



CONSTITUTION

Alameda Labor Council, AFL-CIO

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CONSTITUTION

ARTICLE I.

Name and Jurisdiction

Section 1. This body shall be known as "The Alameda Labor Council." It shall be affiliated to the American Federation of Labor and Congress of Industrial Organizations.

Sec. 2 The jurisdiction of this Council shall comprise the County of Alameda.

ARTICLE II.

Objects and Powers

Section 1. The objects of this Council shall be to secure united action of all locals of National and International Unions, Organizing Committees and directly affiliated local unions within its jurisdiction; through united action to protect, maintain and advance the interests of all working people in its territory; to secure legislation in the interests of the working people; to promote the formation of a committee on political education; to promote recognition and acceptance of collective bargaining in industry; to increase public understanding of the labor movement and to unite all working people regardless of sex, race, color, religion, national origin, disability or sexual orientation and to fight discrimination in any form.

Sec. 2. This Council shall have power at any regular meeting, to adopt by resolution such rules as may be deemed necessary for the proper conduct of the business of the Council, and shall perform, or cause to be performed, in accordance with the Constitution of this Council and the Constitution of the American Federation of Labor and Congress of Industrial Organizations, such acts as may be hereinafter provided, for the benefit of the organized labor movement of Alameda County.

ARTICLE III.

Membership

Section 1. Local Unions of National and International Unions and Organizing Committees affiliated with the AFL-CIO, Local Unions chartered directly by the AFL-CIO, Local Councils chartered by the Trade and Industrial Departments of the AFL-CIO, local chapters of constituency groups chartered by a national AFL-CIO constituency group, and local union retiree clubs through a council of retiree groups who shall agree to abide by the laws and regulations of the American Federation of Labor and Congress of Industrial Organizations and this Council, shall be admitted to membership.

Sec. 2. No person shall be eligible to serve as a delegate unless that person is a member of a Local Union affiliated with this central body. No person shall be eligible to serve as a delegate who holds a salaried position of administrative or executive authority in a union or any subordinate branch of a union that is unaffiliated, suspended or expelled by the AFL-CIO.

Sec. 3. Affiliated subordinate bodies other than Local Unions, as defined in Section 1 of this Article, shall be entitled to one delegate and one vote each. A union retiree council shall be entitled to three delegates and three votes.

ARTICLE IV.

Affiliations

Section 1. This Council shall not affiliate with nor support organizations, whose policies and activities are consistently directed toward the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association.

ARTICLE V.

Representation

The representation of Local unions entitled to affiliation in this Central Labor Council shall be as follows:

Local Unions having 50 members or less, 2 delegates; from 51 to 100 members, 4 delegates; 101 to 250 members, 5 delegates; 251 to 500 members, 6 delegates; 5 additional delegates to be allowed for each additional 500 members or majority fraction thereof, capped at 100 delegates per affiliate.

ARTICLE VI.

Credentials

Section 1. All delegates to this Council shall be properly accredited i.e., their credentials shall have been signed by the President and Secretary of the Union represented, with the seal of the organization attached, and shall be referred to the Credentials Committee for review and recommendation.

Sec. 2. Upon the acceptance by the Council of the delegate's credentials, the Executive Secretary-Treasurer shall add the Delegate's name to the Roll of Delegates. No delegate shall be permitted to enter the meeting of said Council without first being identified by an officer of the Council if requested.

ARTICLE VII.

Initiations

Section 1. All delegates accepted by this Council shall subscribe to the following obligation in a book to be kept for that purpose by the Executive Secretary-Treasurer, and such signature shall be and is binding upon the delegates and the organization represented:

"I, do pledge my word and honor that I will obey the rules and regulations of this Central Labor Council, to bear true allegiance to its principles and purposes, and to the best of my ability perform all duties devolving upon me as a member thereof."

ARTICLE VIII.

Elective Offices

Section 1. The officers of this Council shall be:

- A. Executive Secretary-Treasurer
- B. President
- C. 1st Vice President
- D. 2nd Vice President
- E. Sergeant-at-Arms
- F. Three Trustees

In no case shall the President, 1st Vice President, 2nd Vice President, Executive Secretary-Treasurer be elected from the same Local Union.

Sec. 2. Elective Standing Committees: The elective standing Committees of this Council shall be:

A—Executive Committee --- Twenty-three (23) members

B--- Legislation Committee --- Nine (9) members. The First Vice President shall be the chair of this committee by virtue of the office.

C---Credentials Committee --- Eight (8) members. The Second Vice President shall be the chair of this committee by virtue of the office.

D---Community Service Committee --- Twenty (20) members. The President, the Secretary-Treasurer and Assistant(s), shall be ex officio members of this committee.

E---Communications Advisory Committee --- Five (5) members. The Executive Secretary-Treasurer shall be an ex officio member of this committee.

F---Union Products & Services Committee --- Fifteen (15) members.

Sec. 3. The term of office of officers and elective standing committees of this Council shall be two years provided, however, that one Trustee shall be elected each year to serve a three year term except that the original three Trustees shall be elected by ballots designating one Trustee to serve a

one year term, one Trustee to serve a two year term and one Trustee to serve a three year term respectively.

Sec. 4. No person may stand for election for more than one of the above offices, but any delegate may, in addition to standing for election for one of the above offices, also stand for election for any committees, standing or special. In the event, however, that a delegate is elected to both an officership and committee upon which the delegate would serve by virtue of the office, the election to the committee shall be void, and the vacancy thus occurring in such committee shall be filled as provided in Article IX, Section 3.

Sec. 5. No person shall be eligible to serve as a delegate, officer of the Executive Committee or on any Committee of the Central Labor Council, or as a representative agent or employee of this Council who consistently pursues policies and activities directed towards the achievement of the program or purposes of authoritarianism, totalitarianism, terrorism and other forces that suppress individual liberties and freedom of association, or who holds a salaried position of administrative or executive authority in a union, or any subordinated branch of a union, that is unaffiliated, suspended or expelled by the AFL-CIO.

Sec. 6. Each officer, at the time of the election and at all times during the term of office, shall be a duly accredited delegate from an affiliated organization. If the officer ceases to be a delegate, the office held shall thereby become vacant and a special election as elsewhere provided in this constitution shall be held to fill the vacancy.

Sec. 7. In the event that an election results in a violation of the last paragraph of Section 1 of this Article the person elected to the office of the highest rank shall be declared elected and another election shall be held for the other office or offices affected. For the purpose of this section the rank of the offices shall be determined by the order named in Section 1 of this article.

ARTICLE IX.

Nominations and Elections

Section 1. No less than 45 nor more than 120 days prior to an election of labor council officers, the council shall compile and notify each affiliated organization of the availability of a list containing the following information: (i) the name and address of each of the labor council's elected officers (including executive board members); (ii) the name and mailing address of each of the organizations affiliated with the labor council; (iii) the name of each of the affiliated organization's principal officers; (iv) each organization's projected per capita voting strength and delegate entitlement at the election; and (v) to the extent available, the names and mailing addresses of the delegates. The council shall compile and notify each affiliated organization of the availability of a list containing the information set forth above in each non-election year in the same month in which the information was last provided.

Sec. 2 Nominations for elective officers and elective standing committees shall take place on the meeting night in February of each ODD-NUMBERED year. A candidate whose name is placed in nomination must make it known to the Council, within 14 calendar days, whether the candidate

accepts or declines the nomination. This notice, in the event of the candidate's absence must be in writing.

Sec. 3. Regular elections shall be held at the first regular meeting in March of each election year.

Sec. 4. Election of officers shall be decided by the majority vote cast in a roll call per capita vote for that office. In the event none of the candidates for the same Council office receives a majority of the votes cast for the same, the two candidates receiving the greatest number of votes shall hold a runoff; said runoff election shall be held at the next regular meeting of the Council. In the case of elections for committees, a majority of votes cast shall not be required to stand elected and candidates shall be declared elected in the order of the number of votes received, starting with the candidate receiving the highest vote, until the number of positions to be filled have thus been filled. In case of a tie of two or more candidates for the last position to be filled by those receiving the lesser votes, the tied candidates shall hold a runoff election (unless by resignation, or otherwise, the tie no longer exists), and the one receiving a majority vote shall stand elected.

Sec. 5 Election of officers and standing committees shall be by roll call per capita vote held in accordance with the provisions of the AFL-CIO Rules Governing Local Central Bodies, and by printed ballot, numbered consecutively, of uniform size and appearance, supplied by the Council, the form of which shall be shown in "sample ballot" at the end of this section.

The names of the candidates shall be printed alphabetically followed by their Local and International affiliations. Voting shall be confined to the names on the printed ballot. The Council shall elect after the close of nominations two judges, two tellers and one inspector, who are not candidates, who shall:

1. Supervise the election and see that all rules and regulations contained in the constitution governing elections are carried out.
2. Count the ballots and perform such other duties as may be necessary.
3. Void votes on ballots which are not marked properly, or have been defaced. Erasures shall not be permitted. Voiding of votes on ballots shall only take place on the candidates for the office where the error is committed; the balance of the ballot shall be valid and so counted.
4. Report the results of the election to the next regular meeting of the Council.

Sec. 6. Should a vacancy occur in the office of President, 1st Vice-President, 2nd Vice-President, Executive Secretary-Treasurer, Sergeant-at-Arms, Trustee or Executive Committee, such office shall be declared vacant by the President or the Executive Secretary-Treasurer at the next regular meeting, and this vacancy shall be filled at the second meeting after the office(s) has been declared vacant. Nominations shall be made at the regular meeting preceding the election.

A candidate whose name is placed in nomination must make it known to the Council, whether the candidate accepts or declines the nomination. This notice, in the event of the candidate's absence must be in writing.

Sec. 7. Should a vacancy occur in any other committee, such committee office shall be declared vacant and the President shall appoint a replacement to complete the term.

SAMPLE BALLOTS

(See Sample Ballots on Page 18)

ARTICLE X.

Duties of Officers

Section 1. It shall be the duties of the officers:

- (a) to see that the objects and principles of this Constitution are enforced.
- (b) the political activities of the Central body shall be under the direction of the Central Body's Committee on Political Education, which is hereby constituted as the political arm of this Central Body. The Central Body's Committee on Political Education shall operate in conformity with the policies of the AFL-CIO and of the National COPE and State COPE.
- (c) the President, the Vice-Presidents, the Executive Secretary-Treasurer, together with the other members of the Executive Committee of this Central Body shall occupy the corresponding positions in the Central Body's COPE.
- (d) the Executive Committee of COPE shall have power to formulate By-Laws to govern COPE which shall be consistent with the policies of National COPE and approved by the AFL-CIO. Such By-Laws shall be subject to ratification by the Central Body.

Sec. 2. The President shall preside and preserve order at meetings of the Council and shall: (a) sign all orders of the Executive Secretary-Treasurer or any official documents when ordered by the Council; (b) represent the Council at civic affairs when expressly directed by the Council; (c) call special meetings of the Executive Committee of the Council upon demand of ten members of the Executive Committee; (d) be a member of the Executive Committee and by virtue of the office shall be its presiding officer; (e) be an ex-officio member of all committees and perform all other duties pertaining to the office as directed by the Council.

Sec. 3. The First Vice President shall perform the duties of the President during the President's absence or disqualification. The First Vice president by virtue of the office shall be chair of the Law and Legislation Committee and a member of the Executive Committee.

Sec. 4. The Second Vice President shall perform the duties of the office of First Vice President during that officer's absence or disqualification, and in the absence of both the First Vice President and President shall perform the duties of the President. The Second Vice President, by virtue of the office shall be chair of the Credentials Committee and a member of the Executive Committee.

Sec. 5. In the absence of all three of the presiding officers, the Executive Secretary-Treasurer or assistant shall call the meeting to order after which the Council shall elect a temporary presiding officer.

Sec. 6. The Executive Secretary-Treasurer shall be the executive officer of this Council and shall: (a) keep a record of the proceedings of the Council; (b) carry on all correspondence and read all communications received by the Council at each meeting; (c) be custodian of the archives and seal of the Council; (d) represent the Council on the Executive Committee and act as its Secretary; and by virtue of the office, be a member of the Labor Newspaper Advisory Committee; (e) receive all dues and monies paid to the Council, giving receipt therefore; (f) keep an accurate account of all monies received; (g) deposit all funds of this Central Labor Council in a national bank or banks or other federally insured financial institutions as determined by the Council upon recommendation of the Trustees; (h) pay out monies as duly authorized by the Council pursuant to this Constitution; (i) keep an accurate account of all receipts and expenditures of the Council; (j) pay out monies by check as authorized by the Council, signed by the Executive Secretary-Treasurer and countersigned by the President or one of the Vice Presidents designated by the President; (k) represent the Council at all authorized conventions and conferences where the Council is entitled to representation; in the event the Executive Secretary Treasurer cannot attend, the President or a representative appointed by the Executive Committee shall attend; (l) notify all Unions in arrears for dues at the end of each month; (m) examine the standing of all Unions and decide their representation in the Council in accordance with the Constitution of this Council on demand; (n) be empowered subject to majority approval of the Executive Committee to appoint to or remove from office an assistant or assistants from the delegates to the Council, who shall be ineligible to hold any office in the Council during their appointment; and who shall be members of the Executive Committee with voice and no vote; in the absence of the Executive Secretary-Treasurer one of the assistant secretaries shall be empowered by the Executive Secretary-Treasurer to vote; (o) be empowered to employ such other help as necessary for the conduct of the office of the Council subject to the approval of the Executive Committee; (p) represent the Council in all matters of negotiations between the Council and affiliated Unions, and between the Council and Unions and employers; (q) see that affiliated Unions live up to the Constitution of this Council, report violations at each meeting of this Council and furnish a copy of the Constitution of the Council to each delegate; (r) perform any other duties assigned by the Council or its Executive Committee, and shall be authorized to call special meetings of the Executive Committee; (s) give a bond in a surety company through the American Federation of Labor and Congress of Industrial Organizations in such a sum as the Council may determine, the premium therefore to be paid by the Council and (t) notify affiliated Unions of nominations and elections of officers and committees of the Council.

Sec. 7. The Trustees shall: (a) recommend to the Council a Union Certified Public Accountant to audit the books of the Executive Secretary-Treasurer at least once each year, and render a written report to the Council the last meeting of April of each year; (b) periodically review and approve all bills paid by the Council; (c) be custodians of all tangible property, money excepted, of this Council; and (d) provide oversight, review and recommendations to the Council regarding all financial matters. Reports and recommendations of the Trustees shall first be presented to the Executive Committee.

Sec. 8. The Sergeant-at-Arms shall (a) have charge of the door and assist the chair to maintain order; (b) admit only delegates of this Council.

Sec. 9. The Executive Committee shall attend to all matters referred to it by the Council; make written report of each meeting to the Council for approval; formulate measures and suggest remedies for immediate and permanent benefit; act as an Arbitration Committee in such matters as may be

referred to it by the Council. It is also empowered to call special meetings, and in the name of the Council to act in all public matters when duly authorized. No two members of the same Local Union shall be elected to this Committee except that an officer, who is a member of this committee by virtue of the office, shall be exempt from this provision. The Executive Committee shall be empowered to conduct any necessary business between the regular meetings of this Council. When strike sanctions or other urgent matters require action between Council meetings, the Executive Secretary-Treasurer shall poll the members of the Executive Committee and secure majority approval for such actions. When an Executive Committee member is unable to attend a regularly scheduled meeting, he or she may send a representative with a written proxy containing voting instructions on a specific agenda item; this representative shall not count toward the making of quorum.

Legislative and political activities shall conform to the policies of the State AFL-CIO on state matters and to the policies of the National AFL-CIO on National affairs, and to the policies adopted by the Central Body and the decisions of the Executive Committee on local matters.

The Executive Committee shall appoint an Ethical Practices Committee comprised of four (4) of its members and the Executive Secretary-Treasurer. If the Executive Committee determines that any member of the Ethical Practices Committee has a conflict of interest, a substitute committee member shall be appointed by the Executive Committee until the conflict of interest no longer exists.

Sec. 10. The Credentials Committee shall meet with all prospective delegates to the Council and shall instruct the delegates in the practices and policies of the Council. They shall report their recommendations to the Council.

Sec. 11. The Legislation Committee will work with state and national bodies to monitor and propose legislation, organize lobbying efforts, and make appropriate recommendations to the Executive Committee.

Sec. 12. The President may appoint a Bylaws Committee to present recommendations for changes in this Constitution and shall review proposed amendments to this Constitution when such proposed amendments are referred to it by the Council, and shall make recommendations to the Council or the Executive Committee on all matters referred to it by the Council or the Executive Committee. When proposed changes to the Constitution are to be acted upon the Executive Secretary-Treasurer shall notify all affiliated unions of the nature of the contemplated changes and the date the proposed Constitutional amendment(s) will be voted upon.

Sec. 12. The Union Products & Services Committee shall formulate plans and procedures to promote the use of union products and services and to publicize the boycott list. The Committee shall report regularly to the Council on its activities and upon such matters as may be referred to it by the Council or the Executive Committee.

Sec. 13. The Community Services Committee shall stimulate the active participation by members and affiliated unions in the affairs of their communities and development of sound relationships with social agencies in the community.

The Committee shall have the responsibility of implementing the principles stated in Article II, Section 1, as follows: "To unite all working people regardless of sex, race, color, religion, national origin, disability or sexual orientation and to fight discrimination in any form."

The Committee shall be responsible for conducting an educational program in behalf of the Council to acquaint the AFL-CIO membership and the public with the history of labor, labor problems, and the objectives of the AFL-CIO and the Labor Movement.

The Committee shall report regularly to the Council on its activities and upon such matters as may be referred to it by the Council or the Executive Committee.

Sec. 14. The Communications Advisory Committee shall meet as appropriate to develop internal and external outreach, internet capacity, and

Sec. 15. Salaries of Officers and Committees:

A—The President, First Vice-President, Second Vice-President and Sergeant-at-Arms, for faithful performance of their duties, may be paid salary or expenses that the Council may determine after recommendation by the Trustees.

B—The Executive Secretary-Treasurer and Assistant Secretary or secretaries shall receive such salary or expenses that the Council may determine after recommendation by the Trustees. The Executive Secretary-Treasurer and the Assistant Secretary or secretaries shall receive a pension as the Council may determine after recommendation by the Executive Committee and the Trustees.

C—For the faithful performance of their duties, an executive committee member or members, other than full time union officials, who suffer loss in wages shall be paid for lost time or expenses as the Council may determine. A member or members of other elective or appointed committees may be paid for lost time or expenses as the Council may determine providing prior approval from the council is secured for such payment by the chair of the committee.

D—All officers and agents of this Central Body, having a financial responsibility, shall be covered by a fidelity bond in an amount to be determined by the Council or as may be required by the Secretary-Treasurer of the AFL-CIO. Should the amount of this bond exceed the amount of the bond regularly furnished without cost by the AFL-CIO, the Central Body shall pay the additional cost of such bond.

Sec. 16(a) Every officer and employee of this Central Labor Council, whether elected or appointed, has a high fiduciary duty and sacred trust to serve the best interest of the members honestly and faithfully. (b) No officer or employee shall own property or have a personal financial interest which conflicts with the full performance of their fiduciary duties. (c) All officers and employees shall abide by the applicable standards of conduct mandated by the AFL-CIO Ethical Practices Code.

ARTICLE XI.

Per Capita Tax

Sec. 1. A— The Per Capita tax to this Council shall be seventy-five cents (.75) per member per month based on the Per Capita tax paid by the Local Union to its International or National Union, effective January 1, 2018.

Effective January 1, 2019, the per capita tax will increase 5 cents (.05) to eighty cents (.80) per member per month based on the Per Capita tax paid by the Local Union to its International or National Union.

[Effective January 1, 2009] Five cents (.05) of said Per Capita tax shall be allocated to the Committee on Political Education Fund and Solidarity PAC.

B—The Per Capita shall be determined on the number of the members in good standing in the affiliated union whose work comes under the jurisdiction of this Council the month previous to payment of same.

C—Local Unions requesting affiliation with the Council, shall include with such request the number of members who work within the jurisdiction of the Council.

Sec. 2. Per Capita tax is due and payable on or before the 10th day of each month, and if not paid by the 10th day of the third month, following notification, such Union or Branch Union becomes delinquent, and the Council, upon recommendation of the Executive Committee, may deny any benefits accruing by reason of affiliation with this Council.

Sec. 3. Upon formal request of an affiliated Union the Executive Committee shall be empowered to recommend exoneration of Per Capita tax to the Council if exonerated by its International Union in the paying of Per Capita tax.

Sec. 4. Any Union standing suspended for delinquency from the Council seeking re-affiliation with the Council, must first pay three months back Per Capita tax.

Sec. 5. The fee to this Council from affiliated subordinate bodies other than Local Unions as defined in Article III, Section 1, shall be twenty-five dollars (\$25.00) per year.

Sec. 6. A Local Union paying Per Capita tax on less than its full dues-paying membership, working in Alameda County, shall be subject to suspension by the Executive Committee. The Executive Committee may require a Local Union to produce proof of membership where reason exists to believe that such Local Union is violating this provision. If the Local Union shall fail or refuse to produce such proof on request, the Executive Committee may base its determination on such evidence as may be available.

ARTICLE XII.

Meetings

Section 1. The regular meetings of the Central Labor Council of Alameda County, shall be held when and where the Council shall determine from time to time, but shall meet at least once a month.

Sec. 2. Special meetings of the Council, when called by the Executive Committee, shall be announced by sealed letter to each delegate. No other business except that mentioned in the call shall be transacted.

Sec. 3. All questions not herein provided for shall be decided in accordance with Roberts Rules of Order / Standard Code of Parliamentary Procedure.

Sec. 4. Delegates from twenty (20) unions affiliated with this Council, Officers included, shall constitute a quorum. Unless a quorum be present no business shall be transacted.

Sec. 5. Attendance at meetings of the Council shall be recorded from sign-in sheets.

Sec. 6 It shall require a majority of the members of any elective committee to constitute a quorum. Unless a quorum be present no business shall be transacted.

ARTICLE XIII.

Order of Business

The following shall be the regular order of business, and shall not be deviated from, except on motion passed by two-thirds of the delegates present:

1. Pledge of Allegiance
2. Credentials
3. Obligations
4. Reading of the Minutes
5. Report of Executive Secretary-Treasurer
6. Report of the Trustees
7. Reading of Communications
8. Report of Committees
9. Nomination, election or installation of officers
10. Unfinished business
11. New business
12. Report of Unions
13. Good of the Council
14. Adjournment

ARTICLE XIV.

Delegates

Section 1. No delegate shall be seated in this Council unless selected by the Local Union or Local Branch Union the delegate represents.

Sec. 2. A delegate shall not be entitled to a seat in this Council if the delegate's Union is delinquent in its Per Capita tax to this Council.

Sec. 3. Any delegate who behaves in a disorderly manner for the purpose of disrupting the orderly conduct of the meeting, shall be ejected from the meeting by order of the chair.

Sec. 4. Should a delegate retire from membership of this Council the delegate's place on appointive committees, except the Executive Committee shall be filled by appointment by the President.

ARTICLE XV.

Voting

Section 1. Voting by this Council shall be by:

(a) voice or show of hands

(b) A roll call vote on any pending question, except election of officers, and constitutional amendments, upon demand of thirty per cent (30%) or more of the delegates present.

On roll call votes, each Local Union shall be entitled to a number of votes equal to the average membership of the Local Union as determined according to the provisions of Section 2 of this Article;

(c) The ballot for election of officers shall be printed and numbered consecutively of uniform size and appearance with the names of all candidates printed alphabetically thereon. Following the name of the candidate, there shall be listed the Local and International affiliations.

(d) Voting shall be roll call of the Executive Secretary-Treasurer from alphabetical list of affiliated unions in good standing with this Council, having delegates present, who have taken the Oath of Obligation and have been duly seated at least two (2) weeks prior to the night of election. All questions shall be decided by a majority vote unless otherwise specified.

Sec. 2. (a) The average membership of a Local Union shall be determined on the basis of Per Capita tax payments for the first six (6) months of the last seven (7) months. The average membership of a Local Union affiliated for less than the base period shall be computed from the month of affiliation, and shall be determined by dividing the total Per Capita tax for all months affiliated by the number of months affiliated, excepting the current calendar month, or by six, whichever is greater.

For the purpose of this section, the Executive Secretary-Treasurer shall compute the average Per Capita as follows:

Per Capita tax paid for the period divided by six (6) times the Council's monthly Per Capita tax.

(b) The votes of a Local Union may be divided equally among all its accredited delegates present, or one delegate may cast all of the Local Union's votes.

ARTICLE XVI.

Offenses, Charges and Trials

Section 1. Charges may be preferred by any delegates representing a Union in this Council against any delegate or Union for any willful act injurious to this Council, an affiliated Union or to labor interest in general.

Sec. 2. Charges may be preferred against any Union, officer, committee member or delegate of this Council for failure to comply with the Constitution of this Council or of the American Federation of

Labor and Congress of Industrial Organizations or the Rules of the AFL-CIO governing Local Central Bodies or for misappropriation of Council funds or malfeasance in office.

Sec. 3. The charges shall be in writing, signed by the complainant and filed with the Executive Secretary-Treasurer or the President if the Executive Secretary-Treasurer is charged, who shall furnish a copy to the accused within five days after they have been received.

Sec. 4. At the next meeting of the Council the presiding officer shall cause the charges as filed to be read to the Council. After discussion and consideration, the following question shall be put to a ballot: "Shall the charges, as presented, be deemed worthy of a trial?"

Sec. 5. If the charges are found by a majority to be worthy of a trial, they shall be referred to a special trial board of five delegates, which shall be elected, appointed or drawn by a lot as desired by the Council, and which shall have not more than two members from one International Union. The defendant or the person preferring the charges shall have the right to protest the selection of any delegate to the board, providing that the protest is made at the time the board is elected or appointed, but neither the defendant nor the person preferring the charges shall have the right to challenge more than three delegates.

Sec. 6. The Trial Board shall have authority to summon witnesses, and shall notify all persons concerned in writing requesting that they appear before the board. Failure of any person to appear, when cited in writing over seal of the Council, and in absence of valid excuse for non-appearance, shall constitute contempt of this Council and be punishable according to the Constitution of this Council. Any delegate in good standing shall be allowed to attend the trial as a spectator.

Sec. 7. All parties to any cause brought under the laws of this Council shall have the right to employ counsel, provided, (a) where the cause at issue affects a Union, counsel shall be member in good standing of the organization the interests of which are at a stake, or a delegate to this Council, or both; (b) that where the accused is an officer of or delegate to this Council, only delegates of Unions in good standing in this Council shall act as counsel.

Sec. 8. The findings and recommendations of the Trial Board shall be reported to the Council at the next regular meeting for disposition of the charges. The Trial Board shall recommend exoneration, reprimand, suspension or expulsion. In case of a reprimand such reprimand shall be read at the next Council meeting.

Sec. 9. The presiding officer shall submit to a vote of the delegates present the question of acceptance or rejection of the findings of the Trial Board. A Union, delegate or officer found guilty of charges shall have the right to appeal the decision to the President of the AFL-CIO. If more than one offense has been charged, the vote shall be taken separately on each charge, in the same manner.

Sec. 10. The Council hereby repudiates all bills for expense of trials not brought by, or under instruction of, this Council in open meeting.

ARTICLE XVII.

Strikes, Lockouts and Boycotts

Section 1. In order for any Union or branch Union affiliated with this Council to be entitled to endorsement of any strike or boycott, it must have been affiliated and in good standing for at least six months, or obtain a three-fourths vote of the delegates present. This section shall not apply to any Union whose members have been locked out.

Sec. 2. All requests for endorsement of strikes or boycotts shall be by written communication to this Council over official seal and signature of the petitioning Union.

Sec. 3. All applications for endorsement of strikes or boycotts shall be referred to the Executive Committee of this Council, which body shall use its best endeavors to settle the cause at issue, and report at the next meeting of the Council. The person, firm or corporation at interest shall be granted right of audience before the Executive Committee (at the convenience of the committee) before action shall be taken by the Council on the report. The Union making such a request and all other Unions involved shall be granted the right of audience before the Executive Committee. No boycott, or unfair listing shall be sanctioned except in conformity with The Rules of the AFL-CIO governing Local Central Bodies.

Sec. 4. If the Executive Committee fails to reach an adjustment of request for strike sanction or boycott and upon its recommendation to the Council that such person, firm or corporation be placed on the "unfair" list, it shall require a two-thirds vote of all the regularly accredited delegates present at any regular meeting of the Council to concur in the recommendation for endorsement of said strike or boycott. No strike boycott or picket line shall be recognized by this Council, unless first approved by this Council.

Sec. 5. The Council may declare a boycott off by a vote of a majority of the accredited delegates present at any regular meeting (a) on written request of the Union originally petitioning for such boycott, or (b) if it appears, after investigation by the Executive Committee or any committee named for the purpose, that the boycott is ineffective by reason of dereliction of the Union in interest.

ARTICLE XVIII.

Miscellaneous

Section 1. The efforts of the Council and its Executive Secretary-Treasurer shall always be at the command of any affiliated Union or Branch Union on any question. The autonomy of Local Unions and Branch Unions shall be preserved.

Sec. 2. The Council shall not issue any appeal credentials whatsoever unless approved by the Executive Committee and then ratified by the Council, and all appeal credentials shall specify the nature of the appeal and be signed by the President and Executive Secretary-Treasurer of the Council with the Seal of the Council attached.

Sec. 3. All resolutions must be in writing and referred to the Executive Committee for its recommendation.

ARTICLE XIX.

Amendments

Any amendment or alteration of any kind of this Constitution (a) shall first be submitted to the Council in regular session in writing and read for its first reading; (b) then be referred to the Law and Legislation Committee for recommendation at the next regular meeting and then receive its second reading before the Council together with the recommendation of the Committee. A Majority of the delegates present at this meeting being in favor of the measure, it shall pass to third reading; (c) at the next regular meeting the amendment shall be given its third reading at which time if two-thirds of the votes cast on roll-call, are affirmative (d) it shall be referred to the American Federation of Labor and Congress of Industrial Organizations for approval and, on approval of the American Federation of Labor and Congress of Industrial Organizations, it shall be binding upon all Unions and Branch Unions herewith affiliated. Any amendments to a proposed amendment recommended for change in the Constitution, shall follow the same procedure as the original amendment.

opeiu29:afl-cio

**SAMPLE BALLOTS
NAME AND NUMBER OF ORGANIZATION**

NO. (of ballots)	Number of Votes
FOR EXECUTIVE SECRETARY-TREASURER Name Local Union International Union	
FOR PRESIDENT Name Local Union International Union	
FOR FIRST VICE PRESIDENT Name Local Union International Union	
FOR SECOND VICE PRESIDENT Name Local Union International Union	
FOR SERGEANT-AT-ARMS Name Local Union International Union	
FOR TRUSTEE Name Local Union International Union	
FOR EXECUTIVE COMMITTEE: (Twenty-Three (23) to be Elected) Name Local Union International Union	
FOR LEGISLATION COMMITTEE: (Eight (8) to be Elected) Name Local Union International Union	
FOR CREDENTIALS COMMITTEE: (Seven (7) to be Elected) Name Local Union International Union	
FOR COMMUNITY SERVICES COMMITTEE: (Seventeen (17) to be Elected) Name	

Local Union International Union	
FOR COMMUNICATIONS ADVISORY COMMITTEE: (Four (4) to be Elected) Name Local Union International Union	
FOR UNION PRODUCTS & SERVICES COMMITTEE (Fifteen (15) to be Elected) Name Local Union International Union	