filled by a secret ballot election in accordance with the standards set forth in Section 3 of this Article. The Lodge President or in his absence the Vice President shall appoint an Acting Chairman of the Protective Committee to fulfill the duties of this office pending the election.

**Past President**

Section 6. (a) Upon installation of a new President of a Lodge the retiring President becomes past President. At the institution of a new Lodge the past President shall be elected.

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(b) The past President shall preside at meetings in the absence of the President and Vice President.

#### **Duties-Various Officers**

Section 7. The duties of the various officers and committees shall be such as are laid down in the charges of their office in the ritual and as specified in the Grand Lodge Constitution, Statutes for the Government of Lodges and Protective Laws of the Union.

#### **Reports**

Section 8. (a) It shall be the duty of the Financial Secretary-Treasurer of the Lodge within thirty (30) days from receipt after the close of each quarter to prepare and forward to the International Secretary-Treasurer, with a copy to the General Secretary-Treasurer of each interested Board, the per capita tax report and per capita tax payment of the Lodge on the form furnished to him by the International Secretary-Treasurer showing all changes in membership, including withdrawals, suspensions, deaths, sickness, out-of-work, military service, disability, age and service pensions.

(b) Upon receipt of an application for membership on a form provided for that purpose, it shall be the duty of the Financial Secretary-Treasurer to complete the bottom portion of the application and forward same to the International Secretary-Treasurer. A copy of the application shall also be forwarded to the General Secretary-Treasurer with required per capita tax and fees. The International Secretary-Treasurer will process the application and provide the Financial Secretary-Treasurer with an invoice for any per capita tax or fees owed, payable within thirty (30) days. In addition, the International Secretary-Treasurer will issue the member a membership card. The membership card will be valid once the applicant has been accepted by the Lodge. In case an applicant is rejected for membership, the membership card will be returned to the International Secretary-Treasurer and the fees paid will be returned to the Lodge for return to the applicant.

**Article 4, Section 9**

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**Failure to Make Report**

Section 9. Should any Lodge fail to make its quarterly per capita tax report and pay its per capita tax within the time limit specified in Section 8, paragraph (a) above, it shall thereby forfeit its charter after ten (10) days' notice to President and Chairman of the Board of Trustees of the Lodge.

**Charters Forfeited, Suspended, Revoked or Surrendered**

Section 10. When a Lodge charter is forfeited, suspended, revoked or surrendered for any cause (except mergers), the charter, supplies, books, records, funds and other property of the Lodge shall become the property of the Grand Lodge. The officer or officers of the Lodge having in their possession funds or other property of the Lodge, shall be held responsible under his or their bonds for their transfer to the Grand Lodge.

Section 11. Members in good standing of such Lodges shall be given the right to transfer within thirty (30) days to a Lodge of their choice (if not in violation of defined jurisdiction), and if such privilege is not exercised in the time limit allowed, the International Secretary-Treasurer shall transfer such members to such Lodge as he may designate.

**President**

Section 12. The President shall, when possible, preside at all meetings, regular and special, decide on all questions of law and interpret the Constitution and By-Laws, and on request from any member he shall settle all questions or disputes subject to appeal to the Lodge with further appeal to the International President within thirty (30) days.

Section 13. (a) The President shall appoint at the January meeting, subject to the approval of the Lodge, members of the Lodge to perform the duties of Chaplain, Sergeant-at-Arms and Inner and Outer Guards, and they shall serve at the pleasure of the Lodge.

(b) The President or officer acting as such shall appoint a majority and the Vice President or officer acting as such, a minority of

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all committees, provided, the President shall have the authority to remove a member from any committee for good and sufficient reasons.

**Vice President**

Section 14. The Vice President shall assist the President in any way directed and preside during his absence.

**Recording Secretary**

Section 15. The Recording Secretary shall keep the minutes of meetings, conduct all correspondence for the Lodge and render such report to the Lodge and Grand Lodge as are provided for in the Constitution and By-Laws. He shall be custodian of the records and seal, and perform such other duties as pertain to his office.

**Financial Secretary-Treasurer**

Section 16. The Financial Secretary-Treasurer shall receive all dues, fines, assessments and other monies due the Lodge and keep a complete record thereof. If a member owes two (2) months dues he shall receive only full amount of dues owed, not partial payment. He shall deposit said funds in the name of the Lodge in a bank to be designated by the Lodge or the Board of Trustees. He shall disburse the funds of the Lodge in payment of the regular and authorized expenses of the Lodge requiring necessary receipts and/or documentation to substantiate such expenditures. Unusual or extraordinary expenses, those not required for the normal operation of the Lodge, shall be referred to the Board of Trustees for consideration and its recommendations, which shall be reported to the Lodge for approval by a majority vote of the members voting at a meeting of the Lodge. No disbursements may be made by the Financial Secretary-Treasurer except on duly approved vouchers signed by the President and the Chairman of the Board of Trustees. He shall keep the accounts of the Lodge, timely file all reports required by federal, state and local governments, providing a copy of DOL Form LM and IRS Form 990 to the International Secretary Treasurer, and perform such other duties as pertain to his office.

Article 4, Section 17

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**Chairman Local Protective Committee**

Section 17. (a) The Chairman of the Protective Committee-Delegate shall appoint at the January meeting, immediately following the election in December, subject to approval of the Lodge, members of the Protective Committee, except on Boards where there is only one Local Protective Committee where such members shall be elected.

(b) It shall be the duty of Chairman Local Protective Committee to enforce the agreement extant between the Union and the employer, to receive and adjust grievances referred to him under the laws of the Union and to make a report of the disposition that has been made of those matters, with the approval of his Committee. He shall represent the Local on the Board or Division. He shall handle grievances of members within the Local in accordance with the procedure prescribed in Article 12 of these Statutes. He is also charged with the duties to see that all Board or Division laws, rules, regulations, and directives, as well as those of the Grand Lodge, are strictly enforced. He shall cooperate fully with Board and Grand Lodge Officers in enforcing agreements. He shall keep the members of the Local fully informed on matters of legislative interest to the Union and to carry out the instructions of the National Legislative Director and the International President concerning these legislative issues. He shall perform such other duties as are prescribed in the Grand Lodge Constitution or By-Laws of the Local and Board or Division.

**Board of Trustees**

Section 18. (a) The Board of Trustees shall provide a place for holding meetings, and shall exercise supervision over the finances and property of the Lodge. The compensation of officers and committee members for services rendered shall be recommended by the Board of Trustees, subject to approval by a majority vote of the members voting at a regular or special meeting of the Lodge. The Board of Trustees shall also consider and make recommendations to the Lodge on unusual or extraordinary expenses.

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(b) The Board of Trustees shall audit the accounts of the Lodge at least once each year in the month of January, and the Chairman of the Board shall file with the International Secretary-Treasurer and the General Secretary-Treasurer of the Board on or before February 15, a certified audit signed by at least a majority of the members of the Board. Should the Board of Trustees fail to audit and file with the International Secretary-Treasurer a certified copy of audit, as above provided, the Lodge shall stand suspended until they have done so and the International Secretary-Treasurer will notify the Lodge. Between audits, the Board of Trustees is authorized to make periodic examination of the books and records of the financial officer. It shall also, through its Chairman, examine and if found correct, approve all bills presented for payment.

(c) It shall also be the duty of the Chairman of the Board of Trustees to preside at all meetings where the President, Vice President and Past President are absent.

#### **Organization Committee**

Section 19. It shall be the duty of the Organization Committee to compile a list of the names and home addresses of all eligible non-members, within the jurisdiction of the Lodge, if possible, and forward the list to the International President, the General Chairman and General Secretary-Treasurer of the Board on forms provided for that purpose. The Organization Committee shall use every endeavor to increase the membership of its Lodge.

#### **Local Organizers**

Section 20. Lodges may, with the consent of the International President, select local Organizers and provide means for paying all expenses. Such Organizers shall be under the direction of such Lodge and under the discipline of the International President.

#### **Community Services Committee**

Section 21. It shall be the duty of the Community Services Committee to provide assistance to our members and their families,

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**Article 5, Section 1**

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outside the workplace, implementing those policies and instructions emanating from the Grand Lodge and the International President.

**ARTICLE 5—DUES, FEES AND ASSESSMENTS**

Section 1. Except as provided in Section 3 of this Article, the initiation fee, reinstatement fees, dues and assessments for all members of a Local Lodge shall be as established pursuant to Article 26 of the Constitution of the Grand Lodge.

Section 2. (a) Lodges shall be allowed appropriate credit on the quarterly per capita tax report for sick and out-of-work members. The Lodge will be billed on per capita tax report for members in military service and members drawing disability pension or age and service pension at the reduced per capita rate.

(b) Lodges shall not be permitted to waive dues of any member or officer except that members on strike over two (2) weeks and who have not secured other employment shall be exempt from the payment of dues.

Section 3. No assessment shall be levied by any Lodge except by majority vote by secret ballot of the members voting, at a regular or special meeting, after reasonable notice of intention to vote upon such question, or by a majority vote of the members voting in a secret ballot referendum and subject to approval by the International President in either event.

**ARTICLE 6—SUSPENSION**

**Members**

Section 1. (a) Dues and assessments are due and payable on the first day of each calendar month. A member owes two months' dues and assessments on the first day of the second month, which means that two months' dues and assessments, and not a portion thereof, must be paid on or before midnight of the last day of that month or the member will be automatically suspended. It is the responsibility of every member to know when dues and assessments

Article 7, Section 1

are payable and pay them to an authorized representative of his Lodge within the time limits specified in this Article. No demand for payment of such dues and assessments or notice of nonpayment thereof or delinquency is necessary or required. A member who fails to pay his dues and assessments within the time limits specified in this Article is automatically suspended at 12 o'clock midnight of the last day of the second month for which he owes dues and assessments. The secretary shall report such suspension on the next quarterly per capita tax report to the Grand Lodge. In cases where the suspended member is working on a position covered by a union shop agreement, notification shall promptly be made to the General Chairman-Delegate, such notification to be on a form furnished by the International Secretary-Treasurer's office.

Note: Any individual paying an agency fee will be treated in the same manner as above set forth.

**Associate Members**

(b) An ASSOCIATE MEMBER failing to make voluntary contributions shall be subject to suspension on the same basis as a member and the provisions of Section 1(a) above shall be applied except an ASSOCIATE MEMBER shall be given a thirty (30) day written notice before suspension. Such notice will be mailed by the General Secretary-Treasurer of the System Division or the Financial Secretary-Treasurer of the Lodge to which the member makes voluntary contributions, on a form provided by the International Secretary-Treasurer, to the ASSOCIATE MEMBER'S last known home address.

**ARTICLE 7—REINSTATEMENT**

Section 1. A member suspended for non-payment of dues may apply for reinstatement upon payment of reinstatement fee plus any unpaid assessment or any unpaid dues for which he was liable under a union shop or other agreement between the Union and his employer at the time of suspension. If the suspended member is subject to the terms and conditions of a union shop, check-off or a union security agreement between the Union and the Employer, and has

Article 7, Section 2

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been reported by the Lodge to the General Chairman for non-compliance with the terms and conditions of such agreement the application and tender of dues and/or fees shall not be accepted unless approved by the General Chairman under whose jurisdiction the suspended member is subject, before his application can be acted upon by the Lodge. The International President may make exceptions where in his judgment exceptions are necessary to accommodate the terms and conditions of union shop or other agreements.

Section 2. A member suspended or expelled due to charges being sustained under Article 10 can only apply for reinstatement in the Lodge from which suspended or expelled.

**ARTICLE 8—WITHDRAWAL CARDS**

Section 1. (a) A member who performs no compensated service for sixty (60) consecutive days on a position in industry over which the Union claims jurisdiction (unless such member is on a leave of absence that requires agreement of the Union, retains seniority under an agreement negotiated by the Union, or, is a member receiving protective benefits, called to service in another craft pursuant to a protective agreement) due to reduction in force, furlough, sickness, disability, or a member working in another craft in the industry where he is required to join another union under a Union Shop Agreement (unless such member is required to pay dues to the Union to retain seniority under an agreement negotiated by the Union) may, upon written request to the Secretary of the Lodge, be granted a withdrawal card free of charge, provided he has paid all dues and assessments up to and including the month in which he requests withdrawal card.

(b) A member who resigns from the service of an employer, including a member who severs his employment relationship for the purpose of accepting an age annuity, and a member entering military service, may, upon written request, be granted a withdrawal card, provided he has paid all dues and assessments up to and including the month in which he requests a withdrawal card.

**Re-entering Employment**

(c) A member who has been issued a withdrawal card and who is eligible for membership may apply to reinstate his membership in the Union by presenting his withdrawal card, tendering a month's dues and signing an application for reinstatement within thirty-five (35) days after his return to any position over which the Union claims jurisdiction. If the member fails to surrender his withdrawal card, sign an application for reinstatement and pay a month's dues and assessments within thirty-five (35) days after his return, the card will become null and void and he will be required to pay the reinstatement fee necessary to reinstate his membership in the Union.

**Reporting to International Secretary-Treasurer**

Section 2. Immediately after the Lodge accepts the withdrawal card, it shall forward the completed application form to the International Secretary-Treasurer as provided in Article 4, Section 8(b). If the applicant is accepted as a member by the Grand Lodge, the International Secretary-Treasurer shall then issue a membership card.

**ARTICLE 9—TRANSFER OF MEMBERSHIP**

Section 1. (a) A member desiring to transfer his membership to another Lodge or District, referred to herein jointly as Lodge, under the jurisdiction of the Grand Lodge may do so by requesting transfer from his present Lodge. Lodges must grant a transfer card to any member requesting same, provided he has his dues and assessments paid up to and including the month in which the request for transfer is made and provided further that such member is not under charges, and that he does not seek admission to a Lodge in violation of jurisdiction fixed pursuant to Article 13, Section 21 of the Grand Lodge Constitution, Article 1, Section 2 of the Statutes for the Government of Lodges, Article 1, Section 4 of the Statutes for the Government of Districts and Article 1, Section 13(b) of the Protective Laws.

(b) The Lodge will furnish the International Secretary-Treasurer a certificate of transfer covering the member, showing the member to be in good standing with all dues and assessments fully paid

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**Article 10, Section 1**

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up to and including the month in which the request for transfer was made, signed by the Financial Secretary-Treasurer over the seal of the Lodge, together with name and number of the Lodge to which the member desires to transfer.

**Certificate**

(c) Upon receipt of the certificate of transfer, the International Secretary-Treasurer shall complete the transfer.

**Failure to Accept Transfer**

(d) The Lodge receiving the transfer will vote upon the applicant the same as on a new member. If the applicant is rejected, it shall be the duty of the Recording Secretary of the Lodge to promptly notify the International Secretary-Treasurer who will cancel the transfer and the member shall retain his membership in the Lodge from which he sought transfer.

**Jurisdictional Transfers**

(e) When a member transfers or is transferred from the jurisdiction of one Board to another, or when a member transfers or is transferred from the jurisdiction of a Lodge at one city or town to the jurisdiction of a Lodge at another city or town under the same Board, such member shall transfer to the Lodge having jurisdiction.

(f) Should a member fail to transfer, upon written request from the General Chairman to the International Secretary-Treasurer, notwithstanding any provision of this Article, the latter shall transfer the membership of such member to the Lodge having jurisdiction. No member shall be transferred from one Lodge or District to another for the purpose of Convention representation.

**ARTICLE 10—CHARGES, TRIALS AND PENALTIES**

**Violation of Principles**

Section 1. A member who violates any of the policies or principles of the Union or offends against the Constitution, Statutes for the Government of Lodges or Protective Laws may be reprimanded, fined, or expelled, as the laws may direct.

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### **Charges**

Section 2. Charges may be brought and filed with the President of the Local Lodge by any member in good standing against any other member. Such charge should specify with reasonable particularity the alleged offense committed and that section of the Constitution under which the accused is being charged.

### **Action on Charges**

Section 3 (a). The President shall, within a reasonable time after reviewing the charge, appoint a Trial Committee of the Lodge, consisting of not less than three (3) members and no more than five (5) members, with one (1) member designated as the Chairman. Subsequent to the appointment of the Committee, the President shall furnish the Committee with the charge.

(b) The Committee upon receipt of the charge shall notify the accused by certified mail or personal delivery of the time, date and place the trial will be held and attach thereto a copy of the charge. In no event shall the trial be held less than fifteen (15) days from the date the charges were furnished to the accused. The Committee may postpone the trial, provided, however, such adjournment should not exceed one hundred twenty (120) days from the date the charges were filed.

### **The Trial**

Section 4 (a). The accused shall have the right to present witnesses and other evidence, to examine and cross-examine witnesses, and right to testify or not to testify.

(b) The accused has the right at the commencement of the trial to challenge any member of the Trial Committee for good cause; such challenge to be ruled on by the Lodge President.

(c) If an accused member without just cause refuses or neglects to stand trial when duly notified, the Committee may proceed with the trial in his absence, may find him guilty or guilty of contempt or both.

Article 10, Section 5

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(d) The trial should be open to any member of the Union in good standing. The Committee is empowered to take those steps necessary to have the trial conducted in an orderly manner and to require individuals present to maintain proper decorum.

(e) The Committee shall keep minutes of these proceedings and preserve the evidence presented, minutes should accurately reflect the proceedings, but need not be a word-for-word transcript.

(f) Where the accused or his representative is present and elects not to testify, it shall be deemed to be a plea of not guilty and the trial shall proceed.

(g) A charging or accused member may only be assisted, or advised or represented by any member of the Union in good standing.

(h) The Committee, in executive session, shall agree upon a verdict, reduce it to writing, and present it to the Lodge at its next regularly scheduled meeting, and it shall be entered on the minutes. The Lodge shall determine whether the Trial Committee's verdict should be sustained and, if so, proceed to fix the penalty by majority vote, which may be a reprimand, fine or expulsion; except, however, the penalty of expulsion shall require a two-thirds majority vote of those present. If present, the accused and charging party(ies) shall withdraw from the meeting during such balloting.

(i) When the verdict is announced, it shall be entered on the minutes, and the Recording Secretary shall notify the accused in writing of the Lodge's vote by hand delivery or certified mail. Any penalty imposed shall be enforced by the President of the Lodge; however, the International President may, on his own motion or following an appeal to him, stay the penalty pending his decision on appeal.

**Member Fined or Reprimanded**

Section 5. A member who is fined must remit payment to the Lodge within thirty (30) days after receiving notice thereof. If the

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penalty imposed is a reprimand, the member shall be summoned to attend the next regular meeting for that purpose. Failure to pay the fine or receive the reprimand shall result in the loss of the right to attend Lodge meetings, hold union office, or obtain a withdrawal card. A member may pay any fine imposed, without in any manner affecting his right of appeal from the imposition of such fine, and if said fine be set aside on appeal, the Lodge shall immediately refund the amount of fine paid.

#### **Appeal From Action of Lodge**

Section 6. A member may appeal from the action of the Lodge to the International President on any matter covered by this Article, within thirty (30) days after being furnished with the Lodge's verdict. Appeals shall be in writing and state the grounds therefor. A copy shall be filed with the President and with the Recording Secretary of the Lodge. Upon receipt of such copy, the Recording Secretary shall at once send a certified copy of all charges, reports, evidence and other papers relating to the appeal to the International President, who shall render a decision as promptly as possible, which decision may affirm, reverse, or modify the decision appealed from. The decision of the International President may be appealed to the Executive Council under procedures set forth in Article 16 of the Constitution, which shall be the final appellate step.

#### **Readmission of Expelled Member**

Section 7. A member having been expelled by action of a Lodge and not appealing there from, shall not be readmitted within less than six (6) months after such expulsion; after six (6) months, he may make application for readmission, which shall be considered and acted upon as provided for in the laws governing the admission of candidates. A member expelled for defrauding a Lodge must secure the consent of the International President, the Executive Council of the Grand Lodge and the Lodge expelling him before application for readmission to the Union will be received.

Article 10, Section 8

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**Misappropriation of Funds-Penalty**

Section 8 (a). An officer or member of a Lodge who misappropriates funds of the Union, if found guilty, shall thereafter be ineligible to hold any office or to represent the Union in any capacity.

(b) No Lodge shall have authority to compromise or offer settlement with any officer or member, but shall immediately report same to the International Secretary-Treasurer. Failure to report will be sufficient cause for revocation of the charter. (See Article 21, Section 6 of the Grand Lodge Constitution.)

**ARTICLE 11—RECALL OF LODGE OFFICERS**

Section 1. The recall of any officer of a Lodge may be initiated by petition of a majority of the members of the Lodge, provided that in the case of the Chairman of a Local Protective Committee the petition shall be by a majority of the members he represents. Upon the filing of such a petition with the Recording Secretary of the Lodge, the President shall institute recall proceedings in accordance with uniform rules and regulations promulgated and published by the Executive Council. Two-thirds of the members of the Lodge, or the members he represents, as the case may be, must participate in such election and a majority thereof, voting by secret ballot for the recall, shall be necessary to recall an officer.

**Rules and Regulations Governing Recall of Lodge Officers**

The Executive Council, pursuant to the authority vested in it by Article 16, Section 2(a), Grand Lodge Constitution, and Article 11, Section 1, Statutes for the Government of Lodges, promulgated the following Rules and Regulations Governing the Recall of Lodge Officers to be effective on and after November 1, 1999.

Rule 1. Proceedings to recall a Lodge officer may be instituted by petition signed by a majority of the members of a Lodge, or in the case of a Chairman of a Local Protective Committee, by a majority of the members he represents, setting forth that the Lodge officer has

Article 11, Section 1

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been found guilty of serious misconduct under federal or state law, or under the Grand Lodge Constitution, Statutes for the Government of Lodges or Protective Laws.

Rule 2. Such recall petition shall state the serious misconduct which serves as the grounds for which removal is sought, shall be signed by the members demanding recall, shall include a copy of a written finding of guilt of charges brought under the Constitution, Statutes for the Government of Lodges, or Protective Laws (issued pursuant to Article 10, Section 4(i) of the Statutes for the Government of Lodges), or a written copy of a judgment issued by a state or federal court against the officer, and shall be filed with the Recording Secretary of the Lodge.

Rule 3. The Recording Secretary shall ascertain and certify whether the petition is signed by the requisite number of qualified members as shown by the membership records of the Lodge on the date the petition is filed. He shall transmit the petition together with his certification to the President of the Lodge and shall furnish a copy thereof to the officer sought to be recalled.

Rule 4. The President of the Lodge upon receipt of a recall petition certified by the Recording Secretary as bearing the necessary number of signatures, shall appoint a committee of three (3) members to prepare and supervise the distribution of the ballot, tabulate the result and report same to the Lodge.

Rule 5. If the petition involves the President or the Recording Secretary, the procedures indicated above shall be conducted by the Board of Trustees.

Rule 6. The officer sought to be recalled may, if he so desires, file a concise statement in answer to the grounds stated in the recall petition with the Recording Secretary within ten (10) days after the receipt of the petition.

Rule 7. In the event the officer sought to be recalled wishes to challenge whether he has been found guilty of "serious misconduct"

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**Article 11, Section 1**

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as required in Rule 1 above, he shall file such a challenge with the Recording Secretary, who shall file the recall petition and challenge with the International President for resolution, subject to appeal to the Executive Council.

**Rule 8.** The recall ballot shall briefly state the reasons therefor and the answer of the officer sought to be recalled. Below this information shall be provided space for the member to indicate his choice as follows:

1. If you favor recall of (insert name of officer) place an X in this square.....
2. If you do not favor recall of (insert name of officer) place an X in this square.....

The ballot shall state the date on or before which it must be returned.

**Rule 9.** The recall ballot, together with necessary instructions for voting and returning the ballot, shall be mailed to each member qualified to vote at his last known home address not less than fifteen (15) days before the closing date of the ballot. An addressed and stamped return envelope and a smaller plain envelope in which the marked ballot shall be placed and sealed, shall accompany the ballot. The return envelope shall provide space for the voter to write his name and address, which identification shall be checked to determine if the voter is entitled to cast a ballot before it is opened.

**Rule 10.** The election committee shall make such other arrangements, not in conflict with these Rules, as it deems necessary to insure the secrecy of the ballot.

**Rule 11.** The officer subject to recall shall be entitled to be present or to be represented by an observer when the envelopes are checked for voter qualification, opened and the ballots are counted.

**Rule 12.** The election committee shall certify to the results of the election and report same to the Lodge. All records in connection

therewith shall be turned over to the Recording Secretary of the Lodge who shall preserve them for not less than one (1) year.

Rule 13. In order to recall the officer, two-thirds of the members eligible to vote must participate in the recall election, and a majority of the valid votes cast is necessary to recall the officer.

#### ARTICLE 12—HANDLING OF GRIEVANCES

Section 1. (a) The term "grievance" wherever it appears in these statutes, shall be construed as a complaint by the employe against the employer concerning application of agreements covering wages and working conditions or concerning employment relations.

(b) No member, other than a member of the Local Protective Committee, the aggrieved member himself or herself, or a designated Board or Division officer, shall represent any employe in any investigation, or assist in any way in adjusting grievances, and any member violating this provision shall be guilty of misconduct and subject to the penalties provided by the Grand Lodge Constitution.

(c) *Prima Facie* violations of working agreements by employers may be handled by Protective Committees or the General Chairmen, without formal grievances having been presented by the employe. It is the duty of such representatives to see that agreements are enforced without violation by the employer or by the employes. This duty does not impose an obligation on such officers to seek out violations nor is it intended to minimize, in any way, the responsibility of an individual member to file grievances in writing.

(d) Any employe represented by the Lodge who considers that he or she has been dealt with unjustly by the employer, or has been otherwise aggrieved by action of the employer, shall report the grievance, in writing, giving all known facts, to the Local Chairman-Delegate. If the reported grievance is considered a proper subject for investigation and adjustment, the Local Chairman-Delegate shall undertake the handling of such grievance on behalf of a complaining member. In pursuing such adjustment, the Local Chairman-Delegate

**Article 12, Section 1**

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shall first present the grievance to the official of the company having jurisdiction over such matters, and, if unsuccessful at that level, further handling shall be according to the procedures established by the Board or Division. The Local Chairman-Delegate may discuss the grievance with members of the Local Protective Committee, and designate member(s) of the Committee to assist in the handling of the grievance.

(e) The Local Chairman-Delegate declining to handle a grievance shall, in writing, promptly so notify the employe provided the employe submitted the grievance in accordance with (d) above. Such denial should inform the employe of his right to appeal the Local Chairman-Delegate's decision according to the Board or Division established procedures, and of his individual rights, if any, to seek adjustment of such grievance himself. Upon written request timely filed by the employe who intends to appeal within the union, the Local Chairman-Delegate shall file with the proper officer of the employer a copy of the grievance with request for an extension of time. The employe shall be advised it is the employe's responsibility to secure any further time extensions necessary to pursue appeals within the Union without endangering the presentation of the grievance within the time limits established by any agreement with an employer.



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## **STATUTES FOR THE GOVERNMENT OF DISTRICTS**

### **Under the Jurisdiction of the Grand Lodge of the Transportation Communications International Union**

The 1987 Convention approved a Structure Committee resolution permitting Boards to adopt a district structure for all or some local lodges within its jurisdiction, by majority vote of its Local Chairmen and Board officers, subject to the approval of the International President.

#### **PREAMBLE**

For the purpose of effecting uniformity in the administration of privileges and benefits to its members, the Transportation Communications International Union (TCU) ordains the following Statutes for the Government of subordinate Districts.

#### **ARTICLE 1—CHARTERS**

Section 1. This District shall be known as \_\_\_\_\_ District No. \_\_\_\_\_ Transportation Communications International Union (TCU), and cannot voluntarily surrender its charter or dissolve so long as forty (40) members in good standing object thereto. A District charter may be retained by less than forty (40) members when in the judgment of the International President circumstances warrant.

#### **Charters, Forfeited, Suspended, Revoked or Surrendered**

Section 2. When a District charter is forfeited, suspended, revoked or surrendered for any cause (except mergers), the charter, supplies, books, records, funds and other property of the District shall become the property of the Grand Lodge. The officer or officers of the District having in their possession funds or other property of the District, shall be held responsible under his or their bonds for their transfer to the Grand Lodge.

**Article 1, Section 3**

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**Section 3.** Members in good standing of such Districts shall be given the right to transfer within thirty (30) days to a District of their choice (if not in violation of defined jurisdiction), and if such privilege is not exercised in the time-limit allowed, the International Secretary-Treasurer shall transfer such members to such District as he may designate.

**Jurisdiction**

**Section 4.** The International President shall define the jurisdiction between the Protective Committees of Districts in instances where there is a conflict in jurisdiction or may require the consolidation of such Districts when he deems it to be in the best interests of the Union, subject to appeal and review by the Executive Council.

**Section 5.** Each District Chairman-Delegate shall have jurisdiction over matters affecting the interest of the membership in his or her District.

**ARTICLE 2-ELIGIBILITY**

**Section 1. (a)** Any person of good moral character who, at the time of making application, is employed in the transportation or other industry over which the Union has or claims jurisdiction and who either is represented by the Union or is a person for whom the Union is seeking representation rights, shall be eligible for membership.

**(b)** The International President, when he deems it necessary in the interests of the Union, may make exceptions to this Section.

**Applications for Membership**

**Section 2. (a)** Applications for membership, reinstatement to membership, or reinstatement upon deposit of a withdrawal card, shall be made in writing upon a form furnished for that purpose. The application must be signed by applicant.

**(b)** Date of membership in the Union for record purposes shall be the date the application for membership, or reinstatement to membership or reinstatement upon deposit of withdrawal card, together

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with necessary fees, is received and accepted in the office of the International Secretary-Treasurer.

**Persons Not Favorable**

Section 3. (a) Members shall not propose for membership persons whom they do not know to be favorable to the principles of the Union.

(b) No member of the Union may hold membership in any other railway labor organization admitting membership as described in this Article, or any other organization or alliance that is dual to the purpose of the Union. Any member who advocates, encourages or affiliates with any dual movement or alliance in any manner whatsoever, shall be deemed to be guilty of conduct unbecoming a member and shall be subject to expulsion.

(c) Any member of the Union who advocates, promotes, or holds membership in any Communist, Fascist, or Nazi organization, or is affiliated with any organization controlled or directed by members of any of these organizations, shall be subject to expulsion.

**Voting on Applicants for Membership**

Section 4. All applications for membership, reinstatement to membership, or reinstatement upon deposit of withdrawal card, shall be accepted or rejected by a majority vote of the members voting at the District meeting at which the application is reported, unless challenged by a member in good standing. If any applicant is challenged, the District President shall appoint an investigating Committee of three who shall report not later than the next regular meeting. The report of the Committee shall be placed before the District for acceptance or rejection of the challenged applicant, by a majority vote of the members voting at the meeting. In the event the application is rejected, such rejection shall only be effective if approved by the International President. Candidates rejected shall not be permitted to again present application for membership until three (3) months have elapsed. If rejected, the fee paid shall be returned to the applicant.

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**ARTICLE 3—DISTRICTS**

Section 1. (a) All Districts shall make the necessary arrangements to procure appropriate bonds at the expense of the District for each officer, dues collector, or other person who receives, handles, disburses, or otherwise exercises custody or control of the funds or property of the District, as provided in Article 21 of the Constitution. No person shall serve in such capacity without having furnished bond.

(b) Districts shall meet at least once every three months unless prevented from doing so by an act of God. Special meetings may be called by the District Chairman-Delegate and must be called by him upon written request by one-third of the members of the District. Ten (10) members, one (1) of whom must be either the District Chairman-Delegate or President, shall constitute a quorum for the transaction of business; Districts may in their By-Laws fix a quorum in excess of the foregoing requirement.

**Authority to Make By-Laws and Rules**

Section 2. Districts may make, alter, or amend such By-Laws, rules and regulations to supplement these Statutes as may be deemed expedient. Such By-Laws, rules and regulations must be adopted by a vote of two-thirds of the members present, after having been read at two (2) consecutive meetings. The vote on adoption must be taken at the next succeeding meeting. Such By-Laws, rules and regulations shall not conflict with these Statutes, or the Constitution, Laws or Regulations of the Union.

**Adoption and Approval of By-Laws**

Section 3. After adoption, three (3) copies of all By-Laws shall be submitted to the International President for approval. If approved, they become effective on the date fixed by him and shall not be printed before being so approved. An official copy bearing the seal of the District and signed by the President shall be deposited with the International President.

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**ARTICLE 4—OFFICERS AND COMMITTEES**

Section 1. (a) The officers of the District shall consist of a President/Financial Secretary-Treasurer (referred to herein as "President"), Chairman of the Board of Trustees, two (2) members of the Board of Trustees, and Chairman of the District Protective Committee-Delegate. No member shall hold more than one office except as noted herein. The President shall not be eligible to serve as Chairman or Member of the Board of Trustees. However, in the event that no nominations are received for the office of President, the District Chairman shall fulfill the responsibilities of that office. Those Districts having one hundred (100) or more members shall also elect an Alternate-Delegate.

(b) Committees of the District shall consist of District Protective Committees, a Community Services Committee, consisting of not less than three (3) members, and such other Committees as may be established by the District.

**Eligible for Nominations**

Section 2. (a) No member may be nominated for any office or committee in the District who is indebted for more than the current month's dues or assessments, or who is otherwise not eligible to hold office under the provisions of applicable law. In addition, he must have met his full dues obligation for the preceding year and must continue to do so for his term of office.

(b) Candidates for office or committee (except office of Chairman of the District Protective Committee-Delegate and Alternate-Delegate, who are covered under paragraph (e) of this section) must be actually employed in railroad, steamship, airline, express or other service over which the Union claims jurisdiction, or exclusively employed by Districts, Boards, System Divisions, Federations, or other subordinate bodies, or by the Grand Lodge and shall have been so employed continuously (as defined in Article 6, Section 6(a) of the Constitution of the Grand Lodge) for more than one (1) year. Such qualifications must be retained for term of office.

**Article 4, Section 3**

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(c) Candidates for office or committee shall have had one (1) year or more continuous membership. This paragraph shall not apply to newly organized Districts.

(d) The International President may approve exceptions to paragraphs (a), (b), (c) and (e) of this Section where, in his judgment, the conditions warrant such exceptions.

(e) No member shall be eligible for nomination and election to office of Chairman of the District Protective Committee-Delegate or as Alternate-Delegate who does not meet the requirements set forth in Article 6, Section 6(a) of the Constitution of the Grand Lodge. Such qualifications must be retained for term of office.

(f) The one (1) year clause, referred to in the preceding paragraph, shall not apply to newly organized Districts during the first year of their existence; however, no member hereunder shall be eligible for nomination and election to the office of Chairman of the District Protective Committee-Delegate or as Alternate-Delegate until sixty (60) days after admission into the Union.

**Nominations and Elections**

Section 3. (a) Officers shall be nominated in October, elected in November, and shall be installed in the month of January following. The term of office for all officers shall be three (3) years. Election shall be by secret ballot.

(b) On or immediately before the first day of October, and every three years thereafter, the District President or the General Secretary-Treasurer if so requested by the District President shall issue a call to all members of the District for nomination of candidates for District Chairman-Delegate, President, Chairman Board of Trustees, and two members of the Board of Trustees, and Alternate-Delegate if applicable. Such call for nominations shall close on October 31. Nominations of members eligible for election as for such offices shall be made by a petition signed by one (1) or more members in good standing of the District, which petition, accompanied by the written consent of the nominee, must be filed with the President not later

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than the closing date for nominations above specified. After petitions for nominations have been submitted as aforesaid, no member signing such petition shall be allowed to withdraw his nomination without the consent of the nominee and the other nominators.

(c) In the alternative, the President may, not less than fifteen (15) days prior to a date fixed in the month of October, notify each member by mail at his last known address of a date, time and place for the purpose of holding a nominating meeting for the election of District officers. A candidate unable to attend the meeting at which nominations are made must have his nominator submit his written acceptance of the nomination at the time his nomination is made.

(d) The President shall list the names of all candidates nominated as aforesaid and determine by checking with the General Secretary-Treasurer whether each of them is eligible for nomination as heretofore prescribed in Section 2 above.

(e) All voting shall be conducted by secret ballot of members qualified to participate in the election of District officers and such officers shall be elected by plurality vote. The requirement of a secret ballot means expression by ballot or otherwise of a choice by a member, cast in such a manner that such member cannot be identified with his vote. If only one candidate is nominated for an office, a secret ballot need not be conducted and the candidate may be declared elected by acclamation. A ballot form marked "Official Ballot" and envelopes as hereafter prescribed shall be mailed by the President or General Secretary-Treasurer, if so requested by the District President, to each member qualified to vote at his last known home address not later than November 10 of the year in which the election is held. The names of all qualified candidates shall be printed or typed on the ballot, in the order of continuous membership, the member with the longest membership to be first, opposite each of which names shall be a box to be filled in by the member voting to signify the candidate of his choice. No write-in candidate may be added to the ballot prepared and sent to voters following the close of nominations. Each ballot shall also set forth in printed or typed form

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**Article 4, Section 3**

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instructions necessary to insure the secrecy of the ballot and its execution and mailing in compliance with all other requirements of the Grand Lodge Constitution governing elections.

(1) Each qualified member may cast one (1) vote each for District Chairman-Delegate, President, Chairman of the Board of Trustees, two members of the Board of Trustees, and Alternate-Delegate. There shall be no voting by proxy.

(2) After the member voting has executed his ballot in accordance with the instructions thereon, and without affixing any signature or other identification on such ballot, he shall then place his ballot in the envelope bearing the printed designation "Official Ballot." After being securely sealed, such envelope shall be placed in the outside plain envelope and the outside envelope securely sealed. The member must then sign his name and address on the outside envelope in the space provided. Such envelope shall then be mailed in sufficient time to be received prior to the time and date set forth in the voting instructions which shall be no earlier than 5:00 p.m. on December 3 or no later than 5:00 p.m. on December 10 to the Post Office Box and address shown on the envelope. Failure of the member to provide sufficient information on the outer envelope to identify him as an eligible voter will of necessity constitute cause for rejection of the ballot. Likewise, any signature or other means of identification on the ballot or on the inside envelope containing the ballot will void any such ballot. In the event that an official ballot is lost, defaced or incorrectly executed by a member, or if a member failed to receive a ballot, an additional ballot form may be secured by request to the President or General Secretary-Treasurer as appropriate and must be mailed within time to permit return of the ballot by the prescribed date.

(f) Within ten (10) days after November 15 of the year in which the election is held, the President shall appoint an election committee of three (3) or more members of the District, none of whom shall be candidates for any office, to tabulate the results of the election. The committee shall meet on the date and time set in the voting in-

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Article 4, Section 3

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structions, remove ballots from the restrictive access Post Office Box and immediately thereafter shall open and count the ballots, provided a majority of the committee shall be present and that the opening, checking and tabulating shall be in the presence of all of them. Each candidate shall be notified by the District President of the time and place at which ballots will be opened and counted.

(1) Any member of a District whose dues and assessments are fully paid shall be entitled to be present during the opening and counting of the ballots by the election committee, but shall not be permitted to examine ballots. Every candidate for office shall be entitled to appoint one (1) observer who shall be permitted, at the candidate's expense, to attend the meetings of the election committee and witness the opening, checking and counting of ballots. The election committee shall decide all questions concerning the validity of any ballot cast.

(2) After counting all ballots the committee shall declare and record the qualified candidates receiving the highest number of votes as elected. In case of a tie vote for any office the candidate having the longest continuous membership shall be declared elected. The results shall then be turned over to the District President for which such committee is acting.

(3) All candidates elected as aforesaid shall assume their respective duties on January 1, and shall serve until their successors have been elected or appointed. All funds, records, supplies, correspondence or other property of the District shall be delivered to them by the retiring officers.

(g) Upon receipt of the election results from the election committee, the District President shall fill out returns of said elections which shall set forth lists of all candidates, the number of votes cast for each, and the names and locations of all officers elected. These returns shall be signed by at least a majority of the election committee and after being attested by the President shall be mailed immediately to the International Secretary-Treasurer and General Secretary-

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**Article 4, Section 3**

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**Treasurer.** The President shall notify the membership by circular letter within thirty (30) days of the tabulation of the votes.

(h) After the election committee has completed its work and notified the President of the results of the election, it shall place all ballots and other records pertaining to the election in a package, securely sealed, and deliver them to the President to be preserved by him for not less than one (1) year unless called for by the International Secretary-Treasurer. At the end of one (1) year, all such ballots and records may be destroyed.

**Protests**

(i) A candidate or member may protest in writing the election or election procedures as follows:

(i) To the President of the District setting forth, in writing, the reasons for the protest within ten (10) days from the date of the incident or the counting of the ballots. When the U.S. mail is used, the postmark will govern in determining compliance with the time limit set forth herein.

(ii) The President of the District shall investigate the matter and within thirty (30) days from receipt of the protest issue a written ruling. If a ruling is not issued within thirty (30) days, the protest shall be deemed denied.

(iii) The ruling of the District President may be appealed, in writing, within thirty (30) days to the International President whose decision is appealable to the Executive Council and the Convention in accordance with Article 16 of the Constitution of the Grand Lodge. When the U.S. mail is used, the postmark will govern in determining compliance with the time limit set forth herein.

(iv) A protest involving the election of Chairman District Protective Committee-Delegate or Alternate-Delegate, that has been timely appealed to the Convention shall be referred to the Committee on Credentials for its review and report to the Convention. In the event this election is held in the year immediately preceding the Con-

vention, appeals from the International President's decision or if a decision is not made by him by the forty-fifth (45th) day prior to the first day of the Convention, an appeal may be filed, in writing, with the International Secretary-Treasurer by the twentieth (20th) day prior to the first day of the Convention. The International Secretary-Treasurer shall refer all such appeals to the Credentials Committee for its review and report to the Convention.

**Absent Through Neglect**

Section 4. If officers through neglect absent themselves for three (3) successive meetings (unless working hours prohibit attendance), their office may, by vote of the District, be declared vacant.

**Interim Vacancies**

Section 5. (a) Any interim vacancy in an elective office, other than the Chairman of the District Protective Committee-Delegate, shall be filled by the District Chairman, subject to approval of the District, such appointment to be made within thirty (30) days from the date of vacancy, and approval of the appointment by the District members at a meeting of the District.

(b) Interim vacancy in the office of Chairman of the District Protective Committee-Delegate or Alternate-Delegate shall be filled by a secret ballot election in accordance with the standards set forth in Section 3 of this Article. The District President shall appoint an Acting Chairman of the Protective Committee to fulfill the duties of this office pending the election.

**Reports**

Section 6. Upon receipt of an application for membership on a form provided for that purpose, it shall be the duty of the District President to forward the application to the General Secretary-Treasurer for completion, along with any fees or dues collected. Upon receipt, it shall be the duty of the General Secretary-Treasurer to complete the bottom portion of the application and forward same to the International Secretary-Treasurer. The International Secretary-

**Article 4, Section 7**

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Treasurer will process the application and provide the General Secretary-Treasurer with an invoice for any per capita tax or fees owed, payable within thirty (30) days. In addition, the International Secretary-Treasurer will issue the member a membership card. The membership card will be valid once the applicant has been accepted by the District. In case an applicant is rejected for membership, the membership card will be considered invalid and the fees paid will be returned to the applicant.

**Duties-Various Officers**

**President**

Section 7. The President shall, when possible, preside at all meetings, regular and special, decide on all questions of law and interpret the Constitution and By-Laws, and on request from any member he shall settle all questions or disputes subject to appeal to the District with further appeal to the International President within thirty (30) days.

Section 8. (a) The President may appoint, subject to the approval of the District, members of the District to perform the duties of Chaplain, Sergeant-at-Arms and Inner and Outer Guards, and they shall serve at the pleasure of the District.

(b) The President shall appoint all committees except the District Protective Committee, and he shall have the authority to remove a member from any such committee for good and sufficient reasons.

(c) The President shall arrange for the minutes of meetings to be taken, conduct all correspondence for the District and render such report to the District and Grand Lodge as are provided for in the Constitution and By-Laws. He shall be custodian of the records and seal, and perform such other duties as pertain to his office.

(d) The President shall receive all fines, assessments and other monies due the District and keep a complete record thereof. He shall deposit said funds in the name of the District in a bank to be designated by the District. He shall disburse the funds of the District in payment of the regular and authorized expenses of the District, requiring necessary receipts and/or documentation to substantiate such

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expenditures. Unusual or extraordinary expenses, those not required for the normal operation of the District, shall be referred to the Board of Trustees for consideration and its recommendations, which shall be reported to the District for approval by a majority vote of the members voting at a meeting of the District. He shall keep the accounts of the District, timely file all reports required by federal, state and local governments, providing a copy of DOL Form LM and IRS Form 990 to the International Secretary-Treasurer, and perform such other duties as pertain to his office.

**Board of Trustees**

Section 9. The Board of Trustees shall exercise supervision over the finances and property of the District. Compensation from District funds of officers and committee members for services rendered shall be recommended by the Board of Trustees, subject to approval by a majority vote of the members voting at a regular or special meeting of the District. The Board of Trustees shall also consider and make recommendations to the District on unusual or extraordinary expenses.

The Board of Trustees shall audit the accounts of the District at least once each year in the month of January, and the Chairman of the Board shall file with the International Secretary-Treasurer and the General Secretary-Treasurer of the Board or Division on or before February 15, a certified audit signed by at least a majority of the members of the Board. Should the Board of Trustees fail to audit and file with the International Secretary-Treasurer a certified copy of audit, as above provided, the District shall stand suspended until they have done so and the International Secretary-Treasurer will notify the District. Between audits, the Board of Trustees is authorized to make periodic examination of the books and records of the financial officer. It shall also, through its Chairman, examine and if found correct, approve all bills presented for payment.

It shall also be the duty of the Chairman of the Board of Trustees to preside at all meetings where the President and the District Chairman are absent.

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Article 4, Section 10

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**Chairman, District Protective Committee**

Section 10. The Chairman, District Protective Committee shall be the official representative of the membership of the District over which he has jurisdiction, and he shall represent such District on the Board or Division. He shall handle grievances of members within the District in accordance with Article 12 of these Statutes. He is authorized to appoint as many members of the District Protective Committee as in his judgment are necessary for the conduct of its affairs and handling of grievances, subject to approval of the membership at a District meeting. All matters affecting the interests of the membership of the District shall be under the jurisdiction of the Chairman District Protective Committee, except as otherwise provided in the Grand Lodge Constitution. He is authorized to call meetings of members as provided in Section 1(b) of Article 3. He is also charged with the duty to see that all of the Board or Division laws, rules, regulations, and directives, as well as those of the Grand Lodge, are strictly enforced. He shall keep the members of the District fully informed on matters of legislative interest to the Union and to carry out the instructions of the National Legislative Director and the International President concerning these legislative issues. He shall also perform such other duties as are prescribed in the Grand Lodge Constitution or in the By-Laws of the District and Board or Division.

**Community Services Committee**

Section 11. It shall be the duty of the Community Services Committee to provide assistance to our members and their families, outside the workplace, implementing those policies and instructions emanating from the Grand Lodge and the International President.

**ARTICLE 5—DUES, FEES AND ASSESSMENTS**

Section 1. The initiation fee, reinstatement fee, dues and assessments for all members of a District shall be as established pursuant to Article 26 of the Constitution of the Grand Lodge.

**Section 2.** Districts shall not be permitted to waive dues of any member or officer except that members on strike over two (2) weeks and who have not secured other employment shall be exempt from the payment of dues.

**Section 3.** Districts shall receive from the Grand Lodge monies consistent with the formula set forth below:

<u>Class 1 Membership</u>	<u>District Allocation Per Month</u>
Under 100	\$ 50.00
100 - 400	\$ 75.00
401 - 800	\$100.00
Over 800	\$125.00

The Grand Lodge shall pay such amounts from the Grand Lodge per capita tax as computed pursuant to Article 26, Section 4(a).

**Section 4.** An assessment in excess of dues and fees established under Article 26 of the Union's Constitution may be levied by any District by a majority vote of the District members voting in a secret ballot referendum. The International President shall be deemed to have approved a District assessment of up to twenty percent (20%) of the current minimum level of dues established pursuant to Article 26, Section 2(b) of the Union's Constitution. Any assessment in excess of this amount shall be subject to special approval of the International President.

**ARTICLE 6-SUSPENSION**

**Members**

**Section 1. (a)** Dues and assessments are due and payable on the first day of each calendar month. A member owes two months dues and assessments on the first day of the second month, which means that two months' dues and assessments, and not a portion thereof, must be paid on or before midnight of the last day of that month or the member will be automatically suspended. It is the re-

**Article 7, Section 1**

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sponsibility of every member to know when dues and assessments are payable and pay them to the General Secretary-Treasurer within the time limits specified in this Article. No demand for payment of such dues or assessments or notice of nonpayment thereof or delinquency is necessary or required. A member who fails to pay his dues and assessments within the time limits specified in this Article is automatically suspended at 12 o'clock midnight of the last day of the second month for which he owes dues and assessments.

Note: Any individual paying an agency fee will be treated in the same manner as above set forth.

**Associate Members**

(b) An ASSOCIATE MEMBER failing to make voluntary contributions shall be subject to suspension on the same basis as a member and the provisions of Section 1 (a) above shall be applied except an ASSOCIATE MEMBER shall be given a thirty (30) day written notice before suspension. Such notice will be mailed by the General Secretary-Treasurer of the Board or Division to which the member makes voluntary contributions, on a form provided by the International Secretary-Treasurer, to the ASSOCIATE MEMBER'S last known home address.

**ARTICLE 7—REINSTATEMENT**

Section 1. A member suspended for non-payment of dues may apply for reinstatement upon payment of reinstatement fee plus any unpaid assessment or any unpaid dues for which he was liable under a union shop or other agreement between the Union and his employer at the time of suspension. If the suspended member is subject to the terms and conditions of a union shop, check-off or a union security agreement between the Union and the Employer, the application and tender of dues and/or fees shall not be accepted unless approved by the General Chairman under whose jurisdiction the suspended member is subject, before his application can be acted upon by the District. The International President may make exceptions

where in his judgment exceptions are necessary to accommodate the terms and conditions of union shop or other agreements.

Section 2. A member suspended or expelled due to charges being sustained under Article 10 can only apply for reinstatement in the District from which suspended or expelled.

#### ARTICLE 8—WITHDRAWAL CARDS

Section 1. (a) A member who performs no compensated service for sixty (60) consecutive days on a position in industry over which the Union claims jurisdiction (unless such member is on a leave of absence that requires agreement of the Union, retains seniority under an agreement negotiated by the Union, or is a member receiving protective benefits, called to service in another craft pursuant to a protective agreement) due to reduction in force, furlough, sickness, disability, or a member working in another craft in the industry where he is required to join another union under a Union Shop Agreement (unless such member is required to pay dues to the Union to retain seniority under an agreement negotiated by the Union) may, upon written request to the General Secretary-Treasurer of the System Board or Division, be granted a withdrawal card free of charge, provided he has paid all dues and assessments up to and including the month in which he requests withdrawal card.

(b) A member who resigns from the service of an employer, including a member who severs his employment relationship for the purpose of accepting an age annuity, and a member entering military service, may, upon written request, be granted a withdrawal card, provided he has paid all dues and assessments up to and including the month in which he requests a withdrawal card.

#### Re-entering Employment

(c) A member who has been issued a withdrawal card and who is eligible for membership may apply to reinstate his membership in the Union by presenting his withdrawal card, tendering a month's dues and assessments and signing an application for reinstatement within thirty-five (35) days after his return to any position over which

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**Article 8, Section 2**

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the Union claims jurisdiction. If the member fails to surrender his withdrawal card, sign an application for reinstatement and pay a month's dues and assessments within thirty-five (35) days after his return, the card will become null and void and he will be required to pay the reinstatement fee necessary to reinstate his membership in the Union.

**Reporting to International Secretary-Treasurer**

**Section 2.** Immediately after the District or Board accepts the withdrawal card, it shall forward the completed application form to the International Secretary-Treasurer as provided in Article 4, Section 6. If the applicant is accepted as a member by the Grand Lodge, the International Secretary-Treasurer shall then issue a membership card.

**ARTICLE 9—TRANSFER OF MEMBERSHIP**

**Section 1. (a)** A member desiring to transfer his membership to another District or Lodge, referred to herein jointly as District, under the jurisdiction of the Grand Lodge may do so by requesting transfer from his present District. Districts must grant a transfer card to any member requesting same, provided he has his dues and assessments paid up to and including the month in which the request for transfer is made and provided further that such member is not under charges, and that he does not seek admission to a District in violation of jurisdiction fixed pursuant to Article 13, Section 21 of the Grand Lodge Constitution, Article 1, Section 2 of the Statutes for the Government of Lodges, Article 1, Section 4 of the Statutes for the Government of Districts and Article 1, Section 13(b) of the Protective Laws.

**(b)** The District will furnish the International Secretary-Treasurer a certificate of transfer covering the member, showing the member to be in good standing with all dues and assessments fully paid up to and including the month in which the request for transfer was made, together with name and number of the District to which the member desires to transfer.

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**Receipt of Certificate**

(c) Upon receipt of the certificate of transfer, the International Secretary-Treasurer shall complete the transfer.

**Failure to Accept Transfer**

(d) The District receiving the transfer will vote upon the applicant the same as on a new member. If the applicant is rejected, it shall be the duty of the President of the District to promptly notify the International Secretary-Treasurer who will cancel the transfer and the member shall retain his membership in the District from which he sought transfer.

**Jurisdictional Transfers**

(e) When a member transfers or is transferred from the jurisdiction of one Board or Division to another, or when a member transfers or is transferred from the jurisdiction of a District at one city or town to the jurisdiction of a District at another city or town under the same Board or Division, such member shall transfer to the District having jurisdiction.

(f) Should a member fail to transfer, upon written request from the General Chairman to the International Secretary-Treasurer, notwithstanding any provision of this Article, the latter shall transfer the membership of such member to the District having jurisdiction. No member shall be transferred from one lodge or District to another for the purpose of Convention representation.

**ARTICLE 10—CHARGES, TRIALS AND PENALTIES**

Section 1. A member who violates any of the policies or principles of the Union or offends against the Constitution, Statutes for the Government of Districts or Protective Laws may be reprimanded, fined, or expelled, as the laws may direct.

**Charges**

Section 2. Charges may be brought and filed with the President of the District by any member in good standing against any

**Article 10, Section 3**

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other member. Such charge should specify with reasonable particularity the alleged offense committed and that section of the Constitution under which the accused is being charged.

**Action on Charges**

Section 3. (a) The President shall, within a reasonable time after reviewing the charge, appoint a Trial Committee of the District, consisting of not less than three (3) members and no more than five (5) members, with one (1) member designated as the Chairman. Subsequent to the appointment of the Committee, the President shall furnish the Committee with the charge.

(b) The Committee upon receipt of the charge shall notify the accused by certified mail or personal delivery of the time, date and place the trial will be held and attach thereto a copy of the charge. In no event shall the trial be held less than fifteen (15) days from the date the charges were furnished to the accused. The Committee may postpone the trial, provided, however, such adjournment should not exceed one hundred twenty (120) days from the date the charges were filed.

**The Trial**

Section 4. (a) The accused shall have the right to present witnesses and other evidence, to examine and cross-examine witnesses, and right to testify or not to testify.

(b) The accused has the right at the commencement of the trial to challenge any member of the Trial Committee for good cause; such challenge to be ruled on by the District President.

(c) If an accused member without just cause refuses or neglects to stand trial when duly notified, the Committee may proceed with the trial in his absence, may find him guilty or guilty of contempt or both.

(d) The trial should be open to any member of the Union in good standing. The Committee is empowered to take those steps necessary to have the trial conducted in an orderly manner and to

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require individuals present to maintain proper decorum.

(e) The Committee shall keep minutes of these proceedings and preserve the evidence presented, minutes should accurately reflect the proceedings, but need not be a word-for-word transcript.

(f) Where the accused or his representative is present and elects not to testify, it shall be deemed to be a plea of not guilty and the trial shall proceed.

(g) A charging or accused member may only be assisted, or advised or represented by any member of the Union in good standing.

(h) The Committee, in executive session, shall agree upon a verdict, reduce it to writing, and present it to the District at its next regularly scheduled meeting, and it shall be entered on the minutes. The District shall determine whether the Trial Committee's verdict should be sustained and, if so, proceed to fix the penalty by majority vote, which may be a reprimand, fine or expulsion; except, however, the penalty of expulsion shall require a two-thirds majority vote of those present. If present, the accused and charging party(ies) shall withdraw from the meeting during such balloting.

(i) When the verdict is announced, it shall be entered on the minutes, and the President shall notify the accused in writing of the District's vote by hand delivery or certified mail. Any penalty imposed shall be enforced by the President of the District; however, the International President may, on his own motion or following an appeal to him, stay the penalty pending his decision on appeal.

**Member Fined or Reprimanded**

Section 5. A member who is fined must remit payment to the District within thirty (30) days after receiving notice thereof. If the penalty imposed is a reprimand, the member shall be summoned to attend the next regular meeting for that purpose. Failure to pay the fine or receive the reprimand shall result in the loss of the right to attend District meetings, hold union office, or obtain a withdrawal card. A member may pay any fine imposed, without in any manner

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**Article 10, Section 6**

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affecting his right of appeal from the imposition of such fine, and if said fine be set aside on appeal, the District shall immediately refund the amount of fine paid.

**Appeal From Action of District**

Section 6. A member may appeal from the action of the District to the International President on any matter covered by this Article, within thirty (30) days after being furnished with the District's verdict. Appeals shall be in writing and state the grounds therefor. A copy shall be filed with the President of the District. Upon receipt of such copy, the President shall at once send a certified copy of all charges, reports, evidence and other papers relating to the appeal to the International President, who shall render a decision as promptly as possible, which decision may affirm, reverse, or modify the decision appealed from. The decision of the International President may be appealed to the Executive Council under procedures set forth in Article 16 of the Constitution, which shall be the final appellate step.

**Readmission of Expelled Member**

Section 7. A member having been expelled by action of a District and not appealing therefrom, shall not be readmitted within less than six (6) months after such expulsion; after six (6) months, he may make application for readmission, which shall be considered and acted upon as provided for in the laws governing the admission of candidates. A member expelled for defrauding a District must secure the consent of the International President, the Executive Council of the Grand Lodge and the District expelling him before application for readmission to the Union will be received.

**Misappropriation of Funds-Penalty**

Section 8. (a) An officer or member of a District who misappropriates funds of the Union, if found guilty, shall thereafter be ineligible to hold any office or to represent the Union in any capacity.

(b) No District shall have authority to compromise or offer settlement with any officer or member, but shall immediately report

same to the International Secretary-Treasurer. Failure to report will be sufficient cause for revocation of the charter. (See Article 21, Section 6 of the Grand Lodge Constitution.)

#### **ARTICLE 11—RECALL OF DISTRICT OFFICERS**

Section 1. The recall of any officer of a District may be initiated by petition of a majority of the members of the District, provided that in the case of the Chairman of a District Protective Committee the petition shall be by a majority of the members he represents. Upon the filing of such a petition with the General Secretary-Treasurer of the Board or Division with jurisdiction over the District, the President shall institute recall proceedings in accordance with uniform rules and regulations promulgated and published by the Executive Council. Two-thirds of the members of the District, or the members he represents, as the case may be, must participate in such election and a majority thereof, voting by secret ballot for the recall, shall be necessary to recall an officer.

##### **Rules and Regulations Governing Recall of District Officers**

The Executive Council, pursuant to the authority vested in it by Article 16, Section 2(a), Grand Lodge Constitution, and Article 11, Section 1, Statutes for the Government of Districts, promulgated the following Rules and Regulations Governing the Recall of District Officers to be effective on and after November 1, 1999.

Rule 1. Proceedings to recall a District officer may be instituted by petition signed by a majority of the members of a District, or in the case of a Chairman of a District Protective Committee, by a majority of the members he represents, setting forth that the District officer has been found guilty of serious misconduct under federal or state law, or under the Grand Lodge Constitution, Statutes for the Government of Districts or Protective Laws.

Rule 2. Such recall petition shall state the serious misconduct which serves as the grounds for which removal is sought, shall be signed by the members demanding recall, shall include a copy of a

**Article 11, Section 1**

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written finding of guilt of charges brought under the Constitution, Statutes for the Government of Districts, or Protective Laws (issued pursuant to Article 10, Section 4(i) of the Statutes for the Government of Districts), or a written copy of a judgment issued by a state or federal court against the officer, and shall be filed with the General Secretary-Treasurer of the Board or Division with jurisdiction over said District.

**Rule 3.** The General Secretary-Treasurer shall ascertain and certify whether the petition is signed by the requisite number of qualified members as shown by the membership records of the District on the date the petition is filed. He shall transmit the petition together with his certification to the President of the District and shall furnish a copy thereof to the officer sought to be recalled, as well as the General Chairman.

**Rule 4.** The President of the District upon receipt of a recall petition certified by the General Secretary-Treasurer as bearing the necessary number of signatures, shall appoint a committee of three (3) members to prepare and supervise the distribution of the ballot, tabulate the result and report same to the District.

**Rule 5.** If the petition involves the President, the appointment of said Committee shall be made by the General Chairman.

**Rule 6.** The officer sought to be recalled may, if he so desires, file a concise statement in answer to the grounds stated in the recall petition with the General Secretary-Treasurer within ten (10) days after the receipt of the petition.

**Rule 7.** In the event the officer sought to be recalled wishes to challenge whether he has been found guilty of "serious misconduct" as required in Rule 1 above, he shall file such a challenge with the General Secretary-Treasurer, who shall file the recall petition and challenge with the International President for resolution, subject to appeal to the Executive Council.

**Rule 8.** The recall ballot shall briefly state the reasons therefor and the answer of the officer sought to be recalled. Below this infor-

Article 12, Section 1

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mation shall be provided space for the member to indicate his choice as follows:

1. If you favor recall of (insert name of officer) place an X in this square .....
2. If you do not favor recall of (insert name of officer) place an X in this square .....

The ballot shall state the date on or before which it must be returned.

**Rule 9.** The recall ballot, together with necessary instructions for voting and returning the ballot, shall be mailed to each member qualified to vote at his last known home address not less than fifteen (15) days before the closing date of the ballot. An addressed and stamped return envelope and a smaller plain envelope in which the marked ballot shall be placed and sealed, shall accompany the ballot. The return envelope shall provide space for the voter to write his name and address, which identification shall be checked to determine if the voter is entitled to cast a ballot before it is opened.

**Rule 10.** The election committee shall make such other arrangements, not in conflict with these Rules, as it deems necessary to insure the secrecy of the ballot.

**Rule 11.** The officer subject to recall shall be entitled to be present or to be represented by an observer when the envelopes are checked for voter qualification, opened and the ballots are counted.

**Rule 12.** The election committee shall certify to the results of the election and report same to the District. All records in connection therewith shall be turned over to the President of the District who shall preserve them for not less than one (1) year.

**Rule 13.** In order to recall the officer, two-thirds of the members eligible to vote must participate in the recall election, and a majority of the valid votes cast is necessary to recall the officer.

**ARTICLE 12—HANDLING OF GRIEVANCES**

**Section 1. (a)** The term "grievance" wherever it appears in these statutes, shall be construed as a complaint by the employe against

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**Article 12, Section 1**

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the employer concerning application of agreements covering wages and working conditions or concerning employment relations.

(b) No member, other than a member of the District Protective Committee, the aggrieved member himself or herself, or a designated Board or Division officer, shall represent any employe in any investigation, or assist in any way in adjusting grievances, and any member violating this provision shall be guilty of misconduct and subject to the penalties provided by the Grand Lodge Constitution.

(c) *Prima Facie* violations of working agreements by employers may be handled by Protective Committees or the General Chairmen, without formal grievances having been presented by the employe. It is the duty of such representatives to see that agreements are enforced without violation by the employer or by the employes. This duty does not impose an obligation on such officers to seek out violations nor is it intended to minimize, in any way, the responsibility of an individual member to file grievances in writing.

(d) Any employe represented by the District who considers that he or she has been dealt with unjustly by the employer, or has been otherwise aggrieved by action of the employer, shall report the grievance, in writing, giving all known facts, to the District Chairman-Delegate. If the reported grievance is considered a proper subject for investigation and adjustment, the District Chairman-Delegate shall undertake the handling of such grievance on behalf of a complaining member. In pursuing such adjustment, the District Chairman-Delegate shall first present the grievance to the official of the company having jurisdiction over such matters, and, if unsuccessful at that level, further handling shall be according to the procedures established by the Board or Division. The District Chairman-Delegate may discuss the grievance with members of the District Protective Committee, and designate member(s) of the Committee to assist in the handling of the grievance.

(e) The District Chairman-Delegate declining to handle a grievance shall, in writing, promptly so notify the employe provided the

**Article 12, Section 1**

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employee submitted the grievance in accordance with (d) above. Such denial should inform the employe of his right to appeal the District Chairman-Delegate's decision according to the Board or Division established procedures, and of his individual rights, if any, to seek adjustment of such grievance himself. Upon written request timely filed by the employe who intends to appeal within the union, the District Chairman-Delegate shall file with the proper officer of the employer a copy of the grievance with request for an extension of time. The employe shall be advised it is the employe's responsibility to secure any further time extensions necessary to pursue appeals within the Union without endangering the presentation of the grievance within the time limits established by any agreement with an employer.





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**PROTECTIVE LAWS**  
of the  
**Transportation Communications International Union**

**PREAMBLE**

These Protective Laws provide for the government of three types of system level subordinate units: System Boards of Adjustment, Joint Protective Boards and System Divisions.

**ARTICLE 1—COMPOSITION AND ORGANIZATION  
OF BOARDS/SYSTEM DIVISIONS<sup>1</sup>**

Section 1. A member shall not be eligible to serve or to be elected as a member or Chairman of any Local, District or Division Protective Committee, or to serve in any elected capacity on any Board/System Division unless he meets all of the requirements set forth in Article 6, Section 6(a) of the Constitution of the Grand Lodge. The International President may approve exception to this provision, where in his judgment conditions warrant such exception.

Section 2. Lodges and Districts shall establish in the manner set forth in the Statutes for the Government of Lodges/Districts, a representative Protective Committee consisting of a Chairman and two (2) or more members to represent the employes under the jurisdiction of each Board or Division, provided there are ten (10) or more members in the lodge or district under the jurisdiction of the Board/Division.

Section 3. The Chairman shall immediately appoint one of the other members of the Committee to act as the Secretary of the Committee. The Lodge or District shall notify the International Secretary-Treasurer of such appointment, with copy to the General Chairman.

**Vacancies-Protective Committee**

Section 4. (a) When a vacancy occurs in the office of Chairman of the Protective Committee-Delegate it shall be filled in the

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<sup>1</sup>Boards refer to System Boards of Adjustment, Joint Protective Boards and System Divisions.

**Article 1, Section 5**

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manner provided in Article 4, Section 5(b) of the Statutes for the Government of Lodges/Districts.

(b) When a vacancy occurs on a Protective Committee, other than the Chairman thereof, it shall be filled through appointment by the Chairman of the Protective Committee-Delegate subject to the approval of the Lodge or District, except on Boards where there is only one Protective Committee where such members shall be elected.

**Division Protective Committees**

Section 5. (a) Division Protective Committees may be formed on all divisions (general office shall be considered a separate division provided there are ten (10) or more members employed therein) of the system and shall consist of the Chairmen of the Protective Committees-Delegates of the Lodges or Districts on such Divisions.

(b) On systems where there is only one Protective Committee, said Committee shall act as Division Protective Committee and as the Board/Division.

**Election of Officers-Division Protective Committees**

Section 6. The Division Committee shall, before the first of February next following their election, meet at some convenient place on the Division and elect a Chairman, Vice-Chairman, and Secretary. In case of a tie vote the contest shall be determined by the Board in such manner as it shall decide. On Divisions where only one Lodge or District exists, the Protective Committee shall act as the Division Protective Committee of the said Division until such time as other Lodges or Districts may be established.

**Boards/System Divisions**

Section 7. (a) Boards/System Divisions may be formed to represent the employes employed by each employer, and shall be composed of the Chairmen of the Protective Committees representing the employes under the jurisdiction of the Board/System Division, subject to the provisions of the next succeeding paragraph of this subsection. The members of the Boards/System Divisions shall serve

Article 1, Section 7

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except as provided below for the duration of their terms as Local or District Chairmen. Boards/System Divisions representing employes of two (2) or more employers may be established, subject to approval of the International President.

(b) Where there are two or more Local or District Chairmen each representing fewer than twenty-five (25) members employed under the jurisdiction of the same Board/System Division, the members represented by the Board/System Division shall be pooled for the purpose of electing from among such Local or District Chairmen one to serve as their representative on the Board/System Division. The election shall be conducted by secret ballot by the General Secretary-Treasurer of the Board/System Division as promptly as possible following the regular election of Lodge or District Officers in December. Not less than fifteen (15) days prior to the election the General Secretary-Treasurer shall mail to each member eligible to vote, at his last known home address, notice of such election and a ballot listing the name and Lodge/District number of each such Local or District Chairman. A plurality of the valid votes cast shall determine the election.

(c) All Boards/System Divisions shall meet at least once every four years.

(d) A copy of the minutes of each meeting of the Board/System Division shall be filed with the International President, within sixty (60) days after the meeting.

(e) The International President is authorized to appoint provisional committees and Boards/System Divisions on newly organized properties pending permanent organization; except as herein limited, said provisional committees and Boards/System Divisions shall have all the power and authority vested in other committees and Boards under this Article.

(f) Boards/System Divisions shall employ such clerical help and staff assistants as they deem necessary. Such employes and staff shall become members of the Union at the time of their employment.

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**Article 1, Section 8**

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**Election of Officers-Boards/System Divisions**

Section 8. (a) The officers of a Board/System Division shall be a General Chairman-Delegate, one or more Vice or Assistant General Chairmen, a General Secretary-Treasurer and a Board of Trustees consisting of a Chairman and not less than two (2) members. The offices of Assistant or Vice General Chairman and General Secretary-Treasurer may be combined by the Board/System Division when it is deemed expedient.

(b) The General Chairman-Delegate shall not be eligible to serve or act as General Secretary-Treasurer. The General Chairman-Delegate or General Secretary-Treasurer shall not be eligible to serve on a Board of Trustees. Board/System Division officers elected to full-time salaried positions shall not hold any other salaried positions during their term of office except a part-time office in the Grand Lodge or in a Regional or National Association of General Chairmen. The International President may approve exceptions to permit full-time salaried Board officers to hold a part-time salaried office or position in a Local Lodge or District, where in his judgment conditions warrant such exceptions. Full-time salaried officers shall not devote their time to any interest or business outside of the Union, except those in which the Union as an Organization is interested.

(c) The officers specified in paragraph (a) of this Section shall be elected by secret ballot by the members of the Board/System Division for a term of four (4) years. They shall be chosen from among the members of the Board/System Division or from the members at large under the jurisdiction of the Board/System Division. If a Local or District Chairman-Delegate is elected General Chairman-Delegate he shall vacate the office of Local or District Chairman-Delegate (except as provided in Section 5(b) of this Article). Such vacancy shall be filled as provided in Article 4, Section 5, of the Statutes for the Government of Lodges/Districts. Each member of the Board/Division shall have one (1) vote. Officers who are not Local or District Chairmen-Delegates shall not be entitled to vote in the election of officers of the Board/Division.

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(d) All protests on elections of Board/System Division Officers and Committees shall be made in writing to the presiding officer conducting the election. The presiding officer shall rule thereon and his ruling shall be recorded in the minutes of the Board Meeting. This ruling may be appealed in writing within thirty (30) days to the International President whose decision is appealable to the Executive Council and the Convention in accordance with Article 16 of the Constitution of the Grand Lodge. When the U.S. mail is used, the postmark will govern in determining compliance with the time limit set forth herein.

In instances where the election is being conducted by mail, the protest shall be filed in writing with the officer conducting the election within ten (10) days of the date of the incident or the notification of the results thereof. A ruling by such officer shall be made within ten (10) days, which decision may be appealed in writing within thirty (30) days to the International President whose decision is appealable to the Executive Council and the Convention in accordance with Article 16 of the Constitution of the Grand Lodge. Protests involving the election of General Chairman-Delegate or an Alternate Delegate that have been timely appealed to the Convention shall be referred to the Committee on Credentials for its review and report to the Convention.

#### **Certification**

Section 9. (a) Upon the election of a new General Chairman-Delegate by the Board/System Division, the Secretary of the Board shall, over the seal of the Board, certify the election to the International President.

(b) The International President upon receipt of such certification shall certify to the proper officer of the employer upon an appropriate form, the fact that the General Chairman-Delegate has been elected to act for the Union.

(c) The certification of representation issued by the International President of the Union will be dispatched by registered or cer-

Article 1, Section 10

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tified mail, return receipt required, to the proper officer of the employer.

(d) The International President will furnish copies of the certification issued under the provisions of this Section to all Lodges or Districts under the jurisdiction of the Board.

**Handling of Grievances-General Rules**

Section 10. (a) The term "grievances" wherever it appears in these Protective Laws shall be construed as a complaint by the employe against the employer concerning application of agreements covering wages and working conditions, or concerning employment relations.

(b) No member other than a member of the Protective Committee, the aggrieved member himself or herself, or a designated Board/Division officer shall represent any employe in any investigation, or assist in any way in adjusting grievances or difficulties, and any member so doing will be subject to expulsion from the Union for violation of his obligation.

(c) *Prima facie* violations of working agreements by employers may be handled by Protective Committees or the General Chairmen, without formal grievances having been presented by the employe. It is the duty of such representatives to see that agreements are enforced without violation by the employer or by the employes. This duty does not impose an obligation on such officers to seek out violations nor is it intended to minimize, in any way, the responsibility of an individual member to file grievances in writing.

(d) No member of the Committee except the Division Chairman or General Chairman-Delegate shall discuss with any official of the company any matters pertaining to existing grievances, unless at least one other member of said committee be present at such discussion, and any member of the Union, or employe, who having placed grievances in the hands of the Lodge or District, shall personally attempt to adjust same, communicate with or reply to any communications received from any official of the company except by instruc-

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Article 1, Section 12

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tions from the proper committee or the Board, shall forfeit all rights to assistance from the Union in adjusting same.

(e) Any officer or member of a Lodge or District interfering in any matter detrimental to the successful conclusion of a grievance, shall be subject to expulsion from the Union when found guilty of such act. This section shall not be construed to prohibit free discussion by any member of a grievance being considered at a regular meeting of a Lodge or District.

**Local/District Committee**

Section 11.(a) Any employe who considers that he or she has been dealt with unjustly by the employer, or has been otherwise aggrieved by action of the employer shall report the grievance, in writing, giving all known facts, to the Local/District Chairman-Delegate having jurisdiction in the territory. If the reported grievance is considered a proper subject for investigation and adjustment, the Local/District Chairman-Delegate or member of Protective Committee shall undertake the handling of such grievance on behalf of the complaining employe.

(b) Should the Local/District Chairman-Delegate or member of Protective Committee fail to secure a satisfactory adjustment, he shall refer the grievance to the Chairman of the Division Protective Committee, or on Boards/System Divisions where no Division Protective Committees have been established, to the Board/System Division with a full and complete statement of facts and all papers pertaining thereto.

**Boards/System Divisions**

Section 12. (a) It shall be the duty of the General Chairman-Delegate to receive and consider grievances referred to him pursuant to this Article and endeavor to satisfactorily adjust said grievances with representatives of employers through conference or other available procedures. The General Chairman-Delegate has the authority to appear for, represent and in all respects act on behalf of the individual who has referred a grievance to TCU for handling, including,

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**Article 1, Section 13**

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but not limited to, the authority to settle grievances and claims on behalf of the member.

(b) When matters set forth in these Laws are under consideration and are pending with the employer, the General Chairman-Delegate may request the assignment of an International Officer to assist him in effecting a settlement. If satisfactory settlement is not effected in the foregoing manner, the General Chairman-Delegate may submit the dispute, with the approval of the International President, to tribunals established by law or otherwise, or the dispute may be handled further in the manner provided in these Laws.

**Section 13. (a)** It shall be the duty of the Boards/System Divisions, and they are hereby authorized, when acting in conformity with the Constitution, Statutes for the Government of Lodges and Districts and Protective Laws of the Union, and their By-Laws to negotiate, maintain, revise, modify and adjust agreements establishing and covering wages, working conditions and other employment relations in their respective jurisdictions. Boards/System Divisions shall have authority to delegate any of these duties to a committee consisting of their members and officers.

(b) Boards/System Divisions may, with the approval of the International President, establish territorial jurisdiction of the lodges and districts under their respective jurisdiction.

(c) The International President shall, subject to appeal, define the territorial jurisdiction of the Lodges and Districts in instances where there is a conflict in jurisdiction between the protective committees of Lodges and Districts or may require the consolidation of such Lodges and Districts when he deems it to be in the best interests of the Union, subject to appeal and review by the Executive Council.

**Revenue and Expenses**

**Section 14. (a)** Each Board/System Division is hereby authorized to fix uniform dues (above the minimum established by Article 26 of the Constitution of the Grand Lodge), to apply to all members subject to the Scope Rule of each individual contract under the juris-

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diction of the Board/System Division and to levy per capita tax and assessments as may be necessary for the transaction of their business upon all members under the jurisdiction of the Board/System Division and covered by the wages or rules agreements, in whole or in part, in such manner as each may decide. When a Board/System Division fixes dues and/or per capita tax at a rate above the minimum specified, or levies an assessment, same shall become effective only when approved by the International President.

(b) In the event of extraordinary circumstances, involving new organizational efforts, ongoing organizational efforts, new representation, specific national problems, restrictive labor laws, or other unusual circumstances, any subordinate unit may petition the International President for permission to lower the minimum Board/System Division or Local Lodge per capita tax specified. The International President may grant such waiver subject to annual review by him, provided that, in his judgment, the needs of the Union can be adequately met and the circumstances warrant such action.

(c) In the event of extraordinary circumstances involving new organizational efforts, new representation, initial contracts, and situations wherein existing rates of pay or working conditions are determined to be below the over-all pattern of the Union, any subordinate unit or units involved may petition the International President for, or the International President may initiate on his motion, a partial reduction of the Grand Lodge per capita tax for the members covered by the respective contract or organizing situation, subject to the approval of the Finance Committee. Reductions so granted shall not extend beyond the term of the initial contract unless resubmitted and approved by the Finance Committee.

(d) All authorized expenses incurred by a Board/System Division and all authorized expenses incurred by Division Protective Committees shall be paid from the funds of the Board.

(e) The General Secretary-Treasurer shall notify the International President of any Lodge becoming in arrears for such per capita tax or assessments for a period of sixty (60) days or more, when, if

**Article 1, Section 15**

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such arrears are not paid within thirty (30) days, the Lodge shall be suspended by the International President until such per capita tax or assessments are paid.

**By-Laws**

Section 15. (a) Nothing in these Protective Laws shall be construed by the International Officers, or others to prevent any Board from formulating suitable by-laws for its own constitution and guidance, which in its opinion are necessary and advisable, provided that such by-laws in no way conflict with the Constitution, Statutes for the Government of Lodges and Districts and Protective Laws, or regulations of the Union.

(b) Recognizing that System Divisions have historically developed in a different manner than Boards, such Divisions may, with the approval of the International President, adopt by-laws which differ from these Protective Laws, in order to preserve these historical differences.

(c) After adoption, three (3) copies of such by-laws shall be submitted to the International President for approval. If approved, they shall become effective on the date fixed by him, and may be printed only after approval. An official copy signed by the General Chairman-Delegate and the General Secretary-Treasurer shall be deposited with the International President and the International Secretary-Treasurer.

**Accounts**

Section 16. (a) The General Secretary-Treasurer of the Board/System Division shall collect and receive all monies due the Board/System Division giving receipt therefor and deposit said funds in the name of the Board/System Division in a bank or banks to be designated by the Board/System Division or the Board of Trustees.

(b) The General Secretary-Treasurer shall disburse the funds of the Board/System Division in payment of the regular and authorized expenses of the Board/System Division only when approved by the General Chairman-Delegate using double-signature checks or

suitable voucher system. Unusual or extraordinary expenses shall only be paid upon approval of the Board of Trustees.

(c) The General Secretary-Treasurer shall require itemized expense accounts for all traveling and personal expenses paid to the officers, members, and employes of the Board/System Division together with necessary receipts to substantiate such expenditures. He shall keep the accounts and financial records of the Board/System Division and timely file all reports required by federal, state and local governments, providing a copy of DOL Form LM and IRS Form 990 to the International Secretary-Treasurer.

(d) A certified public accountant shall audit the accounts of the General Secretary-Treasurer of the Board/System Division at least once each year, provided, however, that Boards/System Divisions with small memberships may, with the permission of the International President, be permitted to fulfill this obligation through an audit by the Board of Trustees. A copy of the certified audit shall be filed with the International Secretary-Treasurer and with the Secretary of each Lodge and District.

(e) Notwithstanding whether or not the Board uses a certified public accountant to prepare its financial statement, the Board of Trustees or Audit Committee shall meet on an annual basis to review Board expenditures and financial practices.

(f) The Board of Trustees shall provide for the safe keeping of all securities and evidence of title to real property in the name of the Board/System Division. The funds of the Board/System Division shall not be invested in securities or real property without first being authorized by the Board/System Division or the Board of Trustees.

(g) The Board of Trustees shall examine the securities and evidence of title to real property and certify the ownership and custody of same in each audit made of the accounts of the Board/System Division.

(h) The Board of Trustees shall have control of any unusual or

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**Article 1, Section 17**

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extraordinary expenditure of funds and they shall also perform such other functions as provided for in the By-Laws of the Board/System Division.

**Appeals from Decisions on Grievances**

Section 17.(a) In the event the Local/District Chairman-Delegate determines that a grievance filed by an individual or member of the Protective Committee is not a proper subject for investigation and adjustment, he shall promptly notify the aggrieved employee. Such denial should inform the employe of his right to appeal the Local/District Chairman-Delegate's decision within thirty (30) days to the Division Chairman or General Chairman-Delegate where there are no divisions. When the U.S. mail is used, the postmark will govern in determining compliance with the time limits set forth herein.

(b) Any appeal to the Division Chairman or General Chairman-Delegate should contain a full and complete statement of facts and all papers pertaining thereto. Should the decision of the Division Chairman be unsatisfactory, an appeal may be filed within thirty (30) days thereafter to the General Chairman-Delegate who shall promptly review the evidence and render a decision thereon. Should this decision be unsatisfactory, it may be appealed to the Appeals Committee of the involved unit within thirty (30) days from the date of the decision. This decision, if unsatisfactory, may be appealed to the International President within thirty (30) days from the date of decision. If the decision of the International President is unsatisfactory, it may be appealed within thirty (30) days from the date of the decision to the Executive Council, whose decision shall be final. All appeals must be filed timely and in writing. When the U.S. mail is used, the postmark will govern in determining compliance with the time limits set forth herein.

(c) Boards/System Divisions shall provide for handling of appeals between meetings of the Board.

(d) Time limits shall be thirty (30) days from date of decision for each further appeal provided; when the U.S. mail is used, the

Article 2, Section 1

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postmark will govern in determining compliance with the time limits set forth herein. In no event will appeal be entertained if not received within time limits unless officer whose decision is being appealed from, is agreeable to extension of time limits provided.

(e) In the event an appeal is sustained, the grievance shall immediately be referred to the proper officer for prompt handling as the laws may provide.

(f) Should any committee or officer decline to handle the grievance of any employe, which results in appeal from said refusal, then said committee or officer, upon request timely filed by the aggrieved employe or Protective Committee member who filed the grievance in his behalf, shall file with the proper officer of the employer, a copy of the grievance with request for an extension of time so as to enable the employe ample time to appeal without endangering his grievance by the time limits of any agreement.

**ARTICLE 2—FAILURE TO ADJUST DISPUTES  
CONCERNING WAGES, RULES AND/OR WORKING  
CONDITIONS, GRIEVANCES OR INVOLVING THE  
INTEREST OF THE UNION OR ITS MEMBERSHIP**

Section 1 (a) The International President, upon being notified by the General Chairman-Delegates that an unadjusted dispute exists, may meet with or deputize an International Officer to meet with representatives of the Board or System Division and renew the efforts amicably to adjust the dispute. Failing in this, the Board or System Division with the sanction of the International President or designated International Officer may prepare ballots which concisely state the nature of the dispute or disputes, the effort made to adjust them, the results obtained, and submit the question at issue to the membership in the service of the employer involved for a referendum vote as to whether or not they will concertedly withdraw their services to the employer until the said dispute or disputes are adjusted. If two-thirds (2/3) of the membership vote in favor of such withdrawal, the Board or System Division with the sanction of the International President

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**Article 2, Section 2**

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and the International Officer in charge, may order a strike of all members in the service of the employer involved.

(b) Where the employer is covered by the National Labor Relations Act the referendum vote may be taken in accordance with Section (a) above or at a meeting hall provided the membership in the service of the employer involved has been reasonably notified of such meeting. If two-thirds (2/3) of the membership in the bargaining unit vote in favor of such withdrawal, the Board or System Division with the sanction of the International President and the International Officer in charge, may order a strike of all members in the service of the employer involved.

(c) Notwithstanding the provisions of Section 1(a) above, the International President may, when he ascertains that it would be in the best interest of the Union and its members, authorize and order a withdrawal from service by all members in the service of an employer, if requested to do so by a vote of three-fourths (3/4) of the officers and members of the Board or System Division involved.

Section 2. The percentage designated in Section 1 shall not apply to members who are affiliated with federations or other organizations; in which case the total percentage necessary to call a strike shall be the same as that required by such federation.

Section 3. In taking the vote provided for in Section 1 of this Article, a specific time for closing the ballot shall be designated, and all members shall be given an equal opportunity to vote.

Section 4. Any action taken by the Board or System Division in conformity with the foregoing sections of this Article shall be law to all members in the service of the employer involved, and members not complying therewith shall be subject to expulsion.

Section 5. The International President shall be the recognized leader, and acting in conjunction with the Finance Committee of the Grand Lodge shall appropriate from the funds of the Union, such monies as may be necessary for the successful prosecution of the strike.

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**Section 6.** The International President, or designated International Officer, and the Board or System Division shall have the authority to terminate a strike, but should there be a difference of opinion either party shall have power to refer to the Executive Council of the Grand Lodge, which Council shall decide the question, and such decision, when rendered, shall be final. (See Article 13, Sec. 23, of the Grand Lodge Constitution.)

**Section 7.** If the vote authorizing a strike has been governed by Section 2 of this Article, Section 6 shall not apply.

**Section 8.** Any member or members inciting a strike or participating therein, except as provided for in these laws, shall be subject to expulsion. The Lodge or District in whose jurisdiction an unauthorized strike occurs shall promptly proceed against all members who engage in such unauthorized strike. While under charges for engaging in an unauthorized strike, no member shall be granted a transfer or withdrawal card. If the Lodge or District does not proceed promptly against the member or members engaging in such unlawful strike, its charter may be revoked by the International President in which event he shall transfer all members not so participating to other Lodges or Districts.

**Section 9.** For the purpose of protecting the interests of the members, defraying the expenses of conducting duly authorized strikes, rendering such financial assistance as may be found advisable to members locked out or summarily dismissed from the service in consequence of their membership or efforts to settle disputes, and defraying the expenses of the Grand Lodge in connection with efforts to settle disputes and/or matters involving wages, hours, conditions, or terms of employment, the Finance Committee of the Grand Lodge shall be mindful that sufficient funds be maintained to adequately meet such costs.

**Section 10.** The International Secretary-Treasurer shall make such reports as may be necessary and as are required by the Constitution and Laws of this Union on the availability of such funds.

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**Article 2, Section 11**

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**Section 11. No benefits shall be paid under these laws to members until they have been on strike or locked out for a period of one (1) full week. Benefits shall be paid beginning with the second week.**

**Section 12. Striking or locked-out members where the funds of the Union permit shall be paid strike benefits of twenty dollars (\$20.00) per week, or a higher amount when approved by the Executive Council and Finance Committee. To be entitled to benefits under this section, members shall register personally each day between 9:00 a.m. and 12:00 noon, in a register provided for that purpose by the strike committee. The manner and time of registering as hereinbefore provided may be waived in case of a joint strike when concurred in or approved by the Chief Executives of the respective organizations. Then such rules and regulations as may be agreed upon by the joint strike committee shall prevail.**

**Section 13. Striking members securing employment elsewhere during period of such strike or lockout shall be excluded from all strike benefits, must obtain permission from the strike committee before accepting any other employment, and shall be required to pay all assessments if any may be required to pay benefits under the provisions of Section 11 of this Article.**

**Section 14. When the members of Lodges or Districts require financial relief under the provisions of these laws, the Secretaries of Lodges or Districts shall forward to the International Secretary-Treasurer duly signed and under the seal of the Lodges or Districts involved, and certified to by the Board or System Division or strike committee, the payroll provided for in this Article, showing names of members and addresses thereof, engaged in the strike or lockout and who are entitled to pay. The payroll shall be made out in ink and the amount due set opposite the name of each member. The International Secretary-Treasurer, by direction of the International President and with the approval of the Finance Committee of the Grand Lodge, shall draw and forward a voucher check for every member to the Secretary of each Lodge or District.**

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Section 15. On receipt of the payrolls and the amount due thereon from the International Secretary-Treasurer, the Secretaries of the Lodges or Districts shall pay the same to the members entitled thereto, securing their signature to the payroll and return such receipted payrolls to the International Secretary-Treasurer. Secretaries of Lodges or Districts shall keep a correct account of all monies received and disbursed by them. The bond of the International Secretary-Treasurer, as provided for in the Constitution and Laws of the Grand Lodge, shall apply.

#### ARTICLE 3—RECALL

Section 1. (a) Any officer of a Board or System Division is subject to recall by sixty percent (60%) of the membership of the Lodges or Districts in good standing, represented by said Board or System Division provided that he is guilty of serious misconduct under federal or state law or under the Grand Lodge Constitution or Protective Laws. The recall proceeding shall be conducted in its entirety by the majority membership of the Board of Trustees of the Board or on a System Division if there is no Board of Trustees by a three (3) member committee elected by the General Committee. Should any member of the Board of Trustees or Committee be involved, a representative of the Grand Lodge shall be assigned to handle the recall proceedings as provided for in this Article.

(b) When request is received from at least sixty percent (60%) of the Lodges or Districts under the jurisdiction of the Board or System Division for the recall of any officer of the Board or System Division, the recall proceedings shall be instituted.

(c) Each Lodge or District requesting a recall must file with the Chairman of the Board of Trustees or General Secretary-Treasurer of the System Division a complete statement setting forth detailed reasons why the membership desires to have the officer recalled. Separate statements must be prepared for each officer and signed by the President of the Lodge and attested to by the Secretary over the seal of the Lodge or by the District Chairman. Statements

**Article 3, Section 1**

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must be submitted in duplicate. When the statement containing the charges is received by the Chairman of the Board of Trustees or General Secretary-Treasurer, it shall be his duty to officially notify the officer concerned of receipt of such statement and furnish to such officer one copy of the statement received from the Lodge within five (5) days after its receipt. When the officer concerned in statement of charges has been furnished copy by the Chairman of the Board of Trustees or General Secretary-Treasurer, the officer, if he so desires, may prepare and present a statement containing an answer to such charges, which must be filed with the Chairman of the Board of Trustees or General Secretary-Treasurer within ten (10) days after receipt of statement containing charges.

(d) When the chairman of the Board of Trustees or General Secretary-Treasurer receives statement of all charges and answer by the officer to be recalled, he shall notify the full membership of the Board of Trustees or special committee that such information has been received. Upon receipt of such notification by the members of the Board of Trustees or special committee, they shall, within fifteen (15) days after receipt of answer from the officer cited to be recalled, prepare an official recall ballot. The recall ballot must contain all statements of charges in full and immediately following such statements of charges, the full and complete answer to the charges by the officer cited to be recalled. Below this information on the ballot there shall appear two places for the membership to express their decision as follows:

1. Those in favor of recall of (insert name of officer) place X in this square .....
2. Those not in favor of recall of (insert name of officer) place X in this square .....

(e) When the ballot is prepared, the Secretary of each Lodge affected or the General Secretary-Treasurer of the System Division, he shall be advised by the Board of Trustees or special committee that recall ballot has been prepared and each Lodge Secretary or General Secretary-Treasurer requested to furnish to the Board of Trust-

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Article 3, Section 1

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ees or special committee a statement containing the name and complete mailing address of each member of the Lodge or District under the jurisdiction of the Board or System Division. The statement is to be certified to by the Secretary of the Lodge or General Secretary-Treasurer over their seal. Statement of membership must be prepared and submitted to the Board of Trustees or special committee within ten (10) days from the date of requests for such information.

(f) When certified statements of membership in good standing are received it shall be the duty of the Board of Trustees or special committee within five (5) days after receipt of all official statements to mail to each member of the Union whose name may appear on such official statement one official recall ballot, together with self-addressed and stamped return envelope for the member to return his ballot when voted. The period of balloting shall be fifteen (15) days from the date of mailing of last official recall ballot to the membership and the specific date shall be fixed by the Board of Trustees or special committee and such information shall be shown on the official recall ballot.

(g) On the day following the date specifically set for the closing of the ballots, the Board of Trustees or special committee shall assemble and count the ballots and certify as to the exact results. If sixty per cent (60%) of the total membership in good standing voted in favor of recall the officer shall there and then be recalled and removed from the office and so notified by the Board of Trustees or special committee. Should sixty per cent (60%) of the membership fail to vote in favor of recall, the charges against the officer shall be considered as not having been sustained.

(h) If the officer is recalled by the legal requirements, his successor shall be elected in accordance with the laws of the Union.

(i) In the event the Board of Trustees or special committee or representative of the Grand Lodge fail or refuse to discharge the duties of this Article within the prescribed time limits, the International President shall delegate an International Officer to discharge these duties.

Article 4, Section 1

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**ARTICLE 4—REGIONAL ASSOCIATIONS**

**Section 1.** There shall be a General Chairmen's Association consisting of all Boards of Adjustment, System Divisions and/or other similar subordinate units with membership mandatory.

**Section 2.** Such Association (in the absence of Convention action) shall determine policy on all matters affecting rates of pay and working conditions subject to ratification by a majority of the members thereof. The members of the Association shall confer, consult, and exert every effort to establish and maintain uniform policies on matters common and basic within the crafts and classes or units within the various industries represented by this Union.

**Section 3.** Each Board of Adjustment, System Division or other similar subordinate unit will be entitled to one representative in the Association. This representative shall be the General Chairman-Delegate of the Board of Adjustment, System Division or similar subordinate unit, or, in the event of the inability of such individual to attend meetings, such officer as would have the authority to act in the General Chairman-Delegate's absence will be the representative. Each representative shall be entitled to one (1) vote.

**Section 4.** The officers of the Association shall consist of a Chairman, Vice Chairman and Secretary-Treasurer, a Chairman and at least two (2) members of a Board of Trustees, who shall be elected from and by the members of the Association.

**Section 5.** Any International Officer in attendance at a meeting will be an ex-officio member of the Association without a vote.

**Section 6.** The Association shall have authority to devise ways and means of raising the revenue necessary for the conduct of its activities, subject to the approval of the International President.

**Section 7.** When General Chairmen-Delegates attend any Association meetings, their time lost, and expenses incurred, shall be paid from the funds of their respective Boards of Adjustment, System Divisions or other similar subordinate units.

**Section 8.** The Association shall have authority to adopt for its government such By-Laws as may be deemed advisable, not in con-

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flict with the Constitution, Statutes for the Government of Lodges and Districts and Protective Laws of the Union, and subject to the approval of the International President.

Section 9. Whenever the Association, by a majority vote of the membership, through the duly authorized representatives of the various Boards of Adjustment, System Divisions or other similar subordinate units composing the Association, shall have determined upon any policy affecting wages or working conditions, adherence to such policy shall be, whenever possible, compulsory for each of the members and bodies they represent. The International President, when called upon by the Association and at his discretion, shall take such action as will compel adherence to the policy of the Association.

**ARTICLE 5—GENERAL**

Section 1. Any officer or member of a System Board, Joint Protective Board, System Division, Council or Federation who misappropriates funds of the Union, if found guilty, shall thereafter be ineligible to hold any office or to represent the Union in any capacity. No Board, System Division, Council or Federation, etc., shall have authority to compromise or offer any settlement with such officer or member, but shall immediately report same to the International Secretary-Treasurer.

Section 2. Boards or System Divisions may, with the consent of the International President, select local organizers and provide means for paying all expenses. Such organizers shall be under the direction of such Board or System Division and under the discipline of the International President.

**Effective Date**

This Constitution of the Grand Lodge, Statutes for the Government of Lodges and Districts and Protective Laws as revised and amended by the Thirty-second Regular and First Quinquennial Convention of the Grand Lodge at Las Vegas, Nevada, June 2004, shall become effective September 1, 2004.

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**Certification**

The undersigned hereby certify that the foregoing Constitution of the Grand Lodge, Statutes for the Government of Lodges and Districts, and Protective Laws are the true laws of the Transportation Communications International Union (TCU) as revised and amended by and under the authority and direction of the Thirty-second Regular and First Quinquennial Convention of the Grand Lodge at Las Vegas, Nevada, June 2004.



Ted P. Stafford,  
Chairman



Leonard C. Bauman,  
Secretary



Mike Davis,  
Member



Joseph Derillo,  
Member



David Steele,  
Member

**Committee on Grand Lodge Constitution and Laws**

Approved:



R. A. Scardelletti, International President

Attest:



H. W. Randolph, Jr., International Secretary-Treasurer

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## **RESOLUTIONS**

of the  
**Transportation Communications International Union**

The following important resolutions were adopted by prior  
Conventions:

### **Resolution 12**

**WHEREAS, TCU's Leadership Training Programs at the George Meany Center for Labor Studies have trained 342 Local and District Representatives since the 1999 Convention, and trained more than 1000 Representatives since President Robert Scardelletti revitalized the program after his election in 1991; and**

**WHEREAS, Local and District Representatives are the front line in defending our members' rights at the workplace and policing our contracts; and**

**WHEREAS, it continues to be essential that Local and District Representatives receive the best possible training in handling grievances, defending members at disciplinary hearings, workplace-related laws and government regulations, and other issues that directly affect our membership; and**

**WHEREAS, it is vitally important to provide training as soon as possible to representatives when they are first elected, and to provide advanced training to veteran representatives, in order to ensure that our members obtain the best possible representation;**

**WHEREAS, TCU is proud to be the only AFL-CIO union that provides week-long training to every Local and District Chairperson,**

**NOW, THEREFORE, BE IT RESOLVED, that the Delegates to this Convention reaffirm TCU's commitment to continue providing a formal educational seminar to every Local and District Chairperson at least once between Grand Lodge Conventions.**

Resolution 17

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**Resolution 17**

**WHEREAS, Previous TCU Conventions have recognized the time honored tradition within the trade labor union movement that picket lines will be respected; and,**

**WHEREAS, This unity and solidarity has enabled TCU members, and members of other unions, as well, to secure and maintain decent working conditions, wage standards, adequate health and welfare coverage, etc.; and,**

**WHEREAS, This Union and its members have recognized this obligation to honor picket lines of our own and sister unions;**

**NOW, THEREFORE, BE IT RESOLVED, That TCU and its members do hereby declare that the policy of our Union is and will be to honor bona fide picket lines established by TCU or any other union and the members shall not cross or knowingly work for any firm or company where employes are on strike or locked out; and,**

**BE IT FURTHER RESOLVED, That in the event any unit of TCU commences a strike, all members working for the struck property will be considered on strike and shall, upon commencement of the strike, leave the employer's premises; and,**

**BE IT FURTHER RESOLVED, That in the event another union commences a strike while a member is at work or employes represented by another union are locked out while a member is at work, the member shall complete his normal shift only and shall not continue working beyond the normal end of his shift; and,**

**BE IT FURTHER RESOLVED, That any member who fails to abide by this established policy will be subject to being charged with violation of the policies and laws of our Union and tried in accordance with Article 10 of the Statutes for the Government of Lodges or Article 10 of the Government of Districts; and,**

**BE IT FURTHER RESOLVED, This Convention recommends that a member so charged and found guilty, if fined, the fine should be an amount not less than the amount earned by the member for**

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**Resolution 26**

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each and every day the member performed service during such picketing, strike or lockout.

**Resolution 22**

WHEREAS, Our 1939 Grand Lodge Convention, by adoption of Resolution No. 98, established the policy "that in all future transfers, consolidations, coordinations, abandonments or dissolutions of existing facilities involving members and employees represented by our Organization which results in displacement of employees or re-arrangement of forces, such members and employees shall have the right to follow their positions or work with their established seniority rights," and "the International President shall enforce this policy of the Organization and is authorized to decide (subject to review by the Executive Council) disputes between two or more Boards of Adjustment involving such matters"; and,

WHEREAS, At times there has been a misconception as to the application of this policy including the belief that the resolution automatically modifies existing collective bargaining agreements and is binding upon employers with whom collective bargaining agreements have been executed. The intent of the resolution is that TCU negotiators, when one of the contingencies above listed arise, will seek agreements with an employer or employers to provide equitable handling of seniority and related work assignments for all employees directly or indirectly involved in each given situation;

NOW, THEREFORE, BE IT RESOLVED, That we reaffirm the policy and its intent in connection with "Consolidations, Coordinations, Abandonments or Dissolutions of Existing Facilities" as first established by our 1939 Convention by adoption of Resolution No. 98 and which has been reaffirmed at each subsequent Convention.

**Resolution 26**

WHEREAS, The 1971, 1975, 1979, 1983, 1987, 1991, 1995 and 1999 Grand Lodge Conventions unanimously adopted resolutions endorsing and supporting our Union activities in the field of international affairs, and

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**Resolution 26**

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**WHEREAS, Our Union's long-standing commitment to the international labor movement is intrinsic to our concern for the needs and aspirations of working people everywhere, and**

**WHEREAS, Workers all over the world share many common problems, such as unemployment, inflation, retarded growth, trade deficits, energy shortages, repression of basic freedoms and worker migration, and**

**WHEREAS, Many U.S.- and Canadian-based multinational corporations, including railroad and airline companies, continue to expand their world activities disrupting economies and greedily exploiting workers in total disregard of the public good, both here and abroad, and**

**WHEREAS, It is in our self-interest to preserve and enhance our own rights and to show concern for human decency and social justice everywhere, and**

**WHEREAS, By joining with, assisting and promoting the world free trade union movement, we enhance our peace and prosperity at home, protect our living standards, and our wage structure,**

**NOW, THEREFORE, BE IT RESOLVED:**

**That this 32nd Regular Convention of TCU reaffirms resolutions and policies adopted at previous Grand Lodge Conventions calling for an active Union role in international Labor affairs;**

**That the International President, in the best interest of all TCU members, should continue to keep abreast of all world developments through the assignment of International Officers and others as he may deem appropriate; and**

**That the Grand Lodge maintain and expand, where appropriate, these international activities by working closely with the AFL-CIO and other national and international organizations.**

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**Resolution 27**

**WHEREAS**, Since 1946 our Union has been an active affiliate of the International Transport Workers' Federation (ITF); and

**WHEREAS**, The ITF stands for the defense of democracy and freedom and is opposed to totalitarianism and aggression in all forms and to any discrimination based on color, nationality, sex, race or creed; and

**WHEREAS**, Due to the rapid growth and sophistication of global transportation there is a definite interdependence among transport unions, and therefore it is in the best interest of TCU members to maintain close liaison with transport workers the world over; and

**WHEREAS**, These are problems of such magnitude that no transportation union can resolve them on its own except through international solidarity and cooperation;

**NOW, THEREFORE, BE IT RESOLVED** That this 32nd Regular Convention:

Reaffirms wholehearted support for the International Transport Workers' Federation (ITF);

Endorses the continued affiliation of TCU to the ITF; and,

Authorizes the International President to adopt appropriate policies to enhance our activities within the ITF in order to protect the interests of all workers.

**Resolution 28**

**WHEREAS**, Several prior Conventions of our Union have adopted non-discrimination resolutions; and,

**WHEREAS**, It has been the policy of TCU to work for the elimination of all forms of discrimination wherever they existed; and,

**WHEREAS**, TCU supported the enactment of federal legislation establishing a national policy of non-discrimination;

**Resolution 29**

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**NOW, THEREFORE, BE IT RESOLVED,** That this 32nd Regular Convention reaffirms the declared policy of TCU that there be no discrimination based on race, creed, color, sex, age, religion, national origin or disability in the negotiation and administration of our agreements, and that the Union continue to exert all efforts to eliminate the effects of employer discrimination wherever it might be found still to exist.

**Resolution 29**

**WHEREAS,** The AFL-CIO's Union Privilege Program was created by the AFL-CIO to pool the resources of all union members throughout the United States to develop benefits and services which are beyond reach of an individual worker; and,

**WHEREAS,** Union Privilege has successfully used the leverage of millions of union members and a professional staff to ensure the highest quality programs; and,

**WHEREAS,** In recognizing the wisdom of using the Union Privilege approach to reviewing such programs, the Transportation Communications International Union is participating in most, if not all, of these programs; and,

**WHEREAS,** TCU's Union Privilege programs have proven their value to TCU members, saving TCU members hundreds of thousands of dollars and improving the quality of life for TCU members; and,

**WHEREAS,** TCU's Union Privilege programs have added to the benefits of membership in TCU and have thereby strengthened the ties between TCU and its members and aided the TCU in recruiting new members to join the union;

**NOW, THEREFORE, BE IT RESOLVED,** That the Transportation Communications International Union commits itself to continued support of the Union Privilege programs and to keeping TCU members informed about the TCU Union Privilege programs available to our members and that TCU will continue to communicate on

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Resolution 31

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a periodic basis with the leadership of the subordinate units regarding TCU Union Privilege programs and educate the TCU membership on these important and beneficial programs.

**Resolution 31**

WHEREAS, The 1955 Grand Lodge Convention, meeting in Boston, Massachusetts, adopted Resolution No. 228 which authorized the establishment of a "Disaster Relief Fund" for the assistance of our members who are the victims of floods, tornadoes and other disasters; and,

WHEREAS, Our Milwaukee Convention, by the adoption of Resolution No. 446, and our Los Angeles Convention, by the adoption of Resolution No. 101, and the Minneapolis Convention, by the adoption of Resolution No. 353, and the Miami Convention, by the adoption of Resolution No. 376, and the Washington, D.C. Convention, by adoption of Resolution No. 384, and the Toronto, Ontario Convention, by the adoption of Resolution No. 155, both Miami Conventions by adoption of Resolutions 124 and 30 respectively, the San Francisco Convention by adoption of Resolution No. 74, the 1995 Miami Convention, by the adoption of Resolution No. 64 and the 1999 Las Vegas Convention, by the adoption of Resolution No. 130 authorized the continuation of the "Disaster Relief Fund;"

NOW, THEREFORE, BE IT RESOLVED, That this Las Vegas, Nevada Convention authorize the continuation of the "Disaster Relief Fund" and call upon each Lodge and each Board or System Division to continue its annual contribution of five (5) cents per member, to be determined by the number of members during the month of December of each year, and the proceeds of the Fund to be used to afford reasonable assistance to our members who suffer severe losses because of floods, tornadoes and other major disasters and to make contributions to the Red Cross and similar relief organizations engaged in extending relief to victims of these disasters; and,

BE IT FURTHER RESOLVED, That this fund shall be used for aiding disasters resulting from a natural catastrophe such as tor-

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**Resolution 31**

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nadoes, floods, hurricanes, etc., which cause damage and destruction that is not covered by insurance or by a special Act of Congress or by Administrative Order; and,

**BE IT FURTHER RESOLVED,** That this Fund shall be administered by the International Secretary-Treasurer as a special account of the Union to be known as the "Disaster Relief Fund" and subject to audit by the Grand Lodge Board of Trustees as part of the accounts of the International Secretary-Treasurer.

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## **RULES AND REGULATIONS GOVERNING**

### **the Auditing and Bonding Department of the**

**Transportation • Communications International Union  
Revised and adopted by the Executive Council at Cincinnati, Ohio,  
July 1943 and Further Revised February 1960, February 1962,  
August 1971, January 31, 1983 and March 11, 1992.**

**Rule 1. Each Lodge, District, Board, System Division, Federation, or other subordinate unit of this Union in the United States, whose property and annual financial receipts do not exceed \$5,000 in value shall obtain a blanket bond through the Auditing and Bonding Department of the Grand Lodge which will cover its officers, dues collectors, or employees who receive, handle, disburse, or otherwise exercise custody or conduct of the funds or other property of such subordinate unit.**

**Rule 2. A blanket bond shall be issued to each subordinate unit in the amount of \$2,500 covering each of its officers, dues collectors and employees. The premium for such coverage shall be established annually in an amount of not less than \$7.50. Premiums shall be due and payable within thirty (30) days from the date of billing by the Auditing and Bonding Department. Excess coverage may be obtained upon application to the International Secretary-Treasurer using a form furnished for that purpose and payment of a premium to be established annually in an amount of not less than \$3.00 for each additional \$2,500.**

**Rule 3. A condition of each bond shall be compliance by the subordinate unit with the provisions of the Constitution, Statutes for the Government of Lodges/Districts and Protective Laws of this Union relative to bonding, and these Rules and Regulations. Failure to comply shall be sufficient cause for the cancellation of any bond.**

**Rule 4**

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**Bonds are not valid unless signed by the International Secretary-Treasurer.**

**Rule 4. The Auditing and Bonding Department reserves the right to require an individual bond from any person required to be bonded and the right to decline to issue or to renew any bond, without disclosing the reason for its action.**

**Rule 5. In cases where excess coverage is issued for less than a year, the premium shall be pro-rated on a quarterly basis.**

**Rule 6. Bonds shall be issued for yearly periods. They shall be automatically renewed (subject to Rule 4) provided the premium therefore is paid not later than January 31 of each year.**

**Rule 7. The International Secretary-Treasurer may withdraw or cancel the bond for nonpayment of premium, or the incompetency, unfaithful performance of duty, or dishonesty of any incumbent of any such position.**

**Rule 8. Claims arising under bonds issued by the Auditing and Bonding Department, when approved, shall be paid from income derived by the Department.**

**Rule 9. In the event a bond is canceled or terminated, no liability shall exist with respect to any loss occurring while the bond was in force but not discovered and reported to the Auditing and Bonding Department within two years from the date of such cancellation or termination.**

**Rule 10. The liability of the Auditing and Bonding Department shall be limited to such loss as occurs by reason of embezzlement or larceny committed or participated in by a bonded person or persons. In no case shall the liability exceed the amount of the bond of the person or persons committing or participating in the embezzlement or larceny.**

**Rule 11. The bond issued by the Auditing and Bonding Department shall be automatically canceled from and after the date the**

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subordinate unit or any officer thereof not in collusion with the bonded person first has knowledge or information that a bonded person has committed or participated in any act resulting in loss for which the Auditing and Bonding Department may be liable.

**Rule 12.** Any officer of the subordinate unit, if so requested by the Auditing and Bonding Department, shall file a complaint for the arrest and render necessary assistance in the criminal prosecution of the bonded person committing or participating in any act resulting in loss for which the Auditing and Bonding Department may be liable.

**Rule 13.** No subordinate unit, or officer or member thereof, has authority to compromise or make any settlement with respect to any loss covered by bond, without the express authorization of the International Secretary-Treasurer.

**Rule 14.** Any dispute arising over a claim may be appealed by the subordinate unit to the Executive Council and thence to the Convention of the Union in accordance with the Grand Lodge Constitution.

**Rule 15.** The Executive Council shall make necessary arrangements for bonding of officers, dues collectors and employees of subordinate units who are required to be bonded by the provisions of applicable law and who are not eligible to be bonded by the Auditing and Bonding Department. The expense of such bond shall be born by the subordinate unit involved as its participation warrants.

The International Secretary-Treasurer is authorized and directed to implement these arrangements with the subordinate units.



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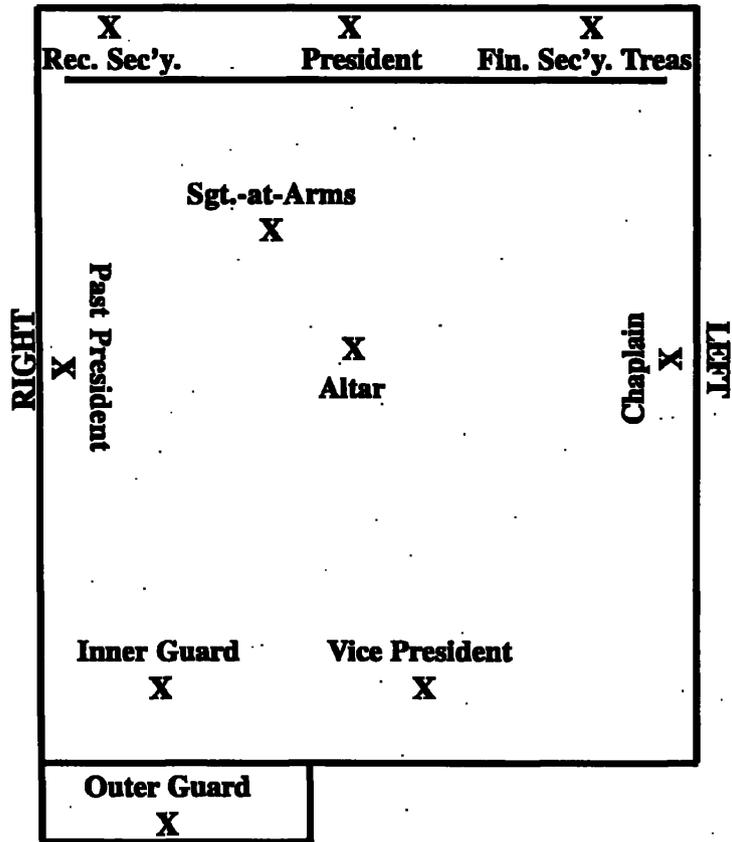
**RITUALS  
OF THE  
TRANSPORTATION •  
COMMUNICATIONS UNION**



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**FRONT**



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In use of gavel, \* indicates one rap; \*\* two raps; \*\*\* three raps. One rap calls to order or seats the lodge. Two raps calls up the officers. Three raps calls up everyone.

### OPENING CEREMONY

(During this ceremony no member will be admitted to the lodge/district room. They may, however, be admitted to the anteroom.)

The hour for meeting having arrived, the President assumes his station, gives \* and says:

**PRESIDENT:** Members will be seated and officers report to their respective stations.

(If any stations are vacant the President will fill them temporarily from the members present, after which he will continue.)

**PRESIDENT:** Sergeant-at-Arms, see that all lodge/district room doors are secured, all official stations filled and then ascertain if all present are entitled to remain.

**SERGEANT-AT-ARMS:** Worthy President, your order has been obeyed. The doors are securely guarded, all stations are filled, and all present are entitled to sit with us.

**PRESIDENT:** My duties are to preside over the lodge/district; to maintain order and decorum; to enforce the laws of the Union; to conduct the business of my office with malice toward none and equal rights for all.

This organization is a democratic institution founded upon the principles of equal and exact justice toward all members, and since its very being is preserved and maintained by the Constitution and Laws of our Nation it is appropriate and fitting that we affirm our allegiance and fidelity to the flag that symbolizes our liberties, our laws and our fellow citizens.

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The members will face the flag and repeat with me the Pledge of Allegiance to the Flag:

*"I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all."*

The Chaplain will invoke the Divine Blessing.

#### OPENING PRAYER

CHAPLAIN: Our Father, Who are in Heaven—as a body we congregate in this meeting room for the betterment of our fellow-workers and the furtherance of our cause: lead us that we may do all things well. Amen.

ALL ANSWER: So let it be.\*

PRESIDENT: Inner guard, you will now permit such members of the lodge/district who are qualified, Grand Lodge Officers, employees of the Grand Lodge and Board<sup>1</sup> members as may be in waiting, to enter.

If there are others in waiting who desire to enter you will ascertain their name, address and lodge/district number and report to me. The lodge/district may by a majority vote, invite them to enter.

(A short recess to receive a report from the Inner Guard and to permit those qualified to enter and be seated.)

I declare this lodge/district open for the transaction of such business as may legally come before it. We will proceed to the regular business of the lodge/district. Members will please pay attention.

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<sup>1</sup> Whenever the word "Board" is used in these Rituals, the same shall be construed as including System Divisions, System Boards and Joint Protective Boards.

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### **ORDER OF BUSINESS**

1. The secretary will call the roll of officers. Sergeant-at-Arms will report whether present or absent.
2. The Sergeant-at-Arms will now introduce visiting members.
3. Reading of minutes of last regular and/or special meeting and action thereon.
4. Voting on membership applications.
5. Welcoming new members.
6. Nomination of Officers.
7. Election of Officers.
8. Installation of Officers.
9. Report of Standing Committees.
10. Report of Special Committees.
11. Unfinished business—if any.
12. Communications and bills.
13. New business.
14. Payment of dues and assessments.
15. Reports of suspensions.
16. Report of Financial Secretary and Treasurer.
17. Good of the Union.
18. Report of any member sick or in distress.

### **CLOSING CEREMONIES**

**PRESIDENT:** Members, we are about to close this meeting. Does anyone know of anything which has been left undone, that

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cannot be reasonably deferred until our next regular meeting?

(Short pause to give members an opportunity to bring up any matter that may have been overlooked, after which the President continues.)

**PRESIDENT:** The Chaplain will now invoke the Divine Blessing.\*\*\*

**CHAPLAIN:** Our Father, Who are in Heaven, after we depart from this room, having done our full duty by Thy grace cause us to refrain from discussing any transactions which have taken place in this meeting with or in the presence of anyone except those whom we know to be members of this Union in good standing. Amen.

**ALL ANSWER:** So let it be.

**PRESIDENT:** Sergeant-at-Arms will now collect the Rituals and report.

**SERGEANT-AT-ARMS:** Worthy President, your order has been obeyed.

**PRESIDENT:** There being no objections, I now declare this meeting closed. Our next meeting will be:

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#### **WELCOME TO NEW MEMBERS**

(New members form a line in front of the President as their names are called.)

**PRESIDENT:**.....(My friend or friends)....we extend to you a cordial welcome; we are pleased that you are identifying...(Yourself or yourselves)...with your fellow workers in this organization. Henceforth may your labors and influence be for your mutual benefit. This Union is dedicated to the laudable purpose of defense, self-protection, the improvement of our mental, moral and social conditions and the elevation of our occupation. I extend to you my right hand and with it you will receive the Union hand clasp.

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Your attention is called to the story of the bundle of sticks; bound together it is impossible for you to either bend or break them; withdraw one hand, it may easily be bent or broken. Here we learn a lesson in unity which proves that in unity there is strength and so it is with you. Alone, you will be compelled to yield and break, but, bound by the cords of Union, a giant's strength would be expended in vain. Therefore, as no chain is stronger than its weakest link, see to it that you are not a defective link in our fraternal chain, so that in times of imminent peril and danger to our Union the chain of mutual interest which binds us together will not be broken. Strive to attend the meeting of your lodge/district regularly and thus improve your knowledge and interest in the Union.

The voting sign, which is used for both an affirmative or negative vote, is made by raising the right hand, with palm forward.

Your right to visit lodges or districts other than the one in which you hold membership must be agreeable to the lodges/districts that you desire to visit.

The gavel in the hands of the President is used to govern the movements of this lodge/district. \*Calls to order or seats the lodge/district if standing. \*\*Calls up the officers, and \*\*\*Calls up the whole lodge/district.

You will now face about and as your name is called take two steps forward, so that the members may recognize you and know you by name. Members of .....Lodge/District, No. ...., I take great pleasure in introducing to you .....(Brother or Sister)... (names them) .....who are now entitled to share in all the benefits and privileges of our Union. And now .....(Brother or Sister) .....(names them) .....you may be seated.

#### **INSTALLATION CEREMONY (District)**

(The installing officer will call the district to order and appoint a member as Sergeant-at-Arms. The Sergeant-at-Arms will call the roll of officers-elect, who as their names are called, will take their

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places as directed.)

(Any Grand Lodge Officer, Board Member, or authorized representative of the Grand Lodge or Board can act as installing officer.)

**SERGEANT-AT-ARMS:** Worthy Installing Officer, the officers-elect await your pleasure.

**INSTALLING OFFICER:** Officers-elect, you have been chosen by your fellow-members to a high and honorable position in this district, and from them you receive authority to rule and govern the district; and as some must rule, and some must obey, it becomes those who rule to avoid any appearance of partiality. On the other hand, the membership at large should render that willing obedience which is due to the officers they have placed in positions of authority.

Officers-elect, you will place your right hand over your heart in token of your sincerity, and repeat after me the obligation of office, pronouncing your name in full where I use mine.

I, .....in the presence of the members here assembled—do most solemnly and sincerely promise and declare—that I will honorably and faithfully perform,—to the best of my ability—the duties of the office—to which I have been elected.—I will act with strict impartiality—in all matters pertaining to my office—and see that every member receives justice.—I will not take part—directly or indirectly—in any illegal transaction,—or suffer it to be done by others—if in my power to prevent it.—I will obey all orders—coming to me—from the constituted authorities—of the Union,—and will do all that lies in my power—to advance its welfare.—For the faithful observance—of all of these several points,—I hereby pledge my word and honor.—So help me God.

**INSTALLING OFFICER:** Sergeant-at-Arms, escort the Chairman of the Board of Trustees-elect to this station.

**SERGEANT-AT-ARMS:** Worthy Installing Officer, I beg to present Brother (or Sister).....who has been elected Chairman of the Board of Trustees.

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**INSTALLING OFFICER:** Brother (or Sister) Chairman of the Board of Trustees, it is your duty to exercise supervision over the finances and property of the district and such other duties as may be required by the Constitution. Sergeant-at-Arms, escort Brother (or Sister) .....to a seat.

**INSTALLING OFFICER:** Sergeant-at-Arms, escort the Chairman of the District Protective Committee-elect to this station.

**SERGEANT-AT-ARMS:** Worthy Installing Officer, I beg to present Brother (or Sister) .....who has been elected Chairman of the District Protective Committee.

**INSTALLING OFFICER:** Brother (or Sister) Chairman of the District Protective Committee, it is your duty to enforce the agreement extant between the Union and the employer of our members, to receive and adjust grievances when referred to you under the laws of the Union and to make report to the district of the disposition that you have made of those matters, with the approval of your Committee.

You are further charged with the responsibility of cooperating fully with Board and Grand Lodge Officers in enforcing our agreements.

You are further charged with exercising care in protected the membership in their employment.

**INSTALLING OFFICER:** Sergeant-at-Arms, conduct the District Chairman to a seat.

**INSTALLING OFFICER:** Sergeant-at-Arms, escort the President/Financial Secretary-Treasurer-elect to this station.

**SERGEANT-AT-ARMS:** Worthy Installing Officer, I beg to present Brother (or Sister).....who has been elected President/Financial Secretary-Treasurer of this District.

**INSTALLING OFFICER:** Brother (or Sister) President/Financial Secretary-Treasurer, it has pleased the members of this district to

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elect you as the President/Financial Secretary-Treasurer of this district. Your duties call upon you to preside over this district; to appoint the Inner and Outer Guards, whose duty it is to safely guard doors of the district and suffer none to pass, except such as are duly qualified, or by permission of the President; to appoint the Sergeant-at-Arms, whose duty it is to see that all present at the opening of the district are in possession of current membership card, to introduce visitors, to receive and conduct all candidates for welcome and perform such other duties as may be required by the President or by the district; and to appoint a Chaplain to invoke the Divine Blessing upon this district, set a good example to the members, visit the sick and administer to their comfort and assist the President at funerals. It is also your duty to fearlessly administer the laws of the Union to be just to all, be loyal to the members, set them an example of obedience to the constituted authorities of the Union, for they rule best who have learned best to obey, and upon your fidelity and skill the welfare of the district largely depends. It is your responsibility for all the financial transactions of the district. It is your duty to collect and receive all money due to the district, to make all legal disbursements, to safely guard the funds, keep a true and correct account of all transactions between the district and its members. It is your duty to keep true and correct minutes of all meetings, nothing extenuate, naught set down in malice, to conduct the correspondence of the district, and make such reports as may be required of you by the laws of the Union or the by-laws of the district. I commit to your keeping the Charter of this district; cherish and preserve it; the Rituals are also committed to your care, for the safekeeping of which you are personally responsible. Take the Constitution and Laws of the Union as your guide and instructor, and now I surrender into your keeping this gavel, which is the emblem of your authority. May it never sound in vain. I take great pleasure in proclaiming you President/Financial Secretary-Treasurer of this district. Worthy President, your officers await your pleasure; enter upon the discharge of your duties by seating the district.

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(Brothers) or (Sisters) or (Brother and Sister) the offices which you have just assumed are second to none in their importance, and upon your integrity and uprightness depends the welfare of the district. Therefore, be faithful and true, and when your terms of office have expired may you merit from your fellow members the sentiment expressed in these words, "Well done, thou good and faithful servant." The Sergeant-at-Arms will now escort you to your station, where you will enter upon the discharge of your duties.

And now, by the power vested in me by the Constitution and Laws of the Union, I declare the officers of this district duly and legally installed.

#### **INSTALLATION CEREMONY (Local Lodge)**

(The installing officer will call the lodge to order and appoint a member as Sergeant-at-Arms. The Secretary will furnish the Sergeant-at-Arms with a list of the officers-elect. The Sergeant-at-Arms will call the role of officers-elect, who as their names are called, will take their places as directed.)

(Any Grand Lodge officer, the retiring President, and Past President, Board Member, or authorized representative of the Grand Lodge or Board can act as installing officer.)

**SERGEANT-AT-ARMS:** Worthy Installing Officer, the officers-elect await your pleasure.

**INSTALLING OFFICER:** Officers-elect, you have been chosen by your fellow-members to a high and honorable position in this lodge, and from them you receive authority to rule and govern the lodge; and as some must rule and some must obey, it becomes those who rule to avoid any appearance of partiality. On the other hand, the membership at large should render that willing obedience which is due to the officers they have placed in positions of authority.

Officers-elect, you will place your right hand over your heart in token of your sincerity, and repeat after me the obligation of office, pronouncing your name in full where I use mine.

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I, .....in the presence of the members here assembled—do most solemnly and sincerely promise and declare—that I will honorably and faithfully perform,—to the best of my ability—the duties of the office—to which I have been elected.—I will act with strict impartiality—in all matters pertaining to my office—and see that every member receives justice.—I will not take part—directly or indirectly—in any illegal transaction,—or suffer it to be done by others—if in my power to prevent it.—I will obey all orders—coming to me—from the constituted authorities—of the Union,—and will do all that lies in my power—to advance its welfare.—For the faithful observance—of all of these several points,—I hereby pledge my word and honor.—So help me God.

**NOTE:** (To be used when office of Financial Secretary-Treasurer is separate from Recording Secretary.)

**INSTALLING OFFICER:** Sergeant-at-Arms, conduct the Financial Secretary-Treasurer-elect and Recording Secretary-elect to this station.

**SERGEANT-AT-ARMS:** Worthy Installing Officer, I beg to present Brother (or Sister).....who has been elected Financial Secretary-Treasurer and Brother (or Sister).....who has been elected Recording Secretary of this Lodge.

**INSTALLING OFFICER:** Brother (or Sister).....as Financial Secretary-Treasurer the full responsibility for all financial transactions of your lodge is vested in you. It is your duty to collect and receive all money due the lodge, to make all legal disbursements, safely guard the funds, keep a true and correct account of all transactions between the lodge and its members and make such reports as may be required of you by the laws of the Union or the by-laws of this lodge.

Brother (or Sister).....as Recording Secretary it is your duty to keep true and correct minutes of all meetings, nothing extenuate, naught set down in malice, to conduct the correspondence for the

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lodge, to have and safely keep the seal, using it only on the official correspondence of the lodge, to draw all warrants when ordered by the lodge, to make the reports and returns required by the Grand Lodge and to do such other duties as the laws of the Union and of this lodge may require.

(Brother) (or Sisters) (or Brothers and Sisters) the offices which you have just assumed are second to none in their importance, and upon your integrity and uprightness depends the welfare of the lodge. Therefore, be faithful and true, and when your terms of office have expired may you merit from your fellow members the sentiment expressed in these words, "Well done, thou good and faithful servant." The Sergeant-at-Arms will now escort you to your stations in the lodge, where you will enter upon the discharge of your duties.

**NOTE:** (To be used where one member fills both the offices of Recording Secretary and Financial Secretary-Treasurer.)

**INSTALLING OFFICER:** Sergeant-at-Arms, conduct the Recording Secretary-Financial Secretary-Treasurer-elect to this station.

**SERGEANT-AT-ARMS:** Worthy Installing Officer, I beg to present Brother (or Sister).....who has been elected Recording Secretary and Financial Secretary-Treasurer of this lodge.

**INSTALLING OFFICER:** Brother (or Sister).....as Financial Secretary-Treasurer the full responsibility for all the financial transactions of the lodge is vested in you. It is your duty to collect and receive all money due to the lodge, to make all legal disbursements, to safely guard the funds, keep a true and correct account of all transactions between the lodge and its members and make such reports as may be required of you by the laws of the Union or the by-laws of this lodge.

As Recording Secretary it is your duty to keep true and correct minutes of all meetings, nothing extenuate, naught set down in malice, to conduct the correspondence of the lodge, to draw all warrants when ordered by the lodge, to make the reports and returns required

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by the Grand Lodge and perform such other duties as the laws of the Union and of this lodge may require. (Brother or Sister).....the offices which you have just assumed are second to none in their importance, and upon your integrity and uprightness depends the welfare of the lodge. Therefore, be faithful and true, and when your terms of office have expired may you merit from your fellow members the sentiment expressed in these words, "Well done, thou good and faithful servant." The Sergeant-at-Arms will now escort you to your station in the lodge, where you will enter upon the discharge of your duties.

**INSTALLING OFFICER:** Sergeant-at-Arms, escort the Chairman of the Board of Trustees-elect to this station.

**SERGEANT-AT-ARMS:** Worthy Installing Officer, I beg to present Brother (or Sister).....who has been elected Chairman of the Board of Trustees of this lodge.

**INSTALLING OFFICER:** Brother (or Sister) Chairman of the Board of Trustees it is your duty to exercise supervision over the finances and property of the lodge and such other duties as may be required by the Constitution. Sergeant-at-Arms, escort Brother (or Sister).....to the proper station.

**INSTALLING OFFICER:** Sergeant-at-Arms, escort the Chairman of Local Protective Committee-elect to this station.

**SERGEANT-AT-ARMS:** Worthy Installing Officer, I beg to present Brother (or Sister).....who has been elected Chairman of the Local Protective Committee of this lodge.

**INSTALLING OFFICER:** Brother (or Sister) Chairman of the Local Protective Committee, it is your duty to enforce the agreement extant between the Union and the employer of our members, to receive and adjust grievances when referred to you under the laws of the Union and to make report to the lodge of the disposition that you have made of those matters, with the approval of your Committee.

**You are further charged with the responsibility of cooperating**

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fully with Board and Grand Lodge Officers in enforcing our agreements.

You are further charged with exercising care in protecting the membership in their employment.

**INSTALLING OFFICER:** Sergeant-at-Arms, conduct the Local Chairman to a seat in the lodge.

**INSTALLING OFFICER:** Sergeant-at-Arms, escort the Vice President-elect to this station.

**SERGEANT-AT-ARMS:** Worthy Installing Officer, I beg to present to you Brother (or Sister)....., who has been elected Vice President of this lodge.

**INSTALLING OFFICER:** Brother (or Sister) Vice President, it is your duty to assist the President in preserving order, and in his (or her) absence or disability, to perform to the best of your ability the duties of presiding officer, and such other duties as may be required by the laws of this Union; you will now be escorted to your station, there to enter upon the discharge of your duties.

**INSTALLING OFFICER:** Sergeant-at-Arms, present the President-elect of this lodge.\*\*\*

**SERGEANT-AT-ARMS:** Worthy Installing Officer, I beg to present to you Brother (or Sister).....who has been elected president of this lodge.

**INSTALLING OFFICER:** Brother (or Sister).....it has pleased the members of this lodge to elect you to the highest office in their gift; your duty as its chief executive will, at all times, be most important, requiring from you great patience and tact. Your duties call upon you to preside over this lodge; to appoint the Inner and Outer Guards, whose duty it is to safely guard the doors of the lodge, and suffer none to pass, except such as are duly qualified, or by permission of the President; the Sergeant-at-Arms, whose duty it is to see that all present at the opening of the lodge are in possession of

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current membership card, to introduce visitors, to receive and conduct all candidates for welcome and perform such other duties as may be required by the President or by the lodge, and a Chaplain to invoke the Divine Blessing upon this lodge, set a good example to the members, visit the sick and administer to their comfort and assist the President at funerals. It is also your duty to fearlessly administer the laws of the Union, to be just to all, be loyal to the members, set them an example of obedience to the constituted authorities of the Union, for they rule best who have learned best to obey, and upon your fidelity and skill the welfare of your lodge largely depends. I commit to your keeping the Charter of this lodge; cherish and preserve it; the Rituals are also committed to your care, for the safe keeping of which you are personally responsible. Take the Constitution and Laws of the Union as your guide and instructor, and now I surrender into your keeping this gavel, which is the emblem of your authority. May it never sound in vain. I take great pleasure in proclaiming you President of this Lodge. Worthy President, your officers are at their respective stations awaiting your pleasure; enter upon the discharge of your duties by seating the lodge. And now, by the power vested in me by the Constitution and Laws of the Union, I declare the officers of this lodge duly and legally installed.

#### **INSTALLATION CEREMONY (Grand Lodge Officers)**

**INSTALLING OFFICER:** Officers-elect, you have been elected by the delegates to this Convention to the highest and most responsible positions in the Union, and from them you receive the authority to rule and govern the Union. As some must rule and some must obey, it becomes those who rule to avoid any appearance of partiality. On the other hand, the membership at large should render that willing obedience which is due to the officers they have placed in positions of authority.

Officer-elect, you will place your right hand over your heart in token of your sincerity and repeat after me the obligation of office,

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pronouncing your name in full where I use mine.

I, ....., in the presence of the members here assembled,—do most solemnly and sincerely promise and declare—that I will honorably and faithfully perform,—to the best of my ability—the duties of the office—to which I have been elected.—I will act with strict impartiality—in all matters pertaining to my office—and see that every member receives justice.—I will not take part—directly or indirectly—in any illegal transaction,—or suffer it to be done by others—if in my power to prevent it,—I will obey all orders—coming to me—from the constituted authorities—of the Union—and will do all that lies in my power to advance its welfare.—For the faithful observance of all of these several points,—I hereby pledge my word and honor.—So help me God.

And now, by the power vested in me by the Constitution and Laws of the Union, I declare these elected Grand Lodge Officers duly and legally installed.

#### **INSTALLATION CEREMONY (Board Officers)**

(The elected Officers will take a position facing the delegates in such order as they may determine.)

**INSTALLING OFFICER:** Officers-elect, you have been elected by the voting delegates attending the Board meeting to fill the highest and most responsible positions of the .....Board and from them you receive the authority to rule and govern this Board pursuant to the Laws of the Union and the By-laws of this Board. As some must rule and some must obey, it becomes those who rule to avoid any appearance of partiality. On the other hand, the membership at large should render that willing obedience which is due to the Officers they have placed in positions of authority.

Officers-elect, you will place your right hand over your heart in token of your sincerity, and repeat after me the obligation of office, pronouncing your name in full where I use mine.

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I,....., in the presence of the members here assembled,—do most solemnly and sincerely promise and declare—that I will honorably and faithfully perform,—to the best of my ability—the duties of the office—to which I have been elected.—I will act with strict impartiality—in all matters pertaining to my office—and see that every member receives justice.—I will not take part—directly or indirectly—in any illegal transactions,—or suffer it to be done by others—if in my power to prevent it,—I will obey all orders—coming to me—from the constituted authorities—of the Union—and will do all that lies in my power—to advance its welfare.—For the faithful observance of all of these several points,—I hereby pledge my word and honor.—So help me God.

And now, by the power vested in me by the Constitution and Laws of the Union, I declare these elected Board officers duly and legally installed.

### **FUNERAL CEREMONIES**

#### **Opening Ode, "Lead, Kindly Light"**

(The members of the lodge/district will form a circle about the casket, if indoors, and around the grave if in the burying ground. The President at the head of the casket supported by the Past President on the right and the Chaplain on the left. The Sergeant-at-Arms, as Marshal, will see that the members are properly formed around the casket, and then take the place at the foot, opposite the President. The members will stand with the right hand over the heart.)

**PRESIDENT:** Fellow members, the messenger of death has again knocked at the door of our lodge/district and one of our members has been called away to join the silent majority, a beloved companion has been summoned hence; the circle of friendship has been broken, never more on earth to be renewed. No more shall we look into those eyes which have smiled upon us in friendly greeting, nor feel the warm clasp of our Brother's (or Sister's) hand. He (or she) has passed away, and it is with sorrowful hearts we contemplate the

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brevity of human life, and yet in our sorrow we are comforted by the thought that he (or she) has passed away from the toil and heat of the day, the burdens and sorrows of his (or her) earthly career—for him (or her) all these are o'er. He (or she) has gone to his (or her) rest, sweet rest, in that calm haven where all is rest and peace, and where the storms and trials of life no more molest. Life is but a span, and when it is o'er it is as a tale that is told. Let us then be up and doing while the full tide of life flows in our veins; let us so live that our lives may be a constant example to all around us, and thus fill the measure of our days with usefulness, and pure motives, and prepare ourselves against that day when we, too, shall be as our beloved Brother (or Sister), who has gone to that bourne from whence no traveler returns. To his (or her) relatives and friends we bid them look to Him who is the Supreme Ruler of the universe, in whom we live and move and have our being, to Him who tempers the wind to the shorn lamb. He who is the steadfast friend of erring humanity, who in the greatness of His love looks down upon us all with pity and sympathy, and although the trials of the present hour are such as to cause us pain and anguish of spirit, yet He will comfort the troubled heart. Then let us turn to Him in our affliction, fully confident that He will hear our prayer and grant us the blessing we so much need. Let us pray.

**CHAPLAIN:** Our Father, Who are in Heaven, we come to Thee humbly beseeching Thy blessing upon all assembled here. Let this lesson of the brevity and uncertainty of life teach us so to walk, while we are still numbered with the living, that our lives should be an honor to Thee and a cherished memory to our friends, when we, too, have gone from this terrestrial world to the celestial and all-glorious home above, where Thou dost forever reign in glory. To Thee we commend the relatives and friends bereaved; be Thou their guide and comfort and bless them, and lead them in the paths of peace until they, too, shall have crossed the narrow river of death, to meet as a united band around Thy throne in Heaven, and to Thy great name be honor and glory forevermore. Amen.

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**PRESIDENT:** We now commit the body to the earth; earth to earth, dust to dust, ashes to ashes, and commend the spirit to God who gave it; the Lord gave and the Lord hath taken away. Blessed be the name of the Lord, who doeth all things well. To our Brother (or Sister) we bid a last fraternal farewell, and hope to meet him (or her) again in the presence of the Supreme Auditor above, where all accounts are balanced, all debts canceled, and due credit given for all the good deeds here below. Farewell, dear Brother (or Sister), farewell.

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**CLOSING ODE**

Nearer, my God, to Thee, Nearer to Thee,  
E'en though it be a cross That raiseth me;  
Still all my song shall be  
Nearer, my God, to Thee  
Nearer, my God, to Thee, Nearer to Thee.  
Though like a wanderer The sun gone down,  
Darkness be o'er me, My rest a stone;  
Yet in my dreams I'd be  
Nearer, my God, to Thee,  
Nearer, my God, to Thee, Nearer to Thee.  
There let the way appear, Steps unto heaven,  
All that Thou sendeth me In mercy given;  
Angels to beckon me,  
Nearer, my God, to Thee,  
Nearer, my God, to Thee, Nearer to Thee.  
Then with my waking thoughts  
Bright with Thy praise  
Out of Thy stony griefs, Bethel I'll raise,  
So by Thy woes to be  
Nearer, my God, to Thee,  
Nearer, my God, to Thee, Nearer to Thee.