
ATTENTION:

IAMAW OFFICIAL CIRCULAR No. 869

LMRDA (Landrun-Griffin) Election and Other Requirements:

UPDATED: August 21, 2017

ATTACHMENT (B)

(Meeting Attendance Requirements)

IS

"WAIVED"

FOR LL S6 OFFICERS NOMINATIONS AND ELECTION

IN ORDER TO REMAIN IN COMPLIANCE WITH FEDERAL LAW:

U.S. Code of Federal Regulations:

Title 29, Chapter IV. Part 452 subpart E, CFR 29 452.38 (a)

LL S6 bylaws..... Article IV, Section 1: Officers of the Local Lodge:

- In compliance with Section 1, Article B of the IAM Constitution, the officers of the Local Lodge shall be a **President, Vice President, Recording Secretary, Secretary Treasurer, Conductor-Sentinel** and a **board of Trustees consisting of 3 member.**

Department of Labor has oversight of Union Constitutional Officers ONLY, all other Offices fall within the scope of the IAMAW Constitution, Official Circulars and LL S6 Bylaws for Local Lodge S6 Election.

U.S. CODE OF FEDERAL REGULATIONS

Regulations most recently checked for updates: Sep 17, 2019

All Titles Title 29 Chapter IV Part 452 Subpart E - Candidacy for Office; Reasonable Qualifications

View all text of Subpart E [§ 452.32 - § 452.54]

§ 452.38 - Meeting attendance requirements.

(a) It may be reasonable for a labor organization to establish a requirement of attendance at a specified number of its regular meetings during the period immediately preceding an election, in order to insure that candidates have a demonstrated interest in and familiarity with the affairs of the organization. In the past, it was ordinarily considered reasonable to require attendance at no more than 50 percent of the meetings over a period not exceeding two years. Experience has demonstrated that it is not feasible to establish arbitrary guidelines for judging the reasonableness of such a qualification. Its reasonableness must be gauged in the light of all the circumstances of the particular case, including not only the frequency of meetings, the number of meetings which must be attended and the period of time over which the requirement extends, but also such factors as the nature, availability and extent of excuse provisions, whether all or most members have the opportunity to attend meetings, and the impact of the rule, i.e., the number or percentage of members who would be rendered ineligible by its application. 25

25 If a meeting attendance requirement disqualifies a large portion of members from candidacy, that large antidemocratic effect alone may be sufficient to render the requirement unreasonable. In *Doyle v. Brock*, 821 F.2d 778 (D.C. Circuit 1987), the court held that the impact of a meeting attendance requirement which disqualified 97% of the union's membership from candidacy was by itself sufficient to make the requirement unreasonable notwithstanding any of the other factors set forth in 29 CFR 452.38(a).

(a - 1) In *Steelworkers, Local 3489 v. Usery*, 429 U.S. 305, 94 LRRM 2203, 79 L.C. ¶ 11,806 (1977), the Supreme Court found that this standard for determining validity of meeting attendance qualifications was the type of flexible result that Congress contemplated when it used the word "reasonable." The Court concluded that Congress, in guaranteeing every union member the opportunity to hold office, subject only to "reasonable qualifications," disabled unions from establishing eligibility qualifications as sharply restrictive of the openness of the union political process as the Steelworkers' attendance rule. The rule required attendance at fifty percent of the meetings for three years preceding the election unless prevented by union activities or working hours, with the result that 96.5 percent of the members were ineligible.

(b) Other guidance is furnished by lower court decisions which have held particular meeting attendance requirements to be unreasonable under the following circumstances: One meeting during each quarter for the three years preceding nomination, where the effect was to disqualify 99 percent of the membership (*Wirtz v. Independent Workers Union of Florida*, 65 LRRM 2104, 55 L.C. par. 11,857 (M.D. Fla., 1967)); 75 percent of the meetings held over a two-year period, with absence excused only for work or illness, where over 97 percent of the members were ineligible (*Wirtz v. Local 153, Glass Bottle Blowers Ass'n*, 244 F. Supp. 745 (W.D. Pa., 1965), order vacating decision as moot, 372 F. 2d 86 (C.A. 3 1966), reversed 389 U.S. 463; decision on remand, 405 F.2d 176 (C.A. 3 1968)); *Wirtz v. Local 262, Glass bottle Blowers Ass'n.*, 290 F. Supp. 965 (N.D. Cal., 1968)); attendance at each of eight meetings in the two months between nomination and election, where the meetings were held at widely scattered locations within the State (*Hodgson v. Local Union No. 624 A-B, International Union of Operating Engineers*, 80 LRRM 3049, 68 L.C. par. 12,816 (S.D. Miss. Feb. 19, 1972)); attendance at not less than six regular meetings each year during the twenty-four months prior to an election which has the effect of requiring attendance for a period that must begin no later than eighteen months before a biennial election (*Usery v. Local Division 1205, Amalgamated Transit Union*, 545 F. 2d 1300 (C.A. 1, 1976)).

[38 FR 18324, July 3, 1973, as amended at 42 FR 39105, Aug. 2, 1977; 42 FR 41280, Aug. 16, 1977; 42 FR 45306, Sept. 9, 1977; 50 FR 31311, Aug. 1, 1985; 60 FR 57178, Nov. 14, 1995]

**INTERNATIONAL ASSOCIATION OF
MACHINISTS AND AEROSPACE WORKERS**



**OFFICIAL CIRCULAR NO. 869
LMRDA (Landrum-Griffin)
Election and Other Requirements
UPDATED: August 21, 2017**

9000 Machinists Place, Upper Marlboro, MD 20772

TO THE MEMBERSHIP EVERYWHERE, GREETINGS:

➔ **PURPOSE** To replace Official Circular 861 and previous circulars concerning the responsibility of IAM lodges in the United States to comply with the election requirements of the Labor Management Reporting and Disclosure Act (LMRDA or Landrum-Griffin Act), as well as the responsibility of all lodges, both in the U.S. and Canada, to comply with the election requirements of the IAM Constitution.

➔ **INFORMATION/INSTRUCTIONS** The LMRDA imposes a number of requirements on the conduct of local and district lodge elections, and other matters. Many of these requirements have been incorporated over the years in the provisions of the IAM Constitution, as well as local and district lodge bylaws. Nevertheless, we continue to face Department of Labor (DOL) investigations and, sometimes, litigation when our lodges fail to follow these requirements. All IAM affiliated bodies, therefore, should be familiar with the provisions described below.

In order to assist IAM lodges, attached to this Official Circular is a copy of the **IAM LOCAL LODGE ELECTION GUIDELINES**. These guidelines provide a checklist of ten (10) key issues with which all officers and representatives should familiarize themselves, in order to ensure that all IAM elections are conducted properly. Compliance with these guidelines should greatly minimize the number of election protests received by the International President. This, in turn, will provide us all with more time to do the important work of representing our membership.

A. Election Procedures and Rights of Candidates for Union Office

1. LMRDA elections must be conducted by secret ballot with appropriate procedures for safeguarding voter privacy and ballot security.
2. All members in good standing must be afforded a reasonable opportunity to nominate candidates for union office.
3. Every member in good standing shall be eligible to be a candidate and to hold union office subject to the uniformly applied eligibility rules in the IAM Constitution and in local and district lodge bylaws.

4. All candidates must be treated equally with respect to the opportunity to campaign.
5. Candidates have the right, upon request, to have an observer at the polls and at the counting of the ballots.

B. Distribution of Campaign Literature

1. Every bona fide candidate has the right to request that the lodge distribute his/her campaign literature to the membership, and the lodge must comply with all reasonable requests for distribution by members in good standing, **provided that the distribution shall be at the candidate's own personal expense.** The courts have defined a "bona fide candidate" as a member who has declared him/herself to be a candidate for office and who is eligible to run for that office.
2. All requests to distribute literature must be treated in the same manner. Any discrimination in favor of, or against, any candidate by the lodge with respect to the use of membership lists is prohibited.
3. Every bona fide candidate shall have the right, once within 30 days prior to an election in which he/she is a candidate, to inspect – but not copy – a list containing the names and last known addresses of all members of the local lodge.
4. In order to comply with these important requirements, the secretary-treasurer of each local lodge or district lodge shall:
 - a. Maintain a list of the names and last known addresses of all lodge members.
 - b. Maintain the list in the principal office of the lodge and make such list available for supervised inspection by a bona fide candidate one time only during the 30 days immediately preceding the election.
 - c. In a nondiscriminatory manner, and upon the request of any bona fide candidate, prepare labels or addressed and stamped envelopes, at a predetermined, commercially reasonable, prepaid cost, which is not less than the actual cost to the lodge, and mail campaign literature for the candidate.
 - d. Not permit the list to be copied, nor turn over labels or addressed envelopes to any candidate.
 - e. Not direct any bona fide candidate to go to the Grand Lodge to obtain mailing lists, labels, or envelopes, and instruct candidates that such requests cannot be honored. Under appropriate circumstances, however, and with proper approval by the territorial General Vice President, the lodge, itself, may request assistance from the Grand Lodge in obtaining such lists.

C. Use of Union or Employer Funds in Elections is Prohibited

1. Section 401(g) of the LMRDA prohibits the use of any funds of a local lodge, district lodge, council, or conference, or any other labor organization received by way of initiation fees, dues, agency fees, assessments, or of any employer funds to promote or denounce, directly or indirectly, the candidacy (either for nomination or election) of any member in a union election.
2. For purposes of Section 401(g), the term "funds" has been interpreted to include any resources owned by an employer or union, including equipment, machinery, vehicles, telephones, postage, office supplies, computers, reproduction equipment, etc. This prohibition also includes the use of a lodge newsletter, mailing, website, email, or other electronic means of communication to promote or denounce the candidacy of any member for office.
3. A local lodge, district lodge, council, or conference may make expenditures from its funds for notices, factual statements of issues, and other expenses necessary to conduct elections so long as they do not involve the promotion or denunciation of any candidate.
4. Candidates and their supporters are required to campaign on their own time only. Campaigning while on pay status with the union or with an employer is prohibited.

D. Conduct of Secret Ballot Elections

1. Combined notices of nomination and election must specify the date, time, and place of the election, as well as the offices that will be filled. Notices of local lodge and district lodge elections must be mailed to each member at his/her last known home address not less than 60 days nor more than 6 months prior to the election.
2. Secret ballot elections need not be held when all of the following conditions have been met:
 - a. all candidates are unopposed;
 - b. the union has provided a reasonable opportunity for nominations;
 - c. write-in candidates have not been permitted; and
 - d. all other requirements of the law and the IAM Constitution have been met.

E. Election Protests and Preservation of Records

1. Any protest or appeal concerning eligibility to run for office, the nomination process, or the conduct of an election must be made in writing to the International President within 30 days of the eligibility determination, the close of the nomination process, or

the final tally of ballots, whichever applies. Wherever local or district bylaws provide for election protests or appeals to be made to local or district officials in the first instance, the deadline for filing a protest or appeal with the International President shall be 30 days after the decision of the local or district official. If the local or district bylaws do not contain any protest or appeal provisions, any protest or appeal must be made directly to the International President within 30 days.

2. Section 401(e) of the LMRDA requires that all nomination and election records be sealed and preserved for one year following the close of the election. The records that must be preserved include, but are not limited to, all ballots, marked and unmarked, all void ballots, all notices, all requests for absentee ballots, all communications regarding the election, and all logs of election correspondence.

Fraternally yours,



Dora Cervantes
GENERAL SECRETARY-TREASURER



Robert Martinez, Jr.
INTERNATIONAL PRESIDENT

Attachment

IAMAW Official Policy Regarding
LOCAL LODGE ELECTIONS

- Checklist of Key Issues -

Revised August 2017

IAM LOCAL LODGE ELECTION GUIDELINES

- Checklist of Key Issues -

I. Introduction

- A. The following is a brief overview of the key issues involved in conducting elections for local lodge officers.
- B. In addition, prior to conducting any election, it is **essential** that all those involved review and be completely familiar with the following:
 - 1. Pertinent provisions of the IAM Constitution (see, especially, Articles B, C, and Article II, Sec. 3, and 4)
 - 2. Local Lodge Bylaws
 - 3. Official Circular 869 (LMRDA Election Requirements)
 - 4. Official Circular 868 (Absentee Ballots)
 - 5. Official Circular 865 (Eligibility and Voting Rights of Retired, Terminated, Laid Off or Exempt Members)

II. Offices to be filled by election

- A. The office of President, Vice President, Recording Secretary, Secretary-Treasurer, Conductor/Sentinel, a three (3) member Board of Trustees (together "constitutional offices"), and any other officers who are members of the lodge Executive Board.
- B. The term of office for all officers is three (3) years.

III. Eligibility for local lodge office

- A. A member must be in good standing of the local lodge for at least one (1) year at the time of nomination.
- B. A member must be working at the trade during the six (6) month period prior to the nomination meeting. Members who are retired on pension and paying full dues may run for local lodge office without regard to the "working at the trade"

requirement; however, they may not run for the office of business representative or general chairperson. They are also ineligible to run for any non-constitutional offices that have a direct impact on the collective bargaining agreement.

- C. A member must satisfy the local lodge's meeting attendance requirement, if any (See Attachment B to the Checklist).
- D. A member on indefinite layoff is not eligible to run for office. (See Official Circular 865).
- E. Otherwise eligible members may not run for more than one (1) constitutional office. However, members who hold non-constitutional offices such as stewards or committee persons may run for a constitutional office.

IV. Eligibility to vote for local lodge officers

- A. Members who are in good standing.
- B. Retired or exempt members and members on indefinite layoff (but such members may not vote for non-constitutional positions, such as stewards or committee persons, having a direct effect on the collective bargaining agreement).

V. Notification of nominations and/or elections

- A. Local lodges can satisfy all their obligations under the IAM Constitution and the law by having the recording secretary mail a single, combined notice of nominations and election. This mailing must be done not less than sixty (60) days, nor more than six (6) months, prior to the election and must be mailed to each member qualified to vote at their last known home address, even if the lodge knows the address is incorrect.
- B. The notice must contain the date, time, and place of nominations, of the election, and of a runoff election should one prove necessary. It must be accompanied by an application for an absentee ballot and must specify who is entitled to receive an absentee ballot.
 - The requirement to send notices by mail does not apply to local lodges in Canada.
- C. The notice should also be posted on bulletin boards, appear in newsletters, and be posted on the lodge's web site, if there is one.

VI. Conducting nominations

- A. Nominations may be made from the floor by a member in good standing.
- B. Members may nominate themselves.
- C. Members unable to attend the nomination meeting may submit nominations in writing to the Recording Secretary if they meet the requirement set out in Article II, Sec. 3.
- D. Members need not be present to be nominated.

VII. Voting by absentee ballot and how handled

- A. Members may vote by absentee ballot if they:
 - 1. Reside more than twenty-five (25) miles from polling place;
 - 2. Are at work during the voting times;
 - 3. Are confined because of illness or injury;
 - 4. Are on leave qualifying under U.S. and/or Canadian Family leave laws;
 - 5. Are working members on vacation or retirees more than 25 miles away from their residence on election day;
 - 6. Are on official IAM business;
 - 7. Are on employer travel assignment; or
 - 8. Are on military leave.
- B. The recording secretary must:
 - 1. Mail ballot packets to members who have filed written requests within five (5) days of the close of nominations or as soon thereafter as ballots are available, and present all voted absentee ballots to the inspectors.
 - 2. Preserve all absentee ballots along with election materials for **one (1) year**, including all written requests for ballots, lists of ballots mailed, identification

stubs, unused ballots, ballots returned for incorrect addresses, envelopes containing voted ballots, voted ballots, challenged ballots declared void, impounded ballots, eligibility rulings made by the inspectors, tellers, or recording secretary, all communications regarding the election, and all logs of election correspondence.

VIII. Handling requests for distribution of campaign literature

- A. All candidates must be treated **equally!**
- B. All candidates may inspect (but not copy) membership mailing lists once during the thirty (30) days preceding the election.
- C. All candidates are entitled to have their requests to distribute campaign literature (at their own expense) treated equally. Candidates will not be given a copy of the mailing list. Labels, addressed envelopes, and/or a separate email accounts created for the exclusive purpose of any and all candidate mailings to the members will be created by the lodge at a predetermined, commercially reasonable price, not less than the actual cost, or the mailing list will be provided to a designated vendor on a confidential basis, and campaign literature will be mailed by the lodge or the vendor for the candidate at the candidate's expense. Lists created or obtained while acting on behalf of the Union in any capacity are considered union lists and must be treated as described in this paragraph, and may not otherwise be used to distribute campaign literature.

IX. Appointment of election tellers

- A. The president shall, at least sixty (60) days prior to the election, appoint at least three (3) tellers to conduct the election in a fair and impartial manner.
- B. Tellers are responsible for conducting the actual balloting and tabulating the ballots; their specific duties are outlined in **Attachment A** to this Checklist.

X. Rules governing ballots and the balloting area

- A. Voting instructions should clearly inform members as to the manner in which their ballot must be marked, the number of votes allowed for each office, and that write-in votes are not permitted.
- B. The ballot itself should be arranged so that candidates for each office are clearly identified, with legitimate nicknames if the candidate so requests, and with the position of the candidate on the ballot being determined in any reasonable and fair

manner, in accordance with the bylaws and/or past practice (such as alphabetically, by order of nomination, or by lot).

- C. Ballots must contain a numbered, detachable stub upon which the voter will provide identifying information, including the voter's name, address, lodge, and book number.
- D. The balloting area and at least a fifty (50) foot area surrounding it must be designated a "campaign-free" zone, and booths and/or partitions must be provided to permit members to mark their ballots in privacy.

XI. Role of observers

- A. Each candidate has the right to one observer, but a candidate may not serve as his/her own observer or that of any other candidate.
- B. Observers must be members of the lodge and serve at the expense of the individual candidate.
- C. The following rules apply to observers:
 - 1. They must be permitted in areas where they can observe the voting and tabulation procedures;
 - 2. They may not handle ballots;
 - 3. They may not engage in campaigning (by wearing campaign apparel during voting or otherwise);
 - 4. They may not converse with voters or obstruct the balloting process.

ATTACHMENT A

CONDUCTING AND TABULATING THE BALLOTING **- Duties of Local Lodge Tellers -**

When conducting an election, tellers shall:

- A. Conduct the actual balloting and tabulation.
- B. Account for all ballots, voter registers, and voting materials.
- C. Determine the eligibility of voters and resolve challenges.
- D. Ensure that the polls open and close at the stated times, permitting members to vote if in line at the designated closing time.
- E. Inspect the ballot box, in the presence of the observers, before the start of the balloting and then secure the box.
- F. Seal the ballot box during any periods in which balloting has been interrupted and verify the seal before the ballot box is reopened.
- G. Where machines are used in place of paper ballots, verify that they have been cleared and are in good working order prior to the start of the voting, insuring that the machines are locked during any periods in which voting has been interrupted.
- H. Require members voting on-site to identify themselves as required by the election rules and record each member as having voted.
- I. Permit members to vote challenged ballots, and place such ballots in an individual envelope with the reason for the challenge written on it.
- J. Place challenged ballots in the ballot box and resolve challenges, if of sufficient number, to determine the outcome of any election.
- K. Provide a replacement ballot to a member who has spoiled the initial ballot and maintain custody of spoiled ballots and account for them.

- L. Open absentee ballots, check the enclosed detachable stub to determine the eligibility and identity of the voter, and commingle ballots cast by eligible absentee voters with those cast on-site, prior to the start of the tabulation process.
- M. Require voters to cast their ballots in the secret balloting booths provided.
- N. Maintain a campaign-free zone around the voting area, periodically police the area during the balloting, and remove any campaign materials.
- O. Prohibit members from lingering in the election room or engaging in campaigning while waiting to vote.
- P. Refrain from wearing any campaign buttons or political garments indicating support for any candidate.
- Q. Report the results of the election and ensure that all election records and related materials are delivered to the recording secretary of the lodge to be preserved for one (1) year.

When tabulating the ballots, tellers shall:

- A. Prohibit candidates or observers from handling ballots.
- B. Not open ballots until the observers for the candidates are present, if they choose to be in attendance.
- C. Record votes for the candidate(s) designated by the voter, if the tellers can determine the voter's intent.
- D. Void that portion of the ballot if a voter fails to vote for the stated number of open positions for any office, however, this does not void the entire ballot.
- E. Void a ballot in its entirety if the voter has defaced the ballot or made markings which identify the voter.
- F. Void the ballot for that office if the voter has voted for too many candidates for one office.
- G. Count the ballot cast on-site and impound the absentee ballot of a voter who has cast an absentee ballot and also votes on-site.

- H. Void the ballot for that office if a voter has indicated a write-in vote.
- I. Mark "void" through any ballot or specific portion of a ballot which is not being counted, record the reason, and initial the ballot.
- J. Void any absentee ballot without a completed identification stub.

ATTACHMENT B

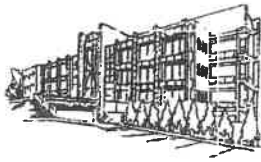
MEETING ATTENDANCE REQUIREMENTS

Article B, Section 3, of the IAM Constitution grants to local lodges the authority, through their bylaws, to require members to have attended up to fifty percent (50%) of the regular lodge meetings held during the twelve (12) month period ending the date of close of nominations in order to qualify as an officer or delegate. Several points need to be clearly understood when applying this language.

- A. Only regular meetings count in determining a member's eligibility. Special or called meetings are not counted.
- B. Only meetings at which a quorum was present count.
- C. Article B, Section 3 lists the various reasons for which members may be excused from regular meetings. The lodge should adopt a clear policy on the time limits for submitting requests to be excused.
- D. The lodge must establish a method of determining who, in fact, attends the meetings. A sign-in sheet or log book must be kept. The lodge must establish a policy as to the manner in which members must sign-in or register.
- E. Any lodge policies established in connection with the meeting attendance requirements must be enforced in a uniform manner.
- F. When lodge members have been granted excuses from attending some meetings, the method for determining their eligibility is as follows: take the number of meetings held; then subtract the number for which the member was excused; divide by two and round all fractions down in favor of the member.

Any questions as to a particular member's eligibility must be resolved promptly so that the process of printing the ballots may proceed in a timely manner. To facilitate the resolution of eligibility questions, the sign-in sheets or log book and the record of approved excused absences should be available at the nominating meeting. The president of the lodge is the final arbiter in these matters, subject to appeal to the International President.

**INTERNATIONAL ASSOCIATION OF
MACHINISTS AND AEROSPACE WORKERS**



OFFICIAL CIRCULAR NO. 868

Absentee Ballots

UPDATED: August 21, 2017

9000 Machinists Place, Upper Marlboro, MD 20772

TO THE MEMBERSHIP EVERYWHERE, GREETINGS:

➔ **SUBJECT** Policy on the use of absentee ballots in local and district lodge elections.

➔ **PURPOSE** To update and bring into compliance Official Circular 860 and previous circulars concerning absentee ballots and to clarify that these procedures apply in Local Lodge and District Lodge elections. The procedures for Grand Lodge elections will be provided in advance of each Grand Lodge election.

➔ **INFORMATION/INSTRUCTIONS** The IAM Constitution, in Article II, Section 3, lists the reasons that members may be entitled to vote by absentee ballot and the specific procedures that must be followed when absentee ballots are requested. Article XXII, Section 7, and Article B, Section 4, of the IAM Constitution, in turn, govern nominations and elections for local and district lodge office and provide for the use of absentee ballots in accordance with the provisions of Article II, Section 3. It is essential that these provisions, as well as applicable local or district lodge bylaws, be strictly adhered to in conducting lodge elections. Failure to apply these provisions consistently is one of the most common reasons that lodge elections are challenged by the U. S. Department of Labor. Accordingly, in order to avoid the cost of a re-run election and/or court challenge, the provisions of the IAM Constitution and this circular must be followed.

A. Eligibility to Vote by Absentee Ballot

1. Members who reside in outlying areas more than 25 miles from the designated balloting place.
2. Members who are at work during the times of the local lodge balloting.
3. Members who are either confined because of illness or injury.
4. Members who are on leave qualifying under U.S. and/or Canadian family leave laws.
5. Members who are on vacation and retired members more than 25 miles from their residence on election day.

6. Members who are on official IAM business approved by the local, district, or Grand Lodge.
7. Members who are on an employer travel assignment.
8. Members who are on reserve military leave.

B. Absentee Ballot Procedures

1. Pre-printed applications for absentee ballots, listing the aforementioned qualifications, shall be mailed by the local or district lodge. Candidates running for office also may make forms available.
2. A written request for an absentee ballot must be delivered by the requestee either in person or by official government mail to the recording secretary not later than thirty (30) days prior to the election.
3. The recording secretary and secretary-treasurer shall verify the reason indicated by the member for requesting an absentee ballot at the time the request is received. Within 5 days from the close of nominations, the recording secretary and secretary treasurer shall mail the ballot if the member is eligible to vote by absentee ballot. In the event the recording secretary or secretary-treasurer determines that the member is not eligible to vote by absentee ballot, he/she shall advise the member that the request for an absentee ballot has been denied and the reason for that determination within 10 days of the receipt of the request, so that the member has adequate notice of the need to vote in person.
4. When an eligible member receives an absentee ballot, that ballot must be executed in accordance with the terms of the IAM Constitution and mailed by official government mail to the recording secretary so that it will be received by or prior to the closing of the polls, as specified in the notice of election. The absentee ballots shall then be turned over to the tellers.

Fraternally yours,



Dora Cervantes
GENERAL SECRETARY-TREASURER



Robert Martinez, Jr.
INTERNATIONAL PRESIDENT

**INTERNATIONAL ASSOCIATION OF
MACHINISTS AND AEROSPACE WORKERS**



OFFICIAL CIRCULAR NO. 865
Eligibility and Voting Rights of Retired,
Terminated, Laid Off or Exempt Members
ISSUED: June 19, 2017

9000 Machinists Place, Upper Marlboro, MD 20772

TO THE MEMBERSHIP EVERYWHERE, GREETINGS:

→ **PURPOSE** To replace Official Circular 859 concerning the eligibility of certain members to run for office, to vote for lodge officers, and to participate in contract ratification and strike votes.

→ **INFORMATION/INSTRUCTIONS** IAM policy concerning the rights of certain members to participate in union activities is set forth below.

A. Retired or Exempt Members

1. Members who are no longer working at the trade are not eligible to run for office.
2. Members who are retired and chose to pay full dues continuously for one year prior to the date of nomination are eligible to run for lodge office, so long as they continue to pay full dues.
3. Retired or exempt members may vote in local and district lodge elections for constitutional offices, business representatives, general chairpersons, or delegates.
4. Retired or exempt members may not vote for any position that has a direct impact on the collective bargaining agreement, such as stewards or committee persons.

B. Unemployed Members

1. Members on indefinite layoff – who are not notified on the day they are laid off when to return to work – may participate in the affairs of the local lodge and vote for delegates, business representatives, general chairpersons, and constitutional officers so long as they retain recall (or similar rights) under an existing collective bargaining agreement between the IAM and their employer. Such members may not participate in contract or strike votes or in any other matters having a direct impact on a collective bargaining agreement.

2. Members who have been on indefinite layoff, but who have received a recall notice to return to work on a specific day, are eligible to participate in votes affecting contract demands and other business concerning the collective bargaining agreement.
3. Members on temporary layoff – who are notified on the day of their layoff the date of their return to work – are eligible to participate in votes affecting contract demands and other business concerning the collective bargaining agreement.
4. Members on temporary layoff are eligible to run for lodge office, consistent with Article II, Section 4, of the IAM Constitution, which deals with the qualification “working at the trade.”
 - a. A member who experiences a layoff during the six (6) month period prior to the date of nominations is exempted from the qualification “working at the trade” and, therefore, may run for office.
 - b. A member who experiences a layoff beyond the six (6) month period prior to the date of nominations is not exempted from the “working at the trade” qualification and, therefore, is ineligible to run for office.
5. A member whose employment has been terminated by his/her employer may run for office if s/he is challenging the termination through a collectively bargained grievance-arbitration procedure, administrative agency action, such as an NLRB unfair labor practice (ULP) charge, or in state or federal court. A terminated member’s eligibility ends, however, when the challenge is exhausted and unsuccessful.

A member who has been installed into a constitutional office and who, thereafter, is laid off has the right to continue in the office until his/her term expires, so long as s/he is issued an unemployment stamp in accordance with Art. G.
6. A member who is elected to an office which holds “superseniority” under the terms of a collective bargaining agreement, may not use this “superseniority” to bump back into the shop prior to his/her scheduled recall. The procedures for filling the position set forth in the lodge bylaws should be followed, and if they are silent, it is the responsibility of the president to make a pro-term appointment until the member returns to work.

7. A member who is laid off from an IAM plant, but who continues working at the trade in a non-IAM plant, is eligible to continue to hold a constitutional office for the remainder of his/her term so long as he/she remains current in the payment of regular IAM dues.

Fraternally yours,



Dora Cervantes
GENERAL SECRETARY-TREASURER



Robert Martinez, Jr.
INTERNATIONAL PRESIDENT

**CANDIDATES
ARE NOT
ALLOWED OR
AUTHORIZED
TO USE OR
UTILIZE THE
IAMAW LOGO OR
TRADEMARK
ON CAMPAIGN
LITERATURE**

**IAMAW LOCAL LODGE S6
NOMINEE AND CANDIDATE ELECTION PACKET**

As a courtesy to each nominee/candidate, Local Lodge S6 will make this packet available to any LL S6 nominee and candidate:

1. IAMAW JANUARY 1, 2017, CONSTITUTION
 2. IAMAW NOVEMBER 9, 2017, LL S6 BYLAWS
 3. **IAMAW OFFICIAL CIRCULARS: 865: ELIGIBILITY AND VOTING RIGHTS OF RETIRED, TERMINATED, LAID OFF OR EXEMPT MEMBERS ISSUED: JUNE 19, 2017... 868: ABSENTEE BALLOTS: UPDATED AUGUST 21, 2017... 869: LMRDA (LANDRUM-GRIFFIN) ELECTION AND OTHER REQUIREMENTS: UPDATED AUGUST 21, 2017.**
 4. The Dos and Don'ts of Campaigning (general rules to follow)
- The Point of Contact for requesting campaigning approvals on BIW property is:
- **Julie Rabinowitz: 207-442-3922**
- United States Department of Labor: - OLMS Union Elections Advisor
- Website:** https://webapps.dol.gov/elaws/olms/UnionCandidatesRights_D1.aspx
- Copy of this Packet will also be posted to the **IAMAW LL S6 Website:**
- **LLS6 Website:** <https://iams6.org/>
 - **Facebook: Local S6**
- Please be respectful of all candidates and members (Brothers and Sisters), how we treat each other speaks volumes of how the company and community views our Union, "2022 is our vision".
- **Office of Labor-Management Standards (OLMS): Chapters Figures References: Conducting Local Union Officer Elections- A Guide for Election Officials**
- **Distributing Campaign Literature:** As noted in Chapter 5, federal law establishes certain campaign rights for candidates in union officer elections including the right to have campaign literature distributed to the membership by the union at the candidate's expense. In some unions the officers or employees may be involved in the campaign literature distribution process; in other unions, election officials or a professional mailer may handle requests from candidates. No matter what the practice, a union has a duty to comply with all reasonable requests to distribute literature and to treat all candidates equally. Any refusal to comply with a reasonable request is improper and could result in the election being successfully challenged. Election officials can avoid many problems concerning the distribution of campaign literature by establishing distribution procedures prior to the campaign period and informing all candidates about them.
 - **Inspecting the Membership List:** In addition to having campaign literature distributed by the union as discussed in Chapter 6, candidates in union officer elections also have a right to inspect a list of members (and their addresses) subject to a collective bargaining agreement which requires union membership as a condition of employment. This right to inspect is limited to once within 30 days before the election and does not include the right to copy the list. In most unions the officer who maintains the membership list will be responsible for making the list available to candidates; election officials will not usually be involved. However, to avoid any misunderstandings, election officials should determine from union officials what procedures will be used to allow inspection and then inform all candidates about them. In addition to permitting inspection, the union may not discriminate in favor of, or against, any candidate with respect to the use of lists of members.
 - **Observers:** Election officials must understand the role of observers in the election process in order to be able to deal with them effectively. An observer (poll watcher) is a candidate representative who is stationed at the polls on Election Day to watch the conduct of election officials and voters to insure that the election is conducted in a fair and impartial manner. Under federal law, every candidate is entitled to have an observer at each polling site and at the counting of ballots. Unfortunately, some election officials may object to or resent the presence of observers because observer questions or comments may be viewed as challenges to their authority and impartiality. Election officials should remember that civic elections traditionally include poll watchers from both parties. Further, the presence of observers adds integrity to the election process and helps eliminate rumors and groundless accusations which sometime occur when no observers are present. Elections are less likely to be successfully challenged when observers are present.

This packet is not all encompassing of the rules or procedures for elections; it's simply an information packet available for each nominee/candidate to pick up, if they wish on their own time.

➤ **Website:** https://webapps.dol.gov/elaws/olms/UnionCandidatesRights_D1.aspx

Union Candidate Rights

LMRDA Title IV establishes democratic standards for conducting regular elections of union officers and delegates who elect officers at the intermediate union level, and the national, and international union levels. These standards require the use of a secret ballot, reasonable opportunity to nominate candidates and vote, mailed notice of election, and other safeguards to ensure a fair election.

Title IV also provides that the elections of officers be conducted in accordance with the union's constitution and bylaws as long as they are not inconsistent with the requirements of Title IV. Therefore, it is important that you become familiar with those provisions of your union's constitution and bylaws that cover the nomination and election of officers, and those provisions that define good standing. Members can get a copy of the constitution and bylaws from local or parent body officers. These documents may also be available on the union's Web site, or the [OLMS Online Public Disclosure Room](#). You may want to review the OLMS publication [Conducting Local Union Officer Elections, A Guide for Election Officials \(PDF\)](#) which comprehensively discusses the various steps which union election officials should follow when conducting an election of union officers.

For a basic understanding of the requirements of Title IV, you may wish to review some, or all of the sections listed below on conducting a local union officer election which may be pertinent to your situation. Please select one of the sections below (you can return to this menu at any time, or to the [How to Conduct Union Elections](#) menu) for a more comprehensive list of issues:

You may want to bookmark this page or add it to your favorites so that you can easily return to this page in the future.

- **Who May Run for Office**

Addresses how unions must apply candidate eligibility requirements, and discusses factors used in determining whether a requirement may be considered reasonable.

- **Nominations**

Addresses the requirements relating to the nomination notice, and discusses the various procedures unions use in nominating candidates.

- **Candidates' Rights**

Addresses the rights that must be afforded to candidates including distribution of campaign literature, inspection of the membership list, and the right to have observers.

- **Use of Union and Employer Funds**

Addresses the permissible use of union funds during an election of officers, and the prohibitions placed on unions and employers regarding the support of candidates.

- **Election Notice**

Addresses the time limits unions must follow in providing a mailed notice of election to members, and the different ways this can be accomplished.

- **Adequate Safeguards**

Addresses some of the safeguards unions utilize regarding the preparation of ballots and treatment of candidates.

- **Counting Ballots**

Addresses the procedures to be followed in counting ballots during an officer election.

- **Publication of Election Results/Retention of Records**

Addresses the publication of election results, and record keeping requirements.

Do's and Dont's In Internal Union Election Campaigns

There are three basic rules about union officer elections:

- (1) Officers, staff and members on their own free time and with their own money and resources are free to express their views and campaign for or against any candidate;
- (2) All candidates must be treated in the same manner; and
- (3) Officers, staff and members are prohibited from using union or employer funds and resources "to promote the candidacy of any person" in a union election. This includes in-kind expenditures, such as using union property, as well as cash contributions or expenditures.

Do's:

Do campaign on your own personal time not paid for by the Union.¹

Do assist the campaign voluntarily on your own personal time.

Do print and distribute at the campaign's own expense a "filled-in" sample ballot.

Do keep all receipts for purchased campaign supplies and literature, to show that they were not paid for out of Union funds.

Do keep records of all campaign contributions, and make clear that all contributions are voluntary.

Do maintain your own website, Facebook page, twitter account etc., as long as it is clear that it is the candidate's account and does not suggest or imply IAM endorsement through using IAM flags, logos etc... IAM titles can be used, but should be followed by a statement such as "office listed for identification purposes only".

Do service members by visiting work sites and briefly answering questions only if asked about the campaign. As part of your answer, you can offer to have a longer conversation about the campaign during a break or after work hours.

Do use a union-leased vehicle to transport campaign materials, so long as the distribution of that campaign material is incidental to the conduct of Union business.

¹ Since IAM officers generally do not have a set work schedule, it is not always clear what is "personal time." To avoid challenges, it is best to limit campaigning to after 4 pm, during lunch time, or while on vacation.

Do travel to a location for a work-related reason, and campaign only while on free or vacation time while at that location.

Do use printing companies and other service providers with whom the IAM does business, provided such use is on financial terms available to other commercial customers.

Do ask the Union and its vendor to mail or email material to members at a commercially reasonable rate.

Dont's:

Don't campaign while on time paid for by the Union.

Don't ask Union staff to campaign on your behalf during time that they are paid to work for the Union.

Don't use Union copy machines to copy campaign material.

Don't use Union computers to prepare campaign materials.

Don't use Union email addresses to send campaign materials.

Don't use Union staff to assist with preparing campaign materials on Union time.

Don't use Union postage or fax machines to transmit campaign materials.

Don't use Union letterhead, envelopes, return addresses or stationery for campaign materials. Any letters from IAM officers at any level endorsing or attacking candidates in an election should not use union stationery.

Don't use union email or snail-mail lists to communicate with members.

Don't use Union websites, Facebook pages, Twitter accounts, etc. to campaign.

Don't use your Union representative status to gain access to work sites for campaigning.

Don't accept discounted services such as printing from service providers to the Union. Campaign contracts with service providers should be on the same terms available to other commercial customers.

Don't have campaign materials delivered to, stored, or distributed from Union premises.

Don't accept campaign contributions from the Union, from union-related entities, from other unions, or from employers.

BYLAWS

LOCAL LODGE S6

INTERNATIONAL ASSOCIATION OF MACHINISTS AND AEROSPACE WORKERS

PREAMBLE

As proud members of the International Association of Machinists and Aerospace Workers, AFL/CIO, CLC and vested in the heritage of the Industrial Union of Marine and Shipbuilding Workers of America, we strive for a better, richer more rewarding life for the wage earners in our shipyards and allied maritime industries. We pledge ourselves without regard to race, creed, color, sex, national origin or ancestry, to labor, united to organize the working men and women in our industries. We shall at all times combat the forces which seek to undermine our Union and our Nation. Within divine guidance, grateful for our honorable past, confident of meeting the challenges of the future, we proclaim these Bylaws.

ARTICLE I – Name, Jurisdiction and Purpose

Section 1 – Name and Affiliation

This organization shall be known as Local Lodge S6, International Association of Machinist and Aerospace Workers, Industrial Union of Marine and Shipbuilding Workers of America, affiliated with District Lodge 4, AFL-CIO and located in the City of Bath, Maine. The International Association of Machinists and Aerospace Workers may be referred to in these Bylaws as IAM or the Grand Lodge.

Section 2 – Jurisdiction

The jurisdiction of this Local shall extend to all workers employed in the shipbuilding, ship repairing, marine maintenance industry, and industries producing marine equipment and in allied enterprises and industries in the State of Maine, or shops and or facilities specified by the Grand Lodge.

Approved: 11-9-17
Effective: 11-1-17

Section 3 – Purpose of the Local Lodge

The purpose of this Local lodge is to improve the standard and general living conditions of all workers in the industries and enterprises under its jurisdiction through organization, education and collective actions. It shall coordinate and cooperate to the fullest extent with the District and Grand Lodge and other labor organizations in this country and abroad in promoting the welfare of all workers.

ARTICLE II – Membership, Dues and Assessments

Section 1 – Membership Eligibility

Membership eligibility shall be as provided for in the IAM Constitution. Specifically, Membership eligibility must be in compliance with Article I, Section 1 of the IAM Constitution. All persons employed in the shipbuilding, ship repairing marine maintenance industry and industries producing marine equipment and in allied enterprises and industries under the jurisdiction of the Local are eligible for membership in the Local; in addition, those who are members of the Union prior to the adoption of these Bylaws, provided that foreman processing and exercising the right to hire and discharge and supervisory and managerial employees of rank and authority equal to or higher than foreman, and those who have been suspended, expelled and or refused admittance to this or other Locals of this Union after a fair hearing and trial, shall not be eligible for membership in the Local Lodge.

Section 2 – Duties and Conditions of Membership

(a) All members of this Local lodge shall be governed by the IAM Constitution and these Bylaws. Any member who advocates dual unionism or supports movements or organizations inimical to the interests of the IAM or its established laws and policies, is not eligible to hold any such office or position in this Local lodge. No members shall be eligible to hold office unless he or she has one year of continuous good standing membership in this Lodge on the date of his or her nomination.

(b) Among others, the following acts shall constitute improper conduct by a member and shall be dealt with in accordance with the IAM Constitution and these Bylaws.

1. Reporting to management on the conduct of another member unless compelled to do so by legal process.

2. Discriminating against, or slandering another member because of race, religion, creed, sect, color, sex or national origin.

3. The name of any member, who has testified or signed a statement in favor management against a fellow employee, shall be read at a regular membership meeting in conjunction with the reading of the case involved.

(c) No person shall be admitted to membership unless he or she has signed an official membership application form provided by the Local lodge.

(d) Any person who has resigned or lost the privilege of membership under these by-laws, the District By-Laws, or the International Constitution, may apply for reinstatement by signing and submitting an Official Membership Application accompanied by the appropriate reinstatement fee. In compliance with Section 16, Article I of the IAM Constitution the Local Lodge Secretary-Treasurer shall keep for future reference a correct list of all people whose membership has been cancelled and all applications that have been rejected. Expelled people and rejected applicants cannot apply for membership until after the expiration of (6) six months from the date of said expulsion of rejection.

(d) Any person applying for membership whose application has been refused for any reason may request and may receive a trial before a Trial Board as determined by the International President.

Section 3 – Membership Status

(a) All applications for membership in this Local Lodge must be accompanied by an initiation fee and one (1) months dues. This initiation fee shall be five hundred dollars (\$500.00).

(b) The amount of this initiation fee shall be fixed from time to time by majority vote by secret ballot of the members of this Local Lodge, in good standing, voting at a General or Special Membership meeting held with fifteen (15) days notice of the intention to vote upon such question, or by majority vote of the members of this Local Lodge, in good standing; such vote will be taken in a membership referendum conducted by secret ballot.

(c) The reinstatement fee shall be equal to the initiation fee.

Section 4 – Local Lodge Dues

(a) Effective January 1, 2008 the monthly dues of this Local Lodge shall be a uniform rate equal to two (2) times the weighted average hourly earnings of members covered by the collective bargaining agreement under the Local Lodge jurisdiction, or the sum of per capita taxes plus one hour of a first class mechanic's wages (grade 9), whichever is greater. The monthly dues shall be adjusted annually effective every January 1. Effective January 1, 2009, and every January 1st thereafter, all per capita tax increases shall automatically be added to the dues structure.

(b) Subject to the provisions of Section 8 of Article I of the IAM Constitution, the Local Lodge may increase its membership dues only if a majority of the members in good standing and voting by secret ballot at a general or special membership meeting, and after reasonable notice upon the question.

(c) Each member of this Local Lodge shall be given an official dues book or dues card, if in good standing, in accordance with Section 10, Article I, of the IAM Constitution.

(d) Upon payment of dues, members shall receive a dues stamp from the Local Lodge Secretary-Treasurer or person designated by him or her, as a receipt for each month's dues so paid, which stamp shall be affixed in the dues books or dues cards of the members and cancelled by the Secretary-Treasurer, or person designated by him or her, as provided in Section 6, Article C of the IAM Constitution.

(e) At no time shall Local lodge dues be rebated to a member who attends a meeting where, to do so, would result in the dues of the member actually paid or checked-off to fall below the established minimum dues rate of the Local Lodge.

(f) Unemployment Stamps shall be issued in accordance with the IAM Constitution. The Local lodge shall pay the cost of the unemployment stamp for members meeting the eligibility requirements who are sick or disabled. Members' unemployed a majority portion of any month due to lay-off or other separation of employment and meeting all other eligibility requirements may be issued an unemployment stamp at a cost to the member of \$2.00.

(g) When the loss or destruction of a dues book is satisfactorily proved by a member, the Local Lodge Secretary-Treasurer, upon payment of a fee of \$.25 to be retained by the Local Lodge, shall make out a new book which shall have on the inside cover a certificate of exchange or loss. Any member

who loses his or her dues book or membership card shall report loss to the Local Lodge Secretary Treasurer and upon payment of a fee of \$.25 to be retained by the Local Lodge, shall be furnished another dues book or membership card stamped "duplicate".

(h) In any dispute regarding the dues payment of a member, the records of the Local Lodge Secretary-Treasurer shall determine the issues.

(i) Transfers; Universal Transfers; Identification Letters; Membership Cancellation; Non-Resident Applications; Obligation by Request; Reduced Rates of Dues; Reinstatement; Rejected Applications and expulsions; Withdrawal Cards; Armed Forces Withdrawal Cards; and Deposit of Withdrawal Cards must be dealt with as provided in the appropriate Section(s) assigned in Article I of the IAM Constitution.

Section 5 – Special Levies

Special levies shall be in strict conformance with Article F, Section 1 of the IAM Constitution. No general or special Local Lodge assessment shall be levied by the Local Upon its members except by majority vote by secret ballot of its membership, in good standing, voting at a General or Special membership meeting, after at least fifteen (15) days notice of time, place and manner of the vote upon such question. This notice shall also contain the reason for the assessment and shall be approved by the Grand Lodge before becoming effective.

Section 6 – Local Lodge Trial Board

(a) In compliance with Article L of the IAM Constitution, any member may be charged and subject to the provisions of Article L, for just cause, and may be subject to remedy as found appropriate and as provided by the IAM Constitution, and may be subject to fine or other actions for just cause after a fair and impartial trial. The Local Lodge may determine what actions are appropriate and may determine any fines, in such amount as is decided upon by the Local Lodge trial board, and as approved by the membership with final authority vested with the International President.

(b) Every member, local or subdivision of this Union considering himself, or itself aggrieved by any action of this Union, the Executive Council, an International Officer, a local or other subdivision of this Union shall exhaust all remedies and appeals within the Union, provided by this Constitution, before he shall resort to any court or other tribunal outside the Union.

Section 7 – Fines and Assessments

As is provided in the IAM Constitution, fines and assessments must be paid and deposited with the Local lodge Secretary-Treasurer or person designated by him or her, at the Local Lodge Union office. Any member fined or assessed shall receive an official receipt from the Local Lodge Secretary-Treasurer or person designated by him or her, for the payment of fines or assessments.

Section 8 – Cash Payers

Initiation fees and dues which are not checked off by the employer must be paid in cash, in full monthly dues amount, to the Local Lodge Secretary-Treasurer or person designated by him or her, at the Local lodge Union office not later than the first day of each month. Cash paying members are responsible for their dues being paid on time.

Section 9 – Good Standing

A member in good standing shall be one who is not in arrears in the payment of his or her dues or delinquent in the payment of fines or assessments or who has not been suspended or expelled from membership or indebted to the Local lodge, District Lodge, and/or the Grand Lodge.

Section 10 – Member Rights

(a) A member in good standing shall have a voice and vote at all meetings of the Local Lodge.

(b) Any member who has been in good standing retired from active employment either with or without pension may be issued a retirement card in accordance with the IAM Constitution.

Section 11 – Member Loss of Good Standing

A Local lodge member shall lose good standing upon delinquency for more than sixty (60) days in the payment of all or any part of his or her dues, or when any assessment or any fine is imposed upon him or her, and any member who becomes sixty days in arrears shall be dropped from the rolls, and can only regain his or her membership by paying the reinstatement fee at the time of applying for reinstatement.

Section 12 – Member Reinstatement

Members can regain the privilege of membership lost under the section immediately proceeding, only upon payment of any and all back dues, fines, assessments or reinstatement fees in accordance with the applicable provisions of the IAM Constitution.

Section 13 – Member Responsibility for Current Address

Any member changing his or her residence shall immediately notify the Local Lodge Secretary-Treasurer of his or her new address.

Section 14 – Member Responsibility for Understanding all Provisions

All members of this Local lodge shall be expected to familiarize themselves with the provisions of these Bylaws, the District Bylaws and the IAM Constitution, and ignorance of them shall not constitute an excuse for infraction of the Bylaws or IAM Constitution.

ARTICLE III – Meetings

Section 1 – Regular Membership Meetings

As provided in Section 3, Article D of the IAM Constitution, the regular membership meeting of this Local shall be held once each month except, in the event that the Local should be on strike.

(a) It is mandatory for any member who desires to qualify for nomination and election to any one of the Local lodge officer positions, chief steward, and or grievance committee position of Local Lodge S6 to attend fifty-percent (50%) of regular membership meetings in the twelve months preceding the date of nominations. Excused absences will be granted in accordance with the IAM Constitution Article B, Section 3. Additionally members will be excused upon request if they are on leave that qualifies under the Federal or State Family Medical Leave Acts.

(b) It is mandatory for any member who desires to qualify for nomination or election to serve as a delegate to District Lodge 4 attend at least 50% of the Regular Membership Meetings in the twelve (12) months preceding the date of nomination.

(c) An attendance book for Membership Meetings shall be available for those members present who are not on the roll call. The Local Lodge Conductor-Sentinel shall be in charge of the attendance book and shall

surrender the book to the Local Lodge Recording Secretary after the roll call has been taken and the members present have been given an opportunity to sign the book. Members arriving late will be allowed to sign only if an acceptable excuse is presented and accepted by the membership present at the meeting. Habitual tardiness shall not be excusable.

Section 2 – Local Lodge Quorum Requirements and Meetings

A quorum for the transaction of business at any general membership meeting shall consist of twenty-five (25) members in good standing. A special membership meeting may be called by the Local Lodge President, or by written request of not less than 10 percent (10%) of the members in good standing. Notice of special membership meetings and the purpose for which they are called must be given to all members at least ten (10) days before the time of the meeting. No action may be taken by a special membership meeting on any subject other than that stated in the call to the meeting.

Section 3 – Local Lodge Order of Business

The order of business at all membership meetings shall be as follows:

1. Pledge to the flag.
2. Roll call of officers, stewards and grievance committee members and the noting of absentees by the Local Lodge Recording Secretary.
3. New applications.
4. Report of committees on application and acting on same.
5. Initiations.
6. Reading of minutes of previous membership meeting and acting on same.
7. Reading of minutes of previous executive board meeting and acting on same.
8. Installation of officers, committee members or delegates.
9. Examination and introduction of visiting members or invited guests.
10. Reports of officers. Report of the Local lodge Secretary-Treasurer, including receipts and disbursements since the close of last meeting.
11. Reading of communications and bills and appropriations of money for payment of approved bills. Chief Steward report(s) concerning review and approval of all Local Lodge use of union lost time used during the previous month by all Local Lodge representatives in the representation of the membership, and in the maintenance

- of the collective bargaining agreement or other approved Local Lodge business.
12. Reports of Committees.
 13. Report on organizing activities.
 14. Anything for the good of the International Association of Machinists and Aerospace Workers and discussion of subjects of economic natures.
 15. Unfinished business.
 16. New Business. Any necessary nominations or elections of officers, committee members or delegates.
 17. Reports of sick and disabled members and of Community Services or Benefits Committee.
 18. Reports of members of work and positions vacant.
 19. Adjournment.

Section 4 – Legislative Powers

All legislative, executive and judicial powers when the membership meeting is not in session shall be vested in the Local Executive Board.

Section 5 – Local Lodge Meetings

Local Lodge Membership meetings shall be called at such time and place that they can be attended by a majority of the membership.

Section 6 - Inappropriate Member Conduct at a Local Lodge Meeting

Any member who enters the Local lodge or any assembly of the Union showing visible signs of intoxication and conducts himself or herself in an obnoxious manner will be ejected. Any member who attempts to monopolize the floor, or to impede or disrupt the business of the Local Lodge meeting and or the progress of the meeting, shall be requested to refrain from such activity and in the event such person persists, he or she shall be ejected from the assembly.

Section 7 – Local Lodge Sergeant-at-Arms

The Local Lodge President may appoint a Sergeant-at-Arms to assist in maintaining order. He or she shall be authorized to call on any member or members for help in maintaining order if necessary.

ARTICLE IV – Officers

Section 1 – Officers of the Local Lodge

In compliance with Section 1, Article B of the IAM Constitution, the officers of the Local Lodge shall be a President, Vice President, Recording Secretary, Secretary-Treasurer, Conductor-Sentinel and a board of Trustees consisting of 3 members.

Section 2 – Terms of Local Lodge Officers and Chief Stewards

The terms of office for Local Lodge Officers and Chief Steward shall be for three (3) years.

Section 3 – Member Eligibility for Local Lodge Office and Chief Stewards

Any member of the Local Lodge, in good standing, is eligible to hold office if he or she has been in continuous good standing in the Local Lodge for not less than (1) year prior to the meeting at which nominations are made, and who is actually working in the industry under the jurisdiction of the Local, or is employed by the Local, provided that:

- (a) No member may hold Local Lodge office who is an officer of any other labor union.
- (b) No member may hold more than one Local lodge office at the same time.
- (c) A member seeking to hold Local Lodge office must meet the requirements of Article III, Section 1 (a) of the Local Lodge Bylaws.

Section 4 – Nomination for Local Lodge Officers and Chief Stewards

- (a) Nomination of candidates for Local Lodge Officer and Chief Steward shall take place triennially at the regular membership meeting in September.
- (b) Any member in good standing present at the regular membership meeting may nominate a member for each office.
- (c) Any member nominated for office shall be present at the meeting when nominated or give his or her consent in writing at the time of the nomination.

(d) No member shall be permitted to accept nominations for more than one office.

(e) Candidates names shall be positioned on the ballot for each office by a drawing conducted by the Local Lodge Recording Secretary at which the candidates will have the opportunity to be present.

Section 5 – Write-in Votes and Election Conditions

(a) In all elections held by the Local Lodge write-in votes shall not be permitted as per Section 4, Article B of the IAM Constitution.

(b) If there is only (1) candidate for an office for the offices referred to in the paragraph above, there shall be no need to conduct an election for such office and in such event the Local Lodge Recording Secretary shall cast a ballot for the candidate who is unopposed and who shall then be elected to the office without the necessity of conducting an election for that office.

(c) Elections shall be conducted by at least three (3) Local lodge Election Tellers who shall be appointed in accordance with Article B, Section 4 of the IAM Constitution. The Local lodge shall comply with the most current IAM official circulars, election procedures and applicable state and or federal regulations that govern such elections and the Local Lodge President shall, in conjunction with the Local Lodge Recording Secretary, provided that all Local Lodge election tellers are properly trained.

(d) The election for Local Lodge officers shall be held triennially in October. The voting shall be by secret ballot. Polls shall remain open at a single location as near as possible to the yard or plant where the various employees work, on a day and times as designated by the Local Lodge Recording Secretary.

(e) Notice of the nominations and election shall be given to the membership by the Local Lodge Recording Secretary at least sixty (60) days prior to the date thereof by mail.

(f) The Recording Secretary shall make a full report of the results of the election at the next scheduled membership meeting.

(g) The candidate receiving a plurality of the votes cast for any office shall be declared elected to that office for the ensuing term.

(h) The newly elected Local Lodge officers shall be installed at the regular membership meeting in January following the election. At the time of the Installation each officer shall take the oath of office prescribed in the IAM Constitution.

Section 6 – Local Lodge Officer Improper Conduct

Any officer or Chief Steward may be removed from their office for improper conduct or for absenting themselves from two successive regularly called meetings of any body of which they are a member, unless his or her absence is excused as per the I.A.M. Constitution, Article B, Section 3, or for failing to fulfill, or improperly fulfilling the duties of his office, but in all cases he or she shall be given a proper trial in accordance with the provisions of Article L of the IAM Constitution.

Section 7 – Duties of Local Lodge Officers

(a) As is provided in Article C of the IAM Constitution, Duties of Local Lodge Officers, and in the event that a vacancy in the office of the Local Lodge President occurs, the Local Lodge Vice President shall fill the office of the Local lodge President. Should a vacancy occur in any of the other Local lodge officer position, the Local lodge president, with prior approval of the Local lodge Executive Board, shall appoint a member of the Local to fill the vacant office for the balance of the original term of office.

(b) In such event, the Local Lodge President shall submit his or her appointment for approval by the Local Lodge Executive Board at the next scheduled meeting of that body following the occurrence of the vacancy.

Section 8 – Duties of the Local Lodge President

(a) In conformance with Section 1, Article C of the IAM Constitution, the duties of the President shall be to serve the membership; to preside at all meetings of the Local; to decide all questions or disputes not controlled by laws of the IAM; countersign orders and checks properly drawn on or by the Local Lodge Secretary-Treasurer; appoint Local Lodge committees not otherwise provided for in these Bylaws; appoint a Local Lodge educator and communicator; administer the obligation to new members; enforce the laws of the IAM applicable to Local Lodges, and members; the Local Lodge President will maintain a written weekly attendance and vacation record and file this document/form with the Local Lodge Secretary-Treasurer, and perform such duties as may be required by the IAM Constitution and, in case of a tie, shall cast the deciding vote. The Local Lodge President shall be bonded in such amount as may be prescribed by federal law and in the amounts determined by

Grand Lodge, within the provisions of Section 6, Article VII of the IAM Constitution.

(b) The Local Lodge President shall also be a delegate to any Special Convention that may take place during his or her term of office and shall be the Local's delegate to the Maine State AFL-CIO Council and to any other organization in the labor movement upon which the Local Lodge may be entitled to representation.

(c) The Local President shall serve as Business Manager. He or she shall receive for the faithful performance of this duty, a maximum pay of forty-eight (48) times the hourly rate of the highest paid mechanic in the Local Lodge excluding while assigned and shift premiums. There shall be no allowance for expenses incurred in the usual and daily performance of his or her duties.

Section 9 – Duties of the Local Lodge Vice President

(a) In conformance with Section 2, Article C of the IAM Constitution,, it shall be the duty of the Vice President to see that all people entering the Local Lodge room are members; see that all property of the Local Lodge has proper care and assist the Local Lodge President in maintaining order; preside at all meetings in the absence of the Local Lodge President; shall, in the absence of the Local Lodge President, be authorized to sign vouchers, checks, and other documents in his or her place and stead, subject to approval of the Local Lodge; the Local Lodge Vice President shall act as Alternate Chief Steward whenever the Chief Steward is ill, on vacation or a delegate to a labor conference or convention, and in case of death, removal, or resignation of the Local Lodge President, shall become Local Lodge President and serve as such until after the next regular election and installation of the successor in office. The Local Lodge Vice President will maintain a written weekly attendance and vacation record and file this documents/form with the Local Lodge Secretary-Treasurer, and perform such other duties as are required by these Bylaws and the IAM Constitution.

(b) When necessary and feasible the Vice President may be employed full time by the Local. When so employed, he or she shall receive for the faithful performance of his or her duties, a maximum weekly pay of forty-four (44) times the hourly rate of the highest paid mechanic in the Local Lodge excluding while assigned and shift premiums.

Section 10 – Duties of the Local Lodge Recording Secretary

In conformance with Section 3, Article C of the IAM Constitution, the Local Lodge Recording Secretary shall conduct correspondence for, and in the name of the Local Lodge; present all communications and bills to the Local Lodge; and deliver such bills to and for the files of the Local Lodge Secretary-Treasurer; draw all orders on the Local lodge Secretary-Treasurer when passed by the Local Lodge, and attest the same by properly signing and attaching the seal of the Local Lodge thereto: prepare and sign all credentials of delegates and alternate delegates to conventions of the Grand Lodge, and forward duplicates thereof to the IAM General Secretary-Treasurer; keep minutes of the Local Lodge meetings, and perform such other duties as are required by these Bylaws and the IAM Constitution. When the Local Lodge President and Vice President are absent at the time for the opening of any meeting, the Local Lodge Recording Secretary shall act as temporary chairman and conduct the nomination and election of a chairperson for that meeting. In the absence of the Local Lodge Recording Secretary any other Local Officer may fulfill that duty. The Local Lodge Recording Secretary may be required to oversee Local Lodge elections and conduct Local Lodge membership mailings, or membership voting actions, such as Local Lodge membership contract proposals and or strike authorization and membership ratification actions, Officer, Steward and or Committee elections.

Section 11 – Duties of the Local Lodge Secretary-Treasurer

(a) In conformance with Section 4, Article C of the IAM Constitution, the Local Lodge Secretary-Treasurer shall perform only those functions not performed by the District Lodge Secretary-Treasurer. The Local Lodge Secretary-Treasurer shall conform to all applicable requirements of the duties function found in all Sections, of Article C of the IAM Constitution, and perform such other duties as require by these bylaws, the IAM General Secretary-Treasure and the IAM Constitution, and will produce the necessary reports for IAM audits and any required government reports. The Local Lodge Secretary-Treasurer shall receive and deposit all funds of the Local Lodge in a bank of sound financial standing in the name of the Local Lodge; pay all properly drawn orders by check, which checks shall be countersigned by the Local Lodge President, but shall not draw any checks in violation of Section 3 of Article C of the IAM Constitution. The Local Lodge Secretary-Treasurer shall by the computerized methods approved and authorized by the IAM General Secretary-Treasurer collect all dues, fines, assessments and all monies from any source for the benefit of the Local Lodge; keep a systematic account of all disbursements in such a way as to show the balance of cash on hand at the close of each meeting of the Local Lodge; file all receipted bills; keep a correct account between the Lodge and its members; and submit the books to the

Local Lodge Auditing committee, semiannually (at the close of June and December), and shall submit all records, files of bills, and all such information as may be required, to the Grand Lodge Auditor(s) when so ordered, and shall be bonded in such amount as may be prescribed by federal law and in the amounts determined by Grand Lodge, within the provisions of Section 6, Article VII of the IAM Constitution.

(b) The Local Lodge Secretary-Treasurer shall make a financial report at each regular Local Lodge membership meeting, giving the balance in the banks as of the last full month, reporting the beginning of the month and end of the month balance, and shall be bonded in such sum as be prescribed by federal law and in the amounts determined by Grand Lodge.

Section 12 – Duties of the Local Lodge Trustees

(a) In conformance with Section 8, Article C of the IAM Constitution, the Local Lodge shall have (3) three members who shall serve as trustees, and they shall be nominated and elected by the Local Lodge membership at the same time Local Lodge officers elections are held and for the same term. The Local Lodge Board of Trustees shall have charge of all property belonging to the Local Lodge; shall see that all of the books are properly kept, and at the time of the semiannual audit shall assist the Local Lodge Auditing Committee in the examination of all books and accounts and verify the report of the Local Lodge Auditing Committee by attaching their signatures thereto. Should the work of auditing the books of the Local Lodge be delayed on account of a failure of one or more of the Trustees to be in attendance, the auditors shall proceed to carry on the work in the same manner as though all of the Trustees were present. The Local Lodge Trustees shall be liable to the Grand Lodge for all funds and other property of the Local Lodge, under their control. The Trustees shall have supervision of, and make all arrangements for meetings of any kind to be held in the hall selected by the Local. They shall purchase all property and paraphernalia whose purchase is not otherwise provided for in these Bylaws. They shall secure from the Grand Lodge equipment supplied by it at the proper time; they shall be supplied with a certified letter from the Executive Board to the bank empowering the Trustees to obtain a statement of the Local's account at any time they deem it advisable. They shall make such investments as instructed by the Local, turning over to the Secretary-Treasurer all vouchers, bonds, and any interest accruing from the investment. They shall keep a petty cash account of fifty dollars (\$50.00) to make such purchases, of an emergency nature only, as might be required between meetings, these purchases to be itemized in the Trustees report to the Executive Board for the latter's approval, and the account is to be replenished at each meeting of the Local. They shall perform such other duties as the Local may from time to time require of them. The Trustees shall put out for bids the

position of Janitor, for the Local Lodge S6 Union Hall, during the month of June each year. Sealed bids must be in the hands of the Trustees no later than the first Tuesday in the month of July. Bids are to be opened prior to the July Executive Board Meeting. Those eligible to bid are Local Lodge S6 Union members and/or retired Local Lodge S6 Union members. The Trustees reserve the right to accept or reject any or all bids submitted.

(b) One Trustee shall go with the Financial Secretary to the bank at least once a quarter and verify the Local Lodge account. There shall be a log book kept in the Trustees office signed with the date, time and who went. A report will be made at the next general membership meeting on the account being verified. Any Trustee may request at any time to go to the bank with anyone on the account to see the Local Lodge account.

Section 13 – Duties of the Local Lodge Auditors

In conformance with Section 7 Article C of the IAM Constitution, the Local Lodge shall have an auditing committee of (3) three members, and they shall be nominated and elected by the Local Lodge membership at the same time Local Lodge officers elections are held and for the same term. Officers of the Local Lodge are not eligible for election as members of the committee.

Section 14 – Duties of the Local Lodge Conductor-Sentinel

In conformance with Section 9, Article C of the IAM Constitution, the Local Lodge Conductor-Sentinel shall examine all people present prior to the opening of all meetings of the Local Lodge, for the purpose of ascertaining whether any are in attendance who are not entitled to remain, and shall report to the Local Lodge President all those present who are in arrears for dues. The Local Lodge Conductor-Sentinel shall answer all alarms at the door, report the same, and admit all who are entitled to admission.

Section 15 – Duties of the Local Lodge Communicator

In conformance with Section 10, Article C of the IAM Constitution, the Local Lodge Communicator shall be appointed by the Local Lodge President, and who shall, in accordance with the official directives, policies, and programs of the Grand Lodge, use the latest forms of information technology to communicate with the Local Lodge membership about their work and family lives.

Section 16 – Duties of the Local Lodge Educator

In conformance with Section 11, Article C of the IAM Constitution, the Local Lodge Educator shall be appointed by the Local Lodge President, and who shall assist in carrying out the official directives, policies, and programs of the Grand Lodge, and any other education and training programs approved by the Grand Lodge, and related to educating and training the Local Lodge membership on all issues affecting workers and their families.

Section 17 – Number and Duties of Local Lodge Chief Stewards

(a) There shall be two (2) Local Lodge Chief Stewards; one who shall serve at the Main yard, and one who shall serve at the Harding plant respectively. The Local Lodge Chief Stewards shall be nominated and elected in the same manner as provided for the Local Lodge Officers, and when working for the Local Lodge on a leave of absence from the company, the Local Lodge Chief Steward(s) will maintain a written weekly attendance and vacation record and file this document/form with the Local Lodge Secretary-Treasurer. The Local Lodge Chief Steward(s) shall attend all meetings of their respective Local Lodge Grievance Committee(s) and, in case of a tie, shall cast the deciding vote concerning the decision of the Committee concerning the status of any grievance(s). The Local Lodge Chief Steward(s), when requested by a member, will attend unemployment hearings on behalf of an affected member(s). The Local Lodge Chief Steward of the Main Plant will receive for their faithful performance of this duty, a maximum of not more than forty-four (44) hours of lost time at the hourly rate of the highest paid mechanic in the Local Lodge excluding while assigned and shift premiums. Chief Stewards will attend Local Lodge Executive Board and membership meetings and provide reports of all grievance and arbitration activities and other concerns of the Local Lodge Grievance Committees and the membership.

(b) The Local Lodge Chief Stewards shall at all times maintain communications with the Local Lodge President and shall make weekly lost time compensation reports on regular report blanks furnished by the Local , which shall be submitted to the Local Lodge President, not later than Monday morning of each week, and they shall make monthly reports at all meetings of which they are required to attend, and make monthly reports concerning all lost time compensation by Local Lodge representatives within their responsible areas, and when called upon by the Local Lodge President, Local Lodge Executive Board or membership for any interim report(s), if required. When acting as the Local Lodge Chief Steward, the Local Lodge Vice President will maintain the same reporting responsibilities as the Local Lodge Chief Steward.

Section 18 – Duties of Local Lodge Grievance Committee(s)

(a) There shall be two (2) Local Lodge Grievance Committees consisting of the Main yard/East Brunswick Manufacturing Facility and the Hardings/Consolidated Warehouse facilities. Both Committees, Chief Stewards and Committee chairperson shall interact with the assigned District Lodge 4 Business Representative(s) concerning Local Lodge grievances that are appealed and or are pending arbitration. Any grievance appealed to arbitration by the Local Lodge Grievance Committee(s) will be subject to the District Lodge's authority concerning final disposition.

(b) Grievance Committee make up shall be as follows:

1. The Main yard and the East Brunswick Manufacturing facility Grievance Committee shall consist of six (6) members, five (5) of whom shall be nominated and elected in the same manner as provided for the Local Lodge Officers. The Chief Steward shall serve as Chairperson at his or her respective Grievance Committee at the yard or facility unless otherwise determined by these Bylaws.

2. The Harding and Consolidated Warehouse Grievance Committee shall consist of five (5) members, four (4) of whom shall be nominated and elected in the same manner as provided for the Local Lodge Officers. The Chief Steward shall serve as Chairperson at his or her respective yard or facility.

Section 19 – Local Lodge Salaries

(a) In conformance with Section 12, Article C of the IAM Constitution, in no case shall the salaried of Local Lodge Officers be paid by dues stamps, but all such payments shall be made by check.

(b) No Local Lodge Officer, Chief Steward or Committee person shall receive a salary for holding any position in the Local Lodge. Except where otherwise noted in these Bylaws all lost time paid shall be at the rate at the existing labor grade level of the Officer, Chief Steward, Steward, Committee person or members who seeks such payment, and all reasonable lost time, hours, for union purposes and function, shall be reviewed and approved by vote of the Local lodge Executive Board, and may be allowed on a month by month basis, with the review and approval of the membership. In the case of the Local Lodge Officers, Committeepersons and Members requesting lost time for fulfilling duties functions of the Local lodge, or District Lodge, or when required, in the approved service of the Grand Lodge, shall complete a weekly time sheet to the Local Lodge fully detailing the dates, reason(s) and

purpose for the lost time. Shop Stewards and General Stewards requesting lost time must, in addition to the above procedure, attach a form(s) negotiated with and provided by the company attached to the weekly time sheet, and submit same to their designated Chief Steward who shall on a weekly basis review and approve such lost time requests and affix his or her signature to the weekly time sheet as checked and dated, and submit same to the Local Lodge President who will confirm that such lost time is appropriate for submission to the membership for their review and approval. This documentation, as approved by the Local Lodge President and submitted to the Local Lodge Executive Board for their review and approval, and must be read by the appropriate Chief Steward(s) and approved by the membership at the next scheduled regular membership meeting.

Article V – Local Lodge Executive Board

(a) The Local Lodge Executive Board shall consist of the President, who shall be chairperson; the Recording Secretary, who shall be Secretary; and the other designated Constitutional Officers as identified in Article C of the IAM Constitution.

(b) The Executive Board shall meet at least once a month. The Chairperson and Secretary may call Special Meetings. Five (5) members shall be a quorum at all meetings of the Executive Board.

(c) The Executive Board shall deliberate and determine a course of action concerning all questions that need immediate attention that may arise between Regular membership meetings of the Local Lodge; and may take such action thereon as they deem advisable for the good and welfare of the Local Lodge. For all actions taken by it, the Executive Board shall be held accountable to the membership to whom the Local Lodge President shall make a complete report of its meetings and action taken at each monthly regular membership meeting, and or at any special membership meeting.

ARTICLE VI – Local Lodge Negotiating Committee

The Local Lodge Negotiation Committee shall consist of (8) eight members, inclusive of the Local Lodge President who shall act as Chairperson of the Committee, two (2) Chief Stewards, and five (5) members elected at a general election to be held at least six (6) months prior to negotiations. The District Lodge 4 Directing Business Representative may serve on this committee and may assign a Business Representative (s) to the committee to assist in the negotiations process. All Local Lodge Negotiating Committee members shall

participate in all educational and or training program(s) provided by the Local Lodge, District Lodge and or Grand Lodge.

Section 1 It shall be the duty of the Local Lodge Negotiating Committee to conduct research on agreements, be alert to the problems under the present agreement, study, investigate and propose beneficial changes, wages, pension plans, sick and welfare benefits, insurances, and other applicable areas of membership need, and to make recommendations to the membership before opening of negotiations with the Company.

Section 2 The Local Lodge Negotiating Committee shall have the power to negotiate terms of agreement, but will not have the power to sign any agreement with the Company without the direction and approval of the membership.

Section 3 Local Lodge S6 will distribute, to all Local Lodge S6 members, a questionnaire for the purpose of making recommendations and comments for the approaching contract negotiations.

Section 4 It is mandatory for any member who desires to qualify for nomination to the Negotiating Committee to Local Lodge S6 to attend at least six (6) regular monthly membership meetings in the twelve (12) months preceding the date of nomination.

ARTICLE VII – Local Lodge Committees

(a) The Local lodge President shall appoint the following Local Lodge Standing committees: Joint Apprenticeship and Human Rights. He or she shall be Chairperson ex officio of these committees.

(b) All other standing Local Lodge committees shall be elected for a term of two (2) years, biennially in October. Vacancies that occur between regular Local Lodge election dates shall be filled by vote of the Executive Board for the duration of the term, in a timely manner.

(c) The local Lodge standing committees shall be Benefits (4 members), Community Services (5 members), Education (4 members), Safety and Health (5 members), Human Rights, Apprenticeship, Legislative (5 members), Organizing (5 members) and Women's (5 members). Local lodge Committee members shall be nominated and elected by a majority of votes cast by the members of the Local Lodge Executive Board, Chief Stewards, Shop and General Stewards and the Grievance Committee(s). Unless otherwise noted in

this Article, the Local Lodge Recording Secretary shall oversight the nomination and election of the Committee members and the members of Local Lodge Committees shall nominate and elect a Chairperson of this Committee. Additionally, the Benefits Committee will have one (1) additional member appointed by Executive Board and the Safety Committee will have two (2) additional members appointed by the Executive Board.

(d) All standing committees shall select a chairperson of their respective committee within a timely manner.

ARTICLE VIII – Local Lodge Membership Training and Education

(a) All Local Lodge members are eligible to submit their name for selection consideration for Education and Training programs offered by the Local Lodge, District and Grand Lodge. The Local Lodge Executive Board shall review all educational and training opportunities and shall determine by majority vote those members who will be appointed to attend such programs that will improve the ability of the Local Lodge to better represent the membership. Each year, in a timely manner, the Local Lodge Executive Board shall require that the Local Lodge Recording Secretary post and provide notice to the membership of all educational and or training programs via the Local Lodge Union Bulletin Boards, the Local Lodge Web Site and the Local Lodge Newsletter. Members serving in a Local Lodge representative's position or office and or on a Local Lodge Committee(s) will be given priority consideration for appointment to training concerning the activities of the Local Lodge position held or committee of which they are a member.

(b) Any Local Lodge member who is authorized by the Local Lodge to travel to the William W. Winpisinger Education and Technology Center to attend educational training shall be reimbursed for actual wages lost for the period of the training assignment affecting the member's daily wages lost at regular pay, excluding any overtime. Prior to departure the member shall receive \$50.00 per day per diem on the day of travel to and from the center only, and should such training be canceled or the member not attend such training all per diem should be returned to the Secretary-Treasurer of the Local Lodge.

ARTICLE IX – Local Lodge Delegates and Expenditures

Section 1 – Delegates

(a) Nominations of candidates for Local Lodge Delegate(s) and alternate delegates to conventions, conferences, and councils shall take place triennially at the regular membership meeting in September.

(b) Any member in good standing and who is present at the regular membership meeting may nominate a member for each delegate position.

(c) Any member nominated shall be present at the meeting when nominated or give his or her consent in writing at the time of the nomination. Such nominated member for District Lodge delegate shall meet the qualifications as required in Article III, Section 1(b) and Article IV, Section 3 of these Bylaws.

(d) Elections for delegates so nominated shall be held at the next regular membership meeting in accordance with Article III, Section 4 (c) of these Bylaws.

(e) Members receiving the highest number of votes will be declared the elected delegates and the alternates will be in the order of votes received.

(f) Vacancies shall be filled by the alternated delegates in accordance with their standing.

(g) Any delegate representing the Local Lodge shall be paid for the actual time lost from work as representative of the Local Lodge at the same salary per hour which he or she would have received had they been working in the yard or facility. This Section shall not apply to any full-time representatives of District Lodge 4.

(h) Any elected or appointed Local Lodge delegate who represents the Local Lodge at any conference or convention shall be reimbursed for actual wages lost plus an allowance of \$90.00 per day per diem. Per Diem shall be proved prior to departure. In the event the delegate does not attend the conference or convention per diem will be reimbursed to the Local Lodge. Transportation costs and hotel/motel room shall be arranged and paid by the Local Lodge. In the case where overnight stay is not required only per diem shall be provided to such delegates whenever travel by automobile is

authorized and substituted for other modes of travel, mileage expenses shall be in accordance with current IRS published rate per mile for traveling expenses.

(i) Delegates to the District Lodge shall be nominated at the regular membership meeting in September every four (4) years. Election for District Lodge delegates shall be held on the second Wednesday of December from 6:00 a.m. to 8:00 p.m.

(j) Members receiving the highest number of votes will be declared elected delegates and the alternates will be in the order of votes received.

Section 2 – Expenditures

In all cases, any Local Lodge expenditure in excess of \$125.00 must be voted on at a regular membership meeting and approved by a majority of those Local Lodge members voting. Expenditures from the Local Lodge Treasury shall only be made upon specific authorization by the membership. The Recording Secretary shall make a voucher authorizing the expenditure and said voucher must be signed by both the Recording Secretary and the President. The voucher shall be transmitted to the Secretary-Treasurer who shall make out the Local Lodge's check accordingly, which shall be signed by the President and the Secretary-Treasurer.

Section 3 – Local Lodge Salaries and Loans

No salary shall be paid to any officer or member of this Local Lodge except as provided in these Bylaws or by an amendment properly made to these Bylaws as approved by the International President. No loans shall be made to any Local Lodge member or other person from the Local Lodge's funds.

Section 4 – Lost Time Reimbursement

(a) Officers and members of the Local shall be reimbursed for time lost from their work while on union business only when previously authorized by the President and Secretary-Treasurer to take such time off, and in compliance with the applicable provisions of the Local Lodge Bylaws. Under such circumstances they shall be reimbursed by the Union for wages actually lost, plus legitimate expenses incurred on union business. Such expenses will be paid only upon presentation of verified receipts of such expenditures to the Local Lodge Secretary-Treasurer's Union Office, with final approval vested in the membership's actions at each membership meeting.

(b) Delegates shall be elected in this Local, if possible, at least one (1) month prior to the Convention, Special Convention or State Convention or any other body with which this Local may be affiliated, by a fairly conducted general election in which all members in good standing shall have the opportunity to vote. Delegates to the Grand Lodge Convention shall be elected in accordance with Article II, Section 3 of the IAM Constitution.

(c) The President and at least one (1) other member who served on the most recent Local Lodge Negotiating Committee shall be delegates to the Policy Conference. The Delegate or Delegates shall be elected by the Local Lodge Executive Board. When a delegate must use his or her own vehicle, they will receive the maximum allowable mileage per current IRS guidelines.

Transportation costs and hotel/motel room shall be arranged and paid for by the Local Lodge. Prior to departure delegates shall receive \$50.00 per day per diem. In the event a delegate does not attend the conference per diem will be reimbursed to the Local Lodge.

(d) During any one calendar year, financial response to any solicitation other than for Local Lodge or Union oriented causes shall be limited to twenty-five dollars (\$25.00) for any one national or local organization.

(e) No donation to other than union oriented causes shall be made if the Local treasury should fall below twenty five thousand dollars (\$25,000.00).

ARTICLE X – Agreements and Strikes

Section 1 – Negotiations Conditions and Agreements

Prior to the Local Lodge entering into negotiations with an employer for a successor collective bargaining agreement, or for a major modification of an existing collective bargaining agreement, the officers of this Local Lodge must notify the International Union, the Territorial General Vice President, and the District Lodge 4 Directing Business Representative of the pending negotiations and or meetings. No agreement or amendment to an agreement between this Local Lodge, and any Local of this Union, and an employer shall become effective, or be deemed to be valid unless said agreement or amendment:

(a) Names this Local Lodge and District Lodge 4 as a party to the agreement;

(b) Has been approved by the IAM Executive Council, and following such approval;

(c) Has been ratified by the vote of the majority of those members to be covered by the agreement who vote on the question. Such agreement(s) shall be made available to every member covered by the agreement before a ratification vote is taken, and said agreement(s) must be endorsed by a majority vote of the aforementioned members before becoming effective.

Section 2 – Strikes

No strike(s) shall be called without first having been submitted to the membership of the Local, and as long in advance of a vote being taken on same as shall be submitted to the membership. No strikes shall be called without authority and sanction, in writing by the International President, as provided in the IAM Constitution.

Section 3 – Representative Authority

The Grand Lodge, District Lodge 4, and this Local Lodge shall be the exclusive representative of each member of this Local Lodge for the purpose of collective bargaining in respect to rates of pay, wages, hours of employment, and any and all other conditions of employment for the negotiation and execution of contracts with employers covering all such matters, including contracts requiring membership or the continuance of membership in the union as a condition continued employment, and also including contracts requiring the employer to deduct, collect or assist in collecting from his or her wages, any dues, fees, assessments, fines or other contributions payable to the Grand Lodge or this Local Lodge. The Grand Lodge, District Lodge 4, and this Local Lodge shall be deemed to be, by each member of this Union, irrevocably designated, authorized and empowered exclusively to appear and act for the membership before any person, committee, board, court, or tribunal of any kind in any matter affecting their status as an employee, or as a member of this Local Lodge or the Grand Lodge, and exclusively to act as the Local Lodge's and or member's agent to represent and bind the Local Lodge or the member(s) in the presentation, prosecution, adjustment and settlement of all claims, grievances, complaints or disputes of any kind or character arising out of the employer-employee relationship, as fully and to all intents and purposes as he or she might or could do if personally present.

ARTICLE XI – Shop Stewards and General Stewards

Section 1 – Nomination and Election of Shop Stewards

(a) Each Local Lodge represented company department shall nominate and elect a Shop Steward or Stewards within their department and on the same shift. Elections are to be held biennially in September. Vacancies occurring between biennial elections are to be filled in the manner prescribed in Section 1 (b) of these bylaws. Nomination forms may be obtained from the Local Lodge Business office and must be signed by not less than 10% of the members affected in good standing and submitted to the Local Lodge Recording Secretary within the time parameters required. The Executive Board shall vote based on the Chief Steward's recommendation to fill short-term vacancies in steward positions.

(b) Shop Stewards shall be elected by the members employed in the Local Lodge represented company department and shift involved. To be nominated for shop steward a member shall require the signature of not less than 10% of the members affected. The list of eligible nominees shall be posted on the Local Lodge's Union bulletin board not less than one (1) week prior to election. The Local Lodge Recording Secretary shall oversight the nomination and election of all Shop Stewards, and may select such members to assist him or her as may be necessary and shall train such members as election tellers in accordance with current election procedures. The number of Shop Stewards to which each department and shift is entitled shall be posted on the Local Lodge Union bulletin boards.

(c) Any member in good standing with the Local Lodge is eligible to seek nomination and election to be a Shop Steward in the department and shift in which an opening exists, if he or she has been in continuous good standing in the Local Lodge for not less than twelve (12) months prior to his or her nomination.

(d) The Shop Stewards on the same shift within the areas/shift will nominate and elect a General Steward (1 for EBMF, 1 for 2nd Shift and 1 for 3rd Shift) who will coordinate with the area wide stewards, the Local Lodge Grievance Committee(s), the Chief Steward(s) and the company concerning matters affecting members, the collective bargaining agreement and other related issues.

Section 2 – Shop and General Steward Duties

(a) The duties of the Shop and General Steward shall be to maintain close contact with all members in his or her department for the

purpose of ascertaining the existence of any grievance or complaint against the company. When the shop or general steward has ascertained the existence of a grievance or complaint against the company he or she shall seek the settlement of such complaint or grievance through the grievance procedure in compliance with the applicable CBA. Once a shop or general steward has reduced a grievance to written form, the grievance will be submitted to the chief steward for processing. All submitted grievances must be accompanied by fact sheets and supporting documents.

(b) The Shop Steward shall contact every new employee as soon as possible after he or she is employed and secure his or her name, address and all other information of interest to the Local Lodge, and submit this information to the Local Lodge President as soon as possible.

(c) All Shop and General Stewards must attend at least two (2) mandatory steward training sessions per year, pertaining to specialized grievance handling, including arbitration procedure, the negotiated safety & health program, motivation, understanding of committees, organizing and American with Disabilities Act (A.D.A), and the principles and values espoused by the IAM.

(d) When so requested, the Shop and General Steward shall, as a condition of retaining his or her Stewardship, assist in the distribution of Union periodicals, leaflets, and such other materials as may be distributed by the Local, District or International Union. A record shall be kept of each incident in which he or she may fail or refuse to comply.

(e) Any Shop or General Steward or Local Lodge Grievance Committeeperson may be suspended by action of the Local Lodge Executive Board and or the membership pending investigation and possible action as provided within Article L of the IAM Constitution for improper conduct or for failing to fulfill or improperly fulfilling the duties of his or her position.

(f) Should a Shop or General Steward be absent from any two successive regular membership meetings of the Local Lodge the Steward shall be deemed to have automatically vacated his or her Steward's position. This provision also applies equally to Local Lodge Grievance Committeepersons or Appointee(s). Exception is made for regularly granted compensation time. Such member shall not be eligible to serve in said capacity for a period of one year, except as otherwise proved in Sub-Section (g) of this Article.

(g) Those mentioned in Sub-Section (f) of this Article may be reinstated by the Local Lodge Executive Board, provided same shall appear before said Board and show that such absence was due to extremely unusual

circumstances and or conditions beyond their control. Habitual absenteeism shall not be excusable.

(h) When it becomes necessary to reduce the Local Lodge steward force because of Local Lodge represented company department has dropped to a number of employees below that require by the contractual agreement, the procedure shall be as follows:

1. The steward with the least departmental seniority shall be the first one relieved.

2. In the event departmental seniority is equal the provisions of the collective bargaining agreement providing for reduction by alphabetical order shall be used, with the steward with the highest letter of the alphabet in his or her last name at the time he or she was elected being the first one relieved. The letter Z being the highest.

ARTICLE XII – Local Lodge Bylaws and Proposed Amendments

Section 1 – Proposed Amendments

(a) All proposed amendments to the Local Lodge Bylaws must be presented to the Local Lodge Recording Secretary in writing, signed by at least (5) five members in good standing of the Local Lodge. Upon receipt of the proposed amendment(s) the Local Lodge President shall immediately appoint a committee of five (5) members to study the proposed amendment. The committee's recommendation shall be made to the Local Lodge Executive Board at its next meeting, and shall then be referred from the Local Lodge Executive Board to the following regular membership meeting for membership action, approval or disapproval or referral. Notice of any proposed amendment shall be posted in its entirety at least ten (10) working days prior to the regular membership meeting. A two-thirds (2/3) vote of the members present at the Local Lodge regular membership meeting shall be required for passage and adoption, with the exception of dues increases as stated in Article 2, Section 4(b) of these Bylaws. The proposed amendment shall then become effective upon the approval of the International President.

(b) A proposed amendment to a Local Lodge Bylaws which is approved or defeated cannot again be proposed and or resubmitted to a vote of the Local Lodge members for a period of at least one (1) year, except if the proposed amendment was to amend the amount of union dues and or initiation fees to be paid to a Local Lodge in which case such proposed amendment may

again be proposed and voted upon without restriction as to any elapsed period of time.

(c) When five (5) Bylaw Amendments become effective, the Bylaws shall be updated.

(d) Any contract or agreement entered into by this Local Lodge and with an employer shall constitute, and be binding as, a portion of these Bylaws.

(e) Any questions of rules or procedure which are not specifically covered by these bylaws or by the IAM Constitution shall be settled by Robert's Rule of Order.

Section 2 – Members Entitlements

Each member in good standing of this Local is entitled to receive a copy of the Local Lodge Bylaws, the IAM Constitution and any collective bargaining agreement entered into by the Local Lodge, affecting his or her employment.

ARTICLE XIII – Governance

Nothing in these Local Lodge Bylaws shall be construed or applied in a manner that will conflict with any of the provisions of the IAM Constitution. All matters arising and not specifically covered by these Bylaws shall be governed by the IAM Constitution.

**Approved on behalf of the
International President**



Rickey Wallace
RESIDENT GENERAL VICE PRESIDENT